

**Lambton County Community Services
Housing Services Department
Operations Policy and Procedure Manual**

SUBJECT: Continual/Persistent Late Rent Payment		INDEX NO.: 2.011
EFFECTIVE: 01/01/06	APPROVED: 02/01/06	REVISED: 04/10/07

Policy:

Tenants who pay their rent late (after the 1st of the month) for three (3) consecutive months or three (3) times in a six-month period will be issued with a letter of warning that their tenancy is in jeopardy and they may be issued a 60 day Notice to End a Tenancy Early for Non-Payment of Rent (N4) per Residential Tenancies Act (RTA) provisions. The tenant will receive subsequent letters of warning each month following the initial warning until a N4 is issued.

Tenants who continue to pay their rent late (after the 1st of the month) and have paid their rent late at least six times (6) in a twelve-month period will be issued with a 60 day Notice to Terminate a Tenancy at the End of a Term (N8) per Residential Tenancies Act (RTA) provisions.

Procedure:

The Property Manager will review accounts on a monthly basis. Any household who has paid their rent late for two (2) consecutive months will be encouraged to use the electronic file transfer or post dated cheque option to pay rent. The Property Manager will issue letter(s) of warning to any household who has paid their rent late for three (3) consecutive months or three (3) times in a six-month period. This letter will warn that their tenancy is in jeopardy and they may be issued a 60 day Notice to End a Tenancy Early (N4). Tenants will be issued a letter of warning each subsequent month rent is paid late. Tenants who continue to pay their rent late (after the 1st of the month) and have paid their rent late at least six times (6) in a twelve-month period will be issued with a 60 day Notice to Terminate a Tenancy at the End of a Term (N8) per Tenant Protection Act (RTA) provisions. The notice will be given at the end of the month. The tenant must be in arrears when the notice is issued.

If the tenant does not move out by the date indicated in the N4, the Property Manager makes application for eviction to the Landlord and Tenant Board (LTB). The application fee (\$150.00) is added to tenant's rental account.

Prior to the LTB hearing date, a mediator from LTB may call to determine if the Housing Services Department and the tenant are interested in a mediated agreement.

An agreement may be signed between the Housing Services Department and the tenant requiring the tenant to ensure his/her rent is paid on or before the 1st of every month and

**Lambton County Community Services
Housing Services Department
Operations Policy and Procedure Manual**

SUBJECT: Continual/Persistent Late Rent Payment		INDEX NO.: 2.011
EFFECTIVE: 01/01/06	APPROVED: 02/01/06	REVISED: 04/10/07

that failure to do so will result in the Housing Services Department seeking court action for eviction. The LTB mediator will prepare the agreement for signature by the Housing Services Department and the tenant. If accepted by both parties, the mediator will arrange for the hearing to be cancelled.

NOTE: The tenant must still pay the LTB application fee of \$150.00 and this will form part of the agreement.

If the Tenant does not honor the terms of the agreement, Property Manager will immediately proceed with court action for eviction.