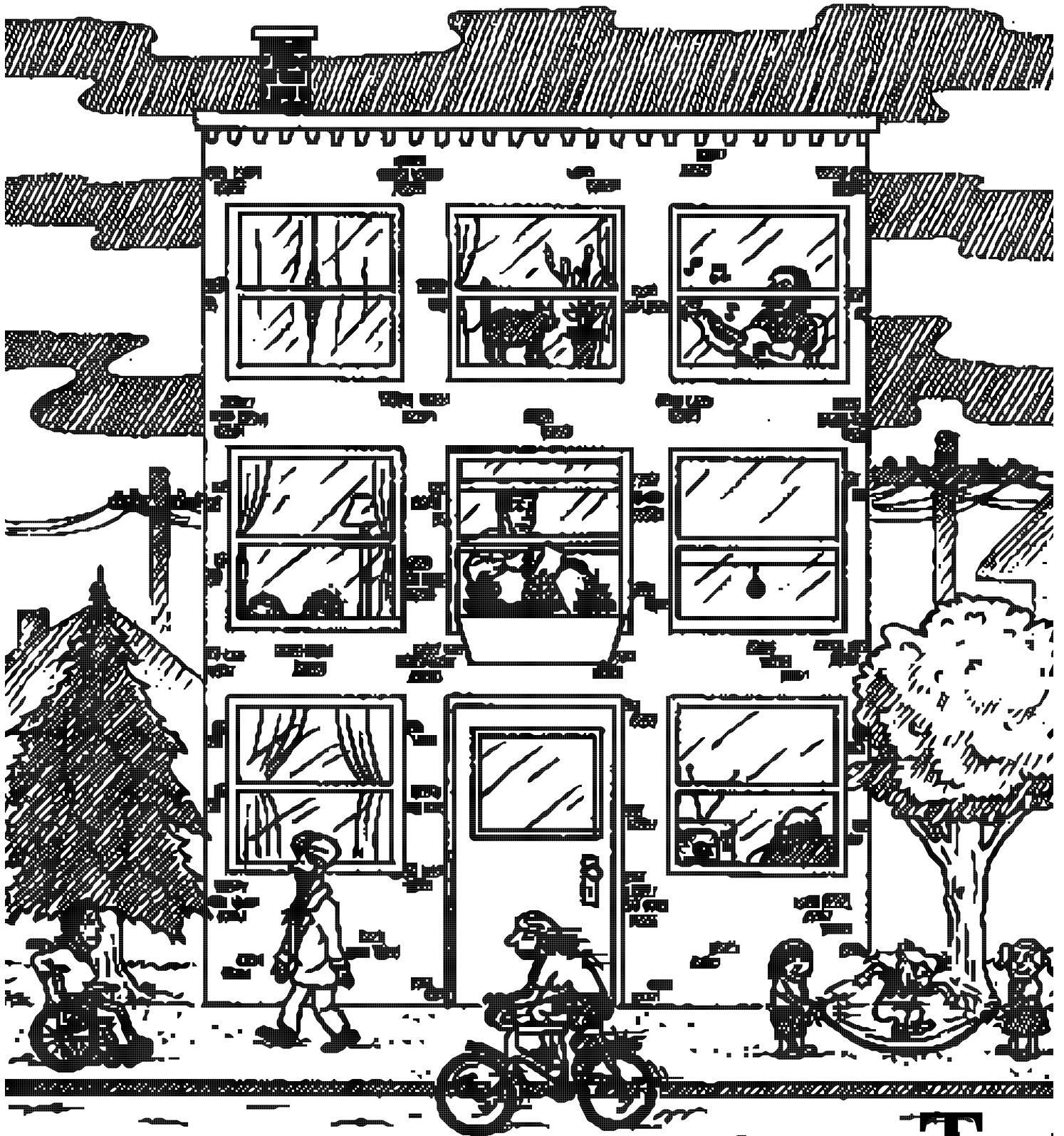


THE GUIDE TO TROUBLE FREE RENTING



THE GUIDE TO TROUBLE FREE RENTING - 2nd ed.

The Advocacy Centre,
an agency of
Nelson District Community Resources Society
2002

Canadian Cataloguing in Publishing Data
Earnshaw, Andrew, 1969 -
The guide to trouble free renting
Updated (2002) by Evelyn Riechert

ISBN 0-9686405-0-8

1. Landlord and Tenant--British Columbia--Popular Works I. Wapp, Josh, 1969- II. Riechert, Evelyn, 1957- (ed.) II. title.
HD 7305 B75E37 2000 346.71103'34 C99-901611-3

The original booklet was made possible with the support of:

- BC Housing
- The Leon and Thea Koerner Foundation
- The Law Foundation of British Columbia
 - Legal Services Society
- The Vancouver Foundation

The second edition was made possible through the generous support of:



- and with the writing and editing contributions of tenants and housing advocates across BC

**We hope to improve and print this booklet again. You can help!
If you have any suggestions for changes or additions, contact us at:**

**The Advocacy Centre, 501 Front Street, Nelson, BC V1L 4B4
250 - 352-5777 (ph) 250 - 352-5723 (fax)
advocacy@direct.ca**

Copies of this booklet are available from:

The Advocacy Centre, Nelson, BC

Printed by Nelson Daily News

The Guide to Trouble Free Renting

What's inside these pages?

Welcome! This booklet is written for tenants to help make renting a little easier. It includes:

- tips and strategies (*ideas for avoiding & fixing problems*)
- samples (*letters to landlords & useful forms*)
- worksheets (*tools to make decisions & keep track of information*)

The Guide follows the stages of a renter's life. You can read it all, or jump to the information you need right now:

Chapter	Page
1 Finding a Place to Live	3
2 Moving In	8
3 Making a Home	13
4 Solving Problems	20
5 Moving Out	30

Watch for these important reminders throughout the text:



As time passes, memories fade and disagreements about what happened are common. Write down events when they occur to avoid disputes in the future.



Written documents aren't much use if you don't have them. Make sure that you and your landlord both have a copy of all important documents.



It's easy to lose records when things get busy or when you move around. Keep all your documents together in a safe place where you can find them in the future.



Sometimes the answer to a problem isn't obvious. You may need help with forms or just a second opinion. Call a friend or contact one of the Tenant's Resources (pg 36) for help.



You can't protect your rights if you don't know what they are. Contact a Tenant's Resource (pg 36) for free legal information when you need it.

What's not inside these pages?

LEGAL INFORMATION

BC's "Residential Tenancy Act" is the law that describes rights and responsibilities for landlords and tenants. It is important for you to be aware of your legal rights. This Guide to Trouble Free Renting does not focus on legal information.

The Tenants' Rights Action Coalition and the BC Government's Residential Tenancy Branch both publish legal information booklets that you should have. You may be able to get one of these booklets where you got this one. You can also contact a Tenant's Resource (pg 36) and ask to have a free copy mailed to you.

If you have a specific legal problem, contact one of the Tenant's Resources right away for free information about the law.

ANSWERS TO ALL YOUR RENTING PROBLEMS

For the thousands of tenants in BC, there are an equal number of renting problems. It's impossible for this booklet to cover every situation, for every tenant, in every community or rural district.

You may not have time or be able to use some of the strategies. You might have trouble using the worksheets. Pick and choose the information that you can use, and ask for help.

Remember:

The most important resource you have for successful renting is yourself. Your experience makes you the only expert in your situation. With or without a little help, you can probably solve any renting problem.

THE GUIDE TO TROUBLE FREE RENTING

© The Advocacy Centre,
an agency of
Nelson District Community Resources Society
2000

Canadian Cataloguing in Publication Data
Earnshaw, Andrew, 1969-
The guide to trouble free renting

ISBN 0-9686405-0-8

1. Landlord and Tenant--British Columbia--Popular Works I. Wapp, Josh, 1969- II. title.
HD 7305.B75E37 2000 346.71103'34 C99-901611-3

This booklet was made possible with the generous support of:



The Loan and The Hoerner Foundation



The project was also supported by the contribution of countless volunteer hours contributed by the Project Advisory Committee (Moe Lyons, Amy Taylor & Gayla Reid) and numerous BC Housing Advocates and tenants who contributed content and edited the text. An enormous thank you goes out to all for your commitment to the project.

The Guide was created at The Advocacy Centre in Nelson BC.

Project Coordination and Writing - Andrew Earnshaw
Design & Layout - Moe Lyons, Constance Exley
Editing - Gayla Reid, Amy Taylor, Carol Ross
Illustration - Josh Wapp

**We hope to improve and print this booklet again. You can help!
If you have any suggestions for changes or additions, contact us at:**

**The Advocacy Centre, 501 Front St., Nelson BC, V1L 4B4
250-352-5777 (ph) 250-352-5723 (fax)
advocacy@direct.ca**

Additional copies of this booklet are available from:

**Distribution, Legal Services Society
1500 - 1140 West Pender Street
Vancouver BC V6E 4G1**

**Fax (604) 682-0965
Email: ho.distribution@lss.bc.ca**

Chapter 1

Finding a Place to Live

Looking for a New Home?

This chapter helps you:

- decide what you're looking for
- know where to look
- get off to a good start with your landlord

Decide What You're Looking For

The place you rent may be your home for a long time. Think carefully about what you want before starting your search.

Worksheet 1 - Choosing a Place (page 5) lists some things to consider. At the bottom, add any other things that are important to you. Use copies of the worksheet to compare different places and pick the best one.

There may not be many places to choose from, or you may not have much time. Worksheet 1 can still help you pick a place that meets most of your needs.

Know Where to Look

The key to finding the home you want is to look at as many places as possible. Worksheet 2 - Where to Look (page 6) has lots of ideas.



Most places that come up for rent are never advertised, so make sure to tell everyone you can think of that you are looking for a place. In some communities, it's worth putting up posters or placing an ad in the paper.

Get off to a Good Start with Your Landlord

Your first meeting with a landlord is important. You will decide whether to rent from the landlord and the landlord will decide whether to rent to you.

Think About ...

SAFETY

Do you need:

- good outdoor lighting
- strong locks
- security system
- locking windows
- safe parking nearby
- fire escape
- sprinkler system
- close neighbours?

What is important to you?

DISCRIMINATION

Discrimination happens every day. Being denied a place to live because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, gender, sexual orientation or source of income is unfair, hurtful and against the law. If a landlord is discriminating against you, talk to them face-to-face or write a letter. You can also make a formal complaint through the BC Human Rights Commission (that may be disbanded in the near future) or Residential Tenancy Branch. If you can prove that discrimination has occurred, you may be able to get compensation for what you've suffered.

NOTE: *Make as many copies of the Worksheets you need. Bring blank copies when you check out a new place, make notes about what you see and hear.*

Think About...

FIRST IMPRESSIONS

Whether we like it or not, people make a lot of decisions about a person based on what they see. If you want to find a place to rent, you need to look like the kind of person a landlord wants as a tenant. Dress as if you are going to a job interview.

YOUR CREDIT RATING

Credit bureaus are companies that keep track of people's history managing debts. Their members include banks, credit card companies, car dealerships and landlords. Members receive information about potential customers and provide information about existing customers. If they get your permission in writing, landlords can do a credit check on you. To find out how good your credit rating is, call Equifax Canada (1-800-565-5390). If you disagree with something on your record, let Equifax know in writing, and have them put your concerns on your file.



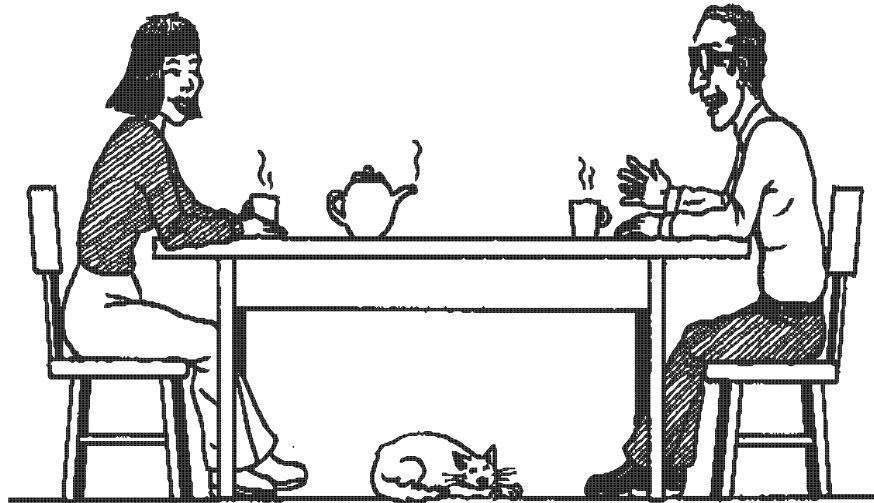
Important:

Never give a security deposit for a place unless you are sure you are going to take it. If you change your mind, you might not get your money back.

What Do You Want From a Landlord?

Most tenants want a landlord who's friendly, cooperative, respects their privacy, and takes care of maintenance and repairs quickly. Investigating your future landlord takes a bit of work:

- Look at the condition of the place.
- Ask questions. For example: "How often do you paint?" or "How old is the furnace?"
- Talk to existing tenants and neighbours.
- Check with community agencies and tenants' groups (see page 36). They may know about a landlord's reputation.



What Does a Landlord Want From You?

Landlords want rent, in full and on time. They expect you to take good care of the property, and not make unreasonable requests for repairs and maintenance. They want you to get along with the neighbours and to make sure your guests do too.

Let the landlord know you can do all these things. Make a good first impression by completing Worksheet 3 - Rental Application (page 7) and giving it to the landlord. Many landlords ask tenants to fill out this kind of application. With Worksheet 3, you control the information you provide.

WORKSHEET 1 - CHOOSING A PLACE

Address of this place: _____

Name and Phone of Landlord / Agent: _____

Costs

rent _____
utilities (included?; if not, how much do they cost?) _____
electricity _____
gas _____
telephone _____
cable _____
garbage collection _____
water _____

General

parking _____
storage _____
what works taps? _____
toilet? _____
stove? _____
refridgerator? _____
lights? _____
plugs? _____
elevators _____
yard / patio / balcony _____
air conditioning _____
laundry _____

allows pets _____
clean _____
needs painting _____
enough electrical plugs _____
yard care / snow shovelling _____
sound proofing _____
hot water tank (size) _____
general condition of building _____
safe outdoor play area _____
noise level at night _____
noise level at rush hour _____

Landlord

Your first impression - personality _____
cares about the place _____
other tenants say _____

Location

crime level _____
industry nearby _____
busy roads _____
seasonal traffic _____
air quality _____
close to: work _____ shopping _____ parks _____ entertainment _____ bus _____
schools / daycare _____

Safety

solid front door / secure main entrance / security system _____
number of keys? _____
1" deadbolts & peek holes _____
double locked glass doors & good window locks _____
trees and bushes that don't hide yard/house _____
clear view of the entrances and exits _____
safe parking & well lit hallways/ or street _____
neighbours nearby _____
fire extinguishers _____
sprinkler system _____

Things That Matter to Me

WORKSHEET 2 - WHERE TO LOOK

Check all the possibilities. Use this worksheet to keep track of numbers, addresses and names of people to speak to. Save this information so you won't have to do as much research next time.

WHERE TO FIND A PLACE TO LIVE IN: _____

(write the name of your community here)

1. **Community Agencies.** Women's Centres, Family Resources, Food Banks, Housing Registries that keep lists of rentals.

2. **Newspapers.** List your community newspapers, where to get them for free and what day of the week and time of day they come out (so you can get to new listings first!).

3. **Bulletin Board Locations.** Try coffee shops, colleges, community centres or laundromats. Put up your own notice.

4. **Real Estate Agents.** Some real estate offices manage properties for a number of landlords.

5. **Public Housing.** Apply for subsidized housing (see BC Housing, page 36).

6. **Large Apartment Buildings and Landlords With Many Properties.** See the Yellow Pages under "apartments".

7. **Leads / Word of Mouth.** When you hear about a place to rent, write down the name, address and the landlord's phone number. Contact the landlord as soon as possible. Ask about vacancies where friends live. Have them introduce you to the landlord.

WORKSHEET 3 - RENTAL APPLICATION

Information Provided for: _____ of: _____
(landlord / manager) (address of place for rent)

Provided by: _____
(tenant)

spouse / partner's name: _____

other adults / roommates: _____

of children: _____

pets: _____

current address: _____

current phone / message #'s: _____

type of place wanted (eg. bachelor, 2 bedroom etc.): _____

preferred date to move in: _____

past landlord references: _____

personal references: _____

credit references: _____

By signing below I give permission for the landlord or company named above to obtain credit reports required for the purpose of determining my past ability to pay my debts.

I provide this consent as specified in chapter 78, section 12 of the Credit Reporting Act, R.S.B.C. 1979

Signed: _____

Today's Date: _____

Chapter 2

Moving In

Think about ...

ASSERTIVENESS

Assertiveness is direct, honest, and non-threatening expression of feelings, thoughts and needs. It's standing up for your rights without violating the rights of others.

You are using assertive communication skills when you:

- speak in a clear, direct, honest way
- speak for and about yourself
- state clearly and simply what you want
- make sure you have all the facts
- listen carefully
- ask enough questions so you understand what is being said or expected
- check that the other person understands what you are saying
- respect the other person's right to a different opinion or point of view
- respect everyone's right to say no or change their mind
- take responsibility for your own words and actions
- admit when you are wrong or make mistakes

You have found a place to rent and it's time to move. Remember these basic steps to prevent problems later:

- plan your moving day
- get a good tenancy agreement
- do an inspection and record existing damages
- get your landlord to agree to repairs in writing

Plan Your Moving Day

Moving day will be busy enough without being held up by tenants moving out. Negotiate with them about when you can move in. Have the same conversation with tenants moving into your old place.

If you have time, try to give yourself a few hours to clean your new home before moving everything in. For more tips about moving day, see Chapter 5 - Moving Out (page 30).

Get a Good Tenancy Agreement



put it in writing

A written tenancy agreement is the foundation of a successful landlord tenant relationship. With a good agreement, you both stay clear.



know your rights

By law, landlords must provide a written tenancy agreement. Both the landlord and tenant must sign it.

The BC government has a free Tenancy Agreement form that landlords can use (available at Government Agent offices), and Self-Counsel Press sells one in bookstores. Up-to-date versions of both of these forms meet legal requirements.



know your rights

Landlords can create their own agreements. However, if your landlord's copy does not have the same parts as the government one it may not be legal. Before you sign an agreement provided by the landlord, contact one of the tenant's resources on the back cover and get a copy of the government's tenancy agreement.



Whatever agreement your landlord uses, read it carefully and keep a copy. Ask the landlord to cross off or add parts of the agreement you want changed. Both you and the landlord must initial the changes.



Make sure you have the landlord's full name, address and phone number on your copy of the agreement and store it someplace safe.

Do an Inspection and Record Existing Damages



Don't get blamed for damages you didn't make to your new place. Use Worksheet 4 – Renter's Inspection Form (page 12) before or on the day you move in.

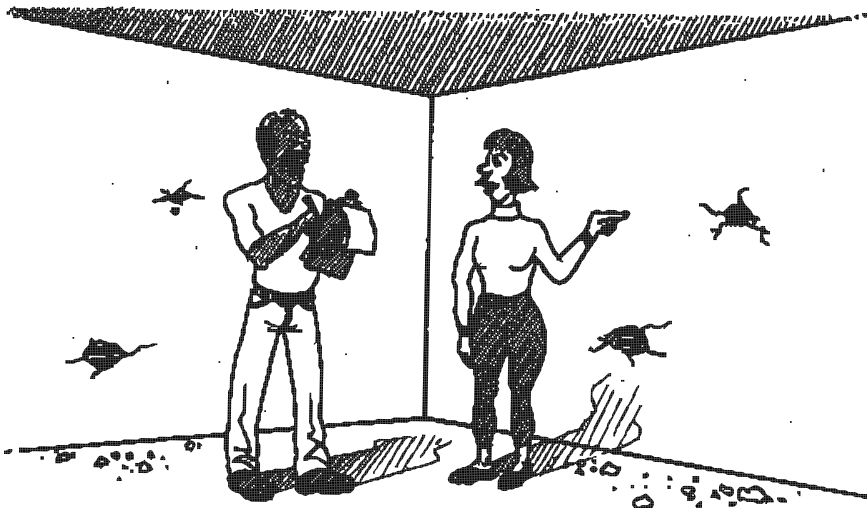


Go through your new home and make notes about its condition. It's best if you and your landlord do this together. If the landlord won't, do the inspection with a friend and give the landlord a copy. Keep your copy of the form to compare the condition of the place when you move out.



By using Worksheet 4, you:

- have a record of damages that were there before you moved in
- identify any damages you'd like the landlord to repair right away
- show the landlord you care about your home and will take care of it.



Think about ...

BASIC SOCIAL RIGHTS

I have the right to:

- Be treated with fairness, respect and courtesy
- Be treated as a human being, capable of looking after myself
- Be consulted about things that affect me
- Experience and express my feelings
- Make mistakes or change my mind
- Say no without feeling guilty
- Ask for what I want
- Get what I pay for
- Expect confidentiality and privacy
- Be safe
- Not be discriminated against because of my
 - Age
 - Gender
 - Race
 - Colour
 - Religion
 - Ancestry
 - Marital status
 - Place of origin
 - Sexual orientation
 - Physical or mental ability
 - Family status
 - Legal sources of income

* Some of these "social rights" are "human rights", protected under law. See "Discrimination" - page 3 - for more information.

Get Your Landlord to Agree to Repairs in Writing

First, make yourself a clear list of what you need fixed:

Think about ...

STANDING UP FOR YOUR RIGHTS

It's important to stand up for your rights, and it's also important to know when it's wise not to. Being flexible can help both you and your landlord maintain a good relationship. If you feel threatened or afraid for your safety, get help! Remember you have a choice.

If you do take that step, some positive results could be:

- increased self respect
- benefits to you and other tenants
- benefits and new learning for your landlord
- healthy lessons for your children and those around you.

Speaking up takes courage. You may or may not get what you want but you will likely feel better about yourself for having tried.

SAMPLE 1 - REPAIRS LIST

Problem	How to Fix Problem	When
leaky bathroom tap	landlord drops off washers, I fix tap	washers delivered tomorrow
broken railing	landlord fixes it	next week
broken stove element	landlord replaces it	tomorrow



Some landlords are a little quicker at promising repairs or improvements than doing the work. To avoid this problem, get the landlord to agree to repairs in writing. You can:

- write something similar to Sample 1 above, and attach it to Worksheet 4 – Renter's Inspection Form (page 12)
- have the landlord include the promised repairs in the tenancy agreement (see Sample 2, below)
- write a letter shortly after you move in to remind the landlord to do the work (see Sample 3, page 11)

SAMPLE 2

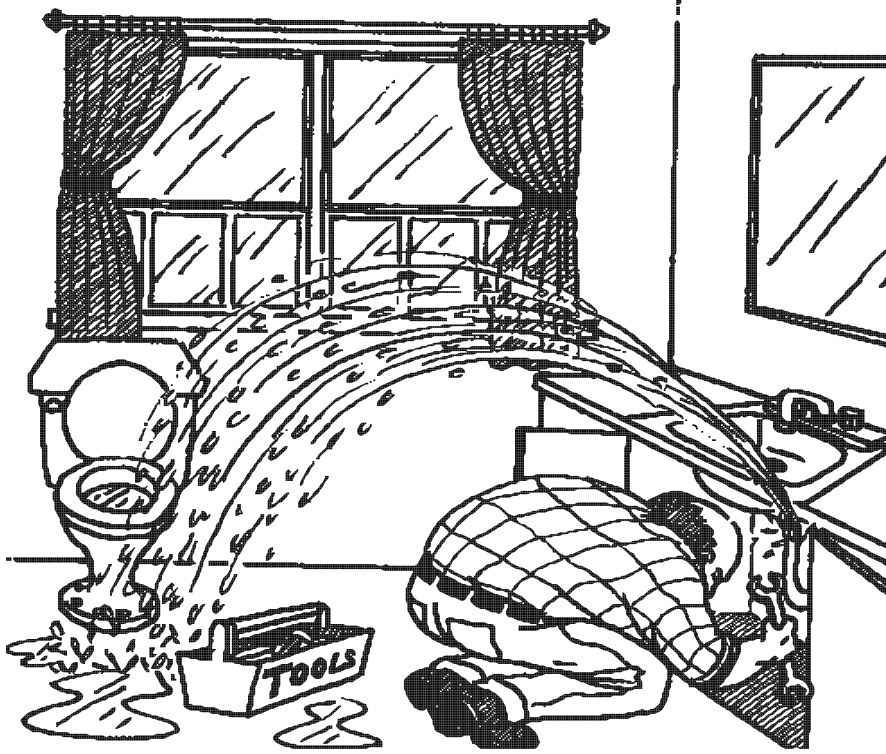
ADDITIONAL TERMS TO TENANCY AGREEMENT

1. The Landlord agrees to return the washer and dryer to the apartment within 1 week of the tenant moving in.
2. The Tenant agrees to provide free labour to paint the bathroom and the Landlord agrees to provide paint and supplies.
3. The Landlord agrees to replace the worn carpet in the front hall within 1 month of the tenant moving in.

Signed:

landlord: _____
tenant: _____
date: _____

If you have trouble getting the repairs done, see Chapter 4 – Solving Problems (page 20).



SAMPLE 3 - REPAIRS REQUEST LETTER

date	July 2nd, 2003
landlord's name and address	Jane Smithson 345 High St. Nelson BC V1L 9U7
explanation	Dear Jane, Now that the craziness of moving in is over, we are beginning to settle into our new home. This letter is just to confirm what we agreed to when we talked yesterday about repairs to the house:
detailed list of repairs	<ol style="list-style-type: none"> 1. You will provide the supplies needed to paint the kitchen and replace the broken cupboard handles by the end of this week, and I will do the work. 2. You will have the 3 broken burners on the stove replaced or install a new stove by the end of this week.
your name and signature	Thanks for agreeing to these repairs. Sincerely, Marcia Capriglioni

WORKSHEET 4 - INSPECTION

Date: _____

This report records the condition of the rental premises located at:

(*details about dirty or damaged items and/or furniture provided are recorded on the back of this page)

	DIRTY		DAMAGED			DIRTY		DAMAGED	
	yes*	no	yes*	no		yes*	no	yes*	no
Living Room					Floor/Carpet/Rug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows/Drapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trim and Doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor/Carpet/Rugs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Windows/Drapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bathrooms:				
Dining Room:					Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trim and Door	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trim and Doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floor/Carpet/Rug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor/Carpet/Rug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Windows/Drapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sink and Faucets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cabinets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kitchen:					Counter Tops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tub/Shower	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trim and Doors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mirror	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor/Carpet/Rug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Towel Rack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Windows/Drapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Paper Holder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cupboards / Drawers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior:				
Counter Tops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Finish	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stove/Oven	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Range Hood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Walks/Steps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Oven Racks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ice Trays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refrigerator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Doors/Screens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sink and Faucets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Garage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dish Washer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Miscellaneous:				
Halls/Stairs:					Door Keys				
Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(number):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trim and Door	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mailbox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor/Carpet/Rug	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Locks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Light Fixtures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thermostat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closet:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Bedrooms:									
Ceiling/Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Trim and Door	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

* Fully describe damages and/or any furniture provided on the back of this page or on an additional sheet.

Witness _____ Tenant _____

Witness _____ Landlord or Agent _____

Chapter 3

Making a Home

There are lots of things you can do to avoid problems and get the most from your rental home. You can:

- build a good relationship with your landlord
- keep good records
- make improvements to your home
- make your home safe
- get to know your neighbours

Build a Good Relationship with Your Landlord

Many landlords and tenants become good friends. However, remember that your landlord is running a business and likely has a big investment in the property. Building your relationship will involve respecting your landlord's rights (eg. fix something if you break it), while standing up for your own. The following suggestions should help

Pay Your Rent

- Pay on time and in full.
- Pay with a cheque or money order.
- Always get a receipt, especially if you pay cash. If your landlord does not want to give you one, bring your own receipt book or have the landlord write a receipt on a scrap of paper.
- If you know you won't be able to pay rent on time, talk to your landlord immediately. Try to work something out.

Communicate Assertively

Assertive communication means clearly saying what you need, while treating others with respect. For example:

"The stove is broken again. I couldn't cook dinner last night and I'm really frustrated. Your son has tried twice to fix it without any luck. I would like you to send a qualified repair person or bring me a stove that works."

Think about ...

BASIC HUMAN RESPONSIBILITIES

I have the responsibility to:

- Treat all people with fairness, respect and courtesy
- Respect the right of everybody to be safe from physical and verbal abuse.
- Be honest and factual
- Let people know if I change my mind, and be prepared to accept the consequences
- Recognize that everybody has limits to their abilities and time
- Ask what will be done with personal information I give anybody
- Speak up when my rights are not being respected
- Fix or try not to repeat my mistakes

Think about ...

YOUR LANDLORD TREATS YOU WITH SUSPICION. WHY?

Your landlord may have heard real or exaggerated stories of other landlord's bad experiences with tenants. S/he may have had bad experiences in the past. If your landlord treats you with suspicion, try not to take it personally. Trust and respect can build over time. Your ability to look after the place and communicate well with your landlord should improve the way you are treated.

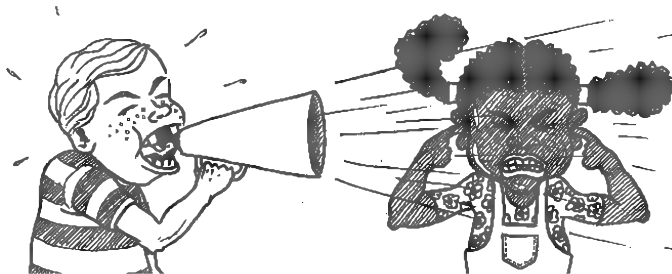


This statement uses the 'assertiveness formula'

1. describe the facts, behaviours, without judgement – “the stove is broken”
2. describe effects – “unable to cook dinner”
3. describe feelings – “frustrated”
4. describe a desired outcome to the situation – “qualified repair” or “a stove that works.”

When you lose control of your anger, or use insults, the other person may become uncomfortable, angry or frightened. Communication stops. If you think you might not stay calm, put your concerns in writing, or take a friend to help you keep your cool.

For more tips on communicating, see Chapter 4 – Solving Problems (page 20).



Keep Good Records

Good records help you remember things that happened and are a valuable source of proof if you get into a dispute.

Keep this booklet, tenant's legal information, tenancy agreements, security deposit receipts, copies of letters you write, etc. in the same place. You could use a large envelope, a three-ring binder or a file folder.



Use Worksheet 5 – Renter's Diary (page 19) to keep a point form record of important events that occur while you rent. For example:



- **Deposit:** how much you paid; when you paid; where your receipts are stored
- **Rent payments:** how much and when you paid; who received the money; receipts
- **Repairs:** repairs you made yourself; dates you made requests for work; how you made requests; commitments by landlord to do work; when the work was done; who did the work
- **Damages:** when they happened; how they happened; what you did to fix them

- **Contact with landlord:** reason for the call; when and why s/he or you called or dropped in; what s/he said; how you felt; what was agreed
- **Neighbours:** complaints they have made to you; what you did about the complaint; complaints you have made to them; what happened

Make Improvements to Your Home



Adding your own touches to a place really makes your place a home. If you're going to make improvements, ask the landlord for written permission. Write a letter like Sample 4 (below), and keep a copy for your records.

Sometimes tenants arrange with landlords to do work in exchange for rent. Watch out! To prevent misunderstandings, it is better to be paid separately for

Sample 4 - Improvements Request

today's date	Feb. 7th, 2002
landlord's name and address	Joe White 398 Sunnyhill Drive Puddle Jump, BC
your address	Re: our apartment: # 6-787 High Street
the problem request to do work skills you have to do work	Dear Joe, We were sitting round the kitchen table noticing how dark the purple walls are, and wondering if it would be OK with you if we painted them. I have had experience with interior painting, and know how to do a good job.
request for money to cover expenses	If we provide free labour, will you contribute the cost of materials? We just need a roller, tray and paint. I have included two paint samples with this letter, one for the cabinets and one for the walls.
time limit	If you could get back to me by Friday, we could do the work on the weekend.
name and signature	Thanks, Harry Brown



your work and put that cash towards the rent. However, if you do agree to do work without seeing any cash, make sure you have a good agreement in writing. See Sample 5 (below).

Make Your Home Safe

Some people need barred windows and triple locks to sleep at night. Others rarely lock their doors. You must decide for yourself what level of home security you can live with, given your neighbourhood.

There are many things you can do on a daily basis to be safer:

- never give out copies of your keys, even to friends – if you have the only copies, then you know where they are;

SAMPLE 5 - WORK FOR RENT EXCHANGE AGREEMENT

	The following agreement is between:
parties	<i>Mary Smith (landlord) & Jane Brown (tenant)</i>
date	<i>on: June 4, 2003 (date)</i>
	Below is a detailed list of work the tenant will do:
work to be completed	<i>4 large holes in the bedroom walls filled with Polyfilla, sanded smooth and repainted in the colour of the room.</i>
	The work will be finished by:
date finished	<i>June 25th, 2002</i>
	The landlord will inspect the work by:
date inspected	<i>June 29th, 2002</i>
	(Note: If the landlord does not inspect by this date, the tenant can consider the work approved)
	The landlord agrees to the following rent reduction in exchange for the work:
rent reduction amount and timing	<i>\$50 from July's rent</i>
signatures	Signed _____ <i>(landlord)</i> _____ <i>(tenant)</i>
date signed	on: _____

- park on the street under a lamp if the underground garage doesn't feel safe
- use the laundry room during the day, and leave the door propped open
- have someone collect your mail and spend some time at your place if you're going on a trip
- get tenant's insurance if you can afford it
- check with local police and fire departments for more ideas

Think about...

Safety Improvements



Here are some safety improvements you can make yourself (don't forget to get your landlord's written permission first!):

Outside:

- Prune big bushes that people could hide behind
- Plant small thorny shrubs to discourage intruders
- Cut off tree branches that intruders could use to climb in
- Remove objects that block the neighbours' view of your place

Inside:

- Install a peephole in the front door (it's cheap and easy if you have access to a power drill)
- Hang blinds or curtains that can't be seen through at night
- Put a solid piece of wood in the slider of patio doors and windows, so they can't be opened from outside
- Install extra phone jacks (it's easy; just ask how at an electronics store)
- Post emergency numbers by the phone
- Purchase a fire extinguisher

You can also ask your landlord to make some safety improvements, either from the list above, or:

Outside:

- Install motion-activated lights
- Install an intercom / security system

Inside:

- Replace a cheap front door with a solid one
- Install a good lock with a 1" deadbolt
- Install a door bar that lets you open the door part way without letting someone in
- Put good latches on windows
- Install floor locks on sliding patio doors
- Place bars on basement windows

WOMEN'S SAFETY

Every day, women in BC are assaulted simply because they are women. As a result, many women are afraid of being attacked — in the street, in hallways, even in their homes. Men need to respect these concerns. If the woman you live with does not feel safe in or near her home: pay attention. You may need to find somewhere else to live.

- Have all keys stamped “do not copy”
- Install smoke and carbon monoxide alarms

Important: When you move into a new place, you can now ask the landlord to re-key or change the locks, if they haven’t already done so. There is no way to tell how many copies of the keys the old tenant made or who has them.

Get to Know Your Neighbours

Getting to know people near you makes your home safer and more welcoming. Neighbours you know may:

- recognize intruders
- watch your home when you are not around
- introduce you to a new community
- tolerate noise better
- watch your kids
- agree to special requests, like quiet during baby’s nap times
- organize with you around community events and issues
- share tools, and more

Think about ...

WHEN A STRANGER CALLS

It is important to take some basic steps when people you don’t know approach you at home.

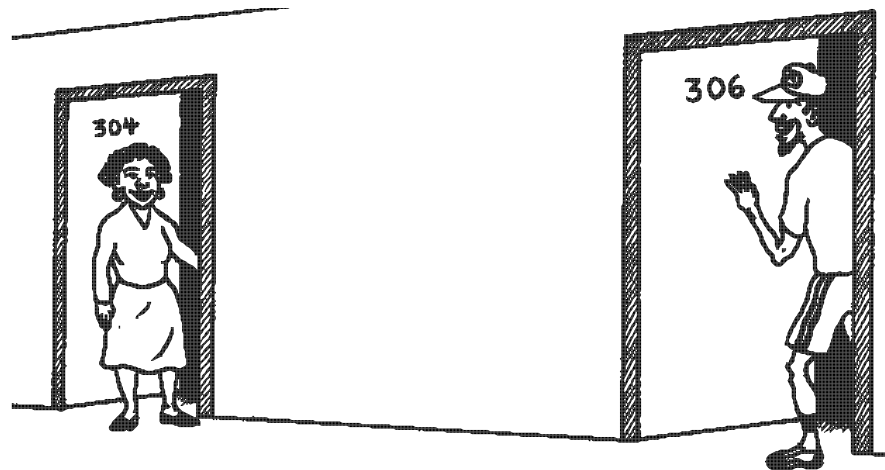
When a stranger phones:

- If they ask, “Who is this?” reply “Who do you wish to speak to?”
- Never give out personal information.
- If you are repeatedly harrassed over the phone, see your phone book for more tips

When a stranger knocks on your door:

- Find out who it is before you open the door. Ask for ID.
- If you aren’t interested, ask them to leave. If they don’t go, call the police.
- If you are interested in what the person is offering, ask them to come back later when a friend can be with you.

It’s OK to be cautious with strangers. A legitimate visitor will not be offended. If a deal seems too good to be true, it probably is.



Ask your landlord to introduce you to your neighbours, or introduce yourself. Learn their names. Ask when to keep an eye on their places. Bake them some cookies. Let them know if you are planning a party or doing anything that makes noise. Invite them over for coffee.

If you live in a large apartment building, you may want to organize a tenants association to work with the landlord. Find strength in numbers.

WORKSHEET 5 - RENTER'S DIARY

Use this sheet to record important events, such as rent payments, repairs, disputes, complaints from neighbours, damages, etc.

<u>Date</u>	<u>People involved</u>	<u>Details</u>	<u>Evidence</u>

Think about ...

DIFFERENT KINDS OF PROBLEMS

You could have a problems with a landlord, neighbour, a business, or almost anybody. You can use the problem solving strategies found in this Guide in many different situations. Pick and choose. Use the information that makes sense to you.

HUMAN NATURE

People you have disputes with are human too. They have good days and bad, just like you. As you begin to work through a dispute with someone, remember that we all make mistakes and have unexpected things happen to us. There are two sides to every story. A little patience, understanding and forgiveness can go a long way towards ending a dispute fast.

STANDING UP FOR YOURSELF

Standing up for yourself can be scary, but it's a first step towards self-respect, dignity and claiming your rights. Remember, it's OK to make mistakes. Admit them. Learn from them. Congratulate yourself along the way for trying.

WHEN YOU ARE THE PROBLEM!

Someone else may approach you with a problem. Use the tips in this Guide to help tell your side of the story. If you don't understand what the person making a complaint is saying, share this Guide with them. Treat someone raising a problem involving you with respect and dignity, whether you agree with them or not.

- Admit your mistakes
- Apologize

Chapter 4 Solving Problems

Your neighbour's drums are driving you crazy! Your landlord won't fix the dryer! No matter how good a tenant you are, you may still run into problems while renting. This chapter will help you:

- solve problems
- negotiate
- prepare for arbitration

Solve Problems

Solving problems is a step-by-step process. Worksheet 6 – Problem Solving (page 22) takes you through the basic steps. Before beginning, it helps to think about the following basic skills.

Communication Skills

Many problems are caused by poor communication. Once both sides of a dispute really understand each other, it often doesn't take long to come to agreement.

You are your most important tool when solving a problem. The most important skills you will use to solve problems are your abilities to:

- help others understand what you need
- listen
- make sure you understand what others need
- be fair, reasonable and honest
- be direct and immediate whenever possible
- speak for and about yourself
- describe behaviours, not the person.

Read more about "Assertiveness" (page 8) and "Basic Human Responsibilities"(page 13).



Record Keeping Skills

No one has a perfect memory, so good records are crucial for problem solving. If you are sure about what

happened in the past, it's easier to make decisions about the future. Read more about how to "Keep Good Records" in Chapter 3 (page 14).

Creativity Skills

Has a problem got you stumped? Sometimes it's hard to see a solution, especially when you are upset. Step back and do some creative thinking:

- On a scale of 1 to 10, how big is this problem?
- What have you already tried? Why didn't it work?
- Who can give you support?
- Could you brainstorm or role-play with a friend?
- Is there a community resource to help out?
- Who has had a similar problem in the past? Could they help you out?
- Could you brainstorm with the person you have a problem with?
- How's your timing? If you wait a few days, will the landlord be less busy and able to be more helpful?
- Could anyone else solve the problem for you?
- Are you open to other solutions, as long as they meet your needs?



Think about ...

TIMING

When you approach someone about a problem, make sure:

- you can be calm and clear
- you both have time to talk (make an appointment)
- you both agree on how long the appointment will last
- you use as few words as possible
- you are polite
- you listen to their side
- you let the other person know you heard what they said
- you both get to make suggestions of solutions
- agreements have time limits
- if you can't agree, say you need time to think, and will contact them later (say when)

SAMPLE 6 - REPAIRS LETTER

today's date	September 29, 2003
landlord's full name and address	Jon Hunter 345 Willow St. Somewhere, BC V1L 6I8
your full address	RE: my apartment, 34-267 Hawthorn Dr.
the problem and its effect on your life	Dear Jon, My stove has not worked for 2 weeks. The oven burns everything and only two burners work. This makes it very hard to make hot and healthy meals for my family, and I am very frustrated.
previous attempts to solve problem	I talked to you about this on September 18 and 23, and you agreed to make the repairs right away.
the law new deadline and consequences	It is your legal responsibility to maintain my place. I know you are busy, but I need a stove. If my stove is not repaired by October 3, 2001, I will apply for arbitration to get the stove fixed and a rent reduction for not having a working stove.
name and signature	Sincerely, Jane Hewet

Worksheet 6- Solving Problems

Good problem solving helps you stay calm, organized and creative. Follow the steps in this worksheet to make solving your problem as easy as possible. Remember, this worksheet is just a guide. Do what makes sense in your situation.

STEP 1 - DEFINE THE PROBLEM

What is the problem? _____

How does it affect me / us? _____

How urgent is it? (eg: give the landlord more time to fix a leaky tap than a sewer break) _____

Is there more than one problem? Which issue should I / we deal with first? _____

STEP 2 - INFORMATION GATHERING

What does The Law say about this situation?

(IMPORTANT STEP! - Contact a Tenant's Resource (page 36) on the back cover for help)

My legal rights are: _____

My legal responsibilities are: _____

What's happened already? (see "Keep Good Records" pg 14): _____

People that could help me include:

(Try a Tenant's Resource on the back cover, a community group, a friend, a family member, other tenants, a tenants association, neighbours, property manager, MLA's office)

Name: _____ Phone #: _____

STEP 3 - THINK, PLAN, ANALYZE

What do I want someone else to do to solve this problem? _____

What have I tried already? Why didn't it work? _____

What do other people (friends, neighbours, a Tenant's Resource, pg 36) suggest? _____

Are there some other ways this problem could be solved? What are the pros and cons of each? _____

What obstacles might exist to getting this problem solved? _____

STEP 4- ACTION

Prepare, Talk, Write, then Mediate. When you start taking action to solve your problem it's best to follow these four steps. Stay calm, take notes in your Renter's Diary and involve a friend or advocate if you want. Be open to other ideas and solutions.

(A) PREPARE

Before you start talking with or writing to the other person, make notes about exactly what you want to say:

I see the problem as... _____

It affects me/us by... _____

What I have done to get help is... _____

Ideas I have for what should be done are... _____

I am willing to help by... _____

The Law says... _____

A deadline for the problem to be fixed is... _____

If the problem isn't fixed I will have to... _____

(B) TALK

Arrange a good time to meet, or talk on the phone. Have your notes (above) beside you. Share the problem and how it effects you. Ask the other person if they agree there is a problem. Ask for their solutions. Share yours. Problem solve and brainstorm together. See page 25 for tips on negotiating.

Once the conversation is over, make notes in your renter's diary of what was said and agreed to (see "Keep Good Records" page 14) . If the other person doesn't do what they agreed, you could call them back or move on to the next step.

(C) WRITE

Sometimes it takes a letter to get action. Letters can also be helpful when talking face to face makes people too upset to deal with the problem.

Make your letter like Sample 6 - Repairs Letter (page 21) - short and polite. Keep a copy for your records. You may need to follow up with a phone call or send a friendly reminder. If you still don't get results, proceed to the next steps.

(D) SEEK THIRD PERSON TO HELP

If you and your landlord can't communicate alone, a neutral third person could help you find a solution for your problem. Try a nearby Tenant's Resource (page 36), a community centre, a local church, or even one of your or your landlord's friends. Look for a person who's calm under pressure and won't pick sides. Possible mediators include:

Name: _____ Phone #: _____

STEP 5 - EVALUATE

Have you solved your problem? If yes, congratulate yourself. Thank people that helped you. Make notes in your renter's diary (see page 14) about what worked and what didn't.

If your problem still isn't solved try taking a break, asking someone else for help or trying some of the steps in this worksheet again. If your problem is with your landlord, you may have to go to arbitration. For more information, see "Arbitration" (page 26).

Negotiating

Sometimes solving a problem involves negotiating – both you and the other person give and take to find a solution. When negotiating, you start by clearly explaining your needs, while trying hard to truly understand the other person’s needs. Then you work to find a solution that makes you both happy and put it in writing. Below is a sample of a negotiation letter. It lets the landlord know the tenant’s needs, as well as acknowledging the landlord’s.



(Remember: find out about your rights before negotiating with anybody – especially about rent increases! See Tenant’s Resources (page 36).

Think about ...

FIGHTING VS. NEGOTIATING

In a negotiation, both parties understand and respect each other’s interests and work towards a solution that meets them. Arguments occur when people put forward positions that do not consider the other person’s needs. If your landlord knows you care about their rights and interests, they will be more likely to care about yours.

SAMPLE 7 NEGOTIATION LETTER

April 3, 2002

Sandy Harper
4-874 Water St.
Somewhere BC
X1X 1X1

Dear Sandy,

I want to discuss the rent increase you want for my place. I feel that a 12% increase is too high. I hope we can agree on a lower one without going to arbitration.

I know you rent my place as a business. I also know expenses are going up all the time, and you spent lots of money on the roof. Some sort of a rent increase would be fair, but I am a good tenant, and it would be a loss to you if I moved because I can’t afford 12% more.

As a single parent on a fixed income, just feeding my kids is hard. Included with this letter is a list of where my money goes every month. You can see I don’t have much to spare.

I would like to discuss an increase that meets both of our needs. I pay utilities and know your property taxes haven’t changed, so an increase for everyday expenses doesn’t seem fair. It also doesn’t seem fair for tenants to pay for large repairs (like the roof) all at once. I think they should be spread out over many years, and you too should pay some of the costs with past profits.

My kids and I have made a home here, and we enjoy having you as a landlord. I hope we can talk more about this increase soon.

Sincerely

Chris Harting
14 View St., ph: 123-1234

Arbitration



Arbitration is a legal decision making process provided to landlords and tenants by the Provincial Government. You and your landlord explain your sides of a problem at an arbitration hearing. You both present evidence and can bring witnesses. An independent person (the arbitrator) decides what to do about the situation. The arbitrator is usually a lawyer, and they work for the Provincial Government (Residential Tenancy Branch).

The hearing can be done in person or over the phone through a conference call.



Getting Help & Information about the Process

A useful website is the Residential Tenancy Offices site at www.ag.gov.bc.ca/rto. You can download guides, application forms and rules of procedures.

Application forms and Rules of Procedures can also be picked up at any Government Agents office.

The Tenant Survival Guide, from TRAC is extremely useful. They have written information on arbitration, and a tenant's advocate may be able to help you prepare or present your case. Check if a copy is available at your local tenant's resource or poverty advocate office.

You may also be able to get help from other tenants who have experienced an arbitration hearing or from the Lawline (see back page).

Think about ...

3RD PARTY DECISION MAKING

Arbitration is very important for tenants when landlords won't obey the law. However, the process isn't without risks.

Arbitration hearings are usually short, and a decision is made based on the information presented. There are some ways to appeal a decision (ask a Tenant's Resource (pg 36)). In most cases you and the landlord will have to live with the ruling, whether you like it or not.

Asking a third party (the arbitrator) to make a decision for you, instead of reaching an agreement might make your landlord angry. This possibility shouldn't discourage you from making sure your rights are protected. Just be sure you have made a reasonable effort to reach agreement with the landlord (see "Step 4. Action", page 23) before going to arbitration.

If you do go to arbitration, think about how your relationship with your landlord will be after the hearing. Treat your landlord with respect throughout the process. This will help make the rest of your tenancy go smoothly, and reduce the need for future arbitrations.



How Do I Prepare?

First, get a good understanding of the process and your and the landlord's rights from the available resources. The more you understand what will happen during an arbitration hearing, the better you will be prepared for it.

Arbitrators make decisions based on the facts. For example, you may believe your landlord is just trying to get rid of you, but your opinion is not as important as the fact that the landlord has no legal reason to evict you. You must have proof that what you say is true. The more evidence you have, the better your chances of winning. Therefore, you will need to organize your case. Consider creating something similar to the following to organize your thoughts:



Written Arbitration Presentation

Prepared by (tenant):

address:

for Arbitration with (landlord):

address:

Date of arbitration:

Summary: Based on BC's Residential Tenancy Act, I would like the arbitrator to decide that:

#1. The landlord must replace the worn out fridge.

#2. The Notice to End a Residential Tenancy the landlord gave me on November 24th is cancelled.

<u>Decision Requested</u>	<u>Facts</u>	<u>Evidence</u>
<p>The landlord must replace the worn out fridge</p>	<ul style="list-style-type: none"> - fridge has barely worked for two months - I phoned Oct. 15 & 28 for repairs - I wrote a letter for repairs Nov. 10 - repair person came 4 days later- said the fridge was dead - I phoned the landlord the next day - she said new fridge would be delivered Nov. 16 - no fridge has been delivered - I called Nov. 18 & 19 - left messages - nobody returned my calls 	<ul style="list-style-type: none"> - witness testimony from friend - copy of Renter's Diary, showing calls to landlord- with dates - copy of letter demanding repairs - written statement from repair person

#2. Eviction Notice

<u>Decision Requested</u>	<u>Facts</u>	<u>Evidence</u>
<p>To cancel the notice to end a Residential Tenancy the landlord gave me on November 24th.</p>	<ul style="list-style-type: none"> - received eviction notice November 24 - landlord claims I'm trying to stop people from buying property - I had nothing to do with the realtor's sign being removed - I did speak briefly with a potential buyer on November 22nd- I told him that the fridge did not work, which is true - I would like a new landlord, and would not discourage anyone from buying the property 	<ul style="list-style-type: none"> - copy of eviction notice - letter from friendly realtor

Think about ...

YOUR EMOTIONS

Preparing for and going through an arbitration can be a very emotional time. You may be angry, scared, excited, intimidated... anything is possible.

Think ahead. How will I keep my cool during the hearing? What will it be like if I win? What will it be like if I lose?

Talk about how you feel with friends, family, or a Tenant's Resource.



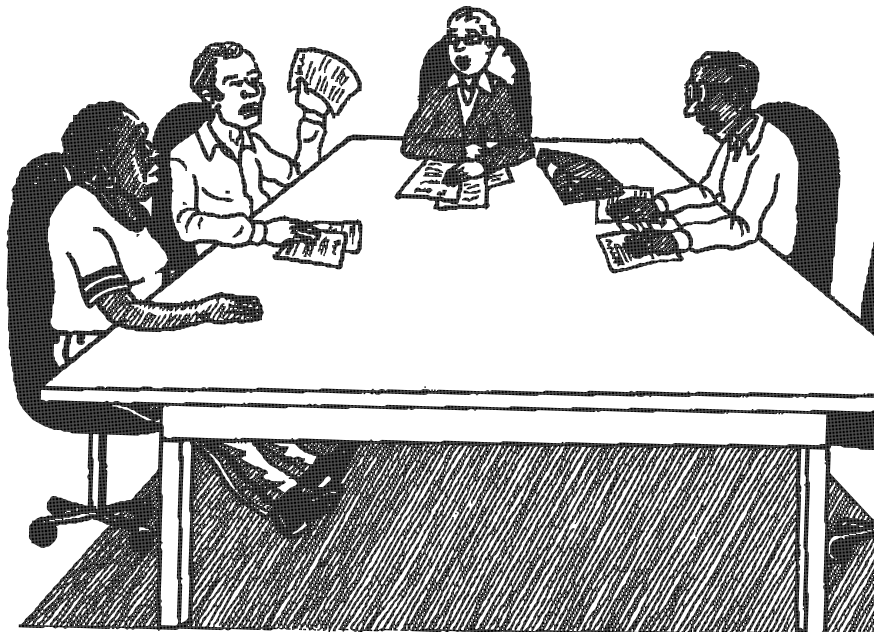
Handling Yourself During the Hearing

The arbitrator will explain the hearing process at the very beginning.



Your skills when telling your story are very important. Consider the following:

- Stay calm. Getting emotional or angry may make it difficult for the arbitrator to hear or believe you. Take a friend if this will help but you will need permission from the arbitrator and landlord first.
- Be organized. Make copies of your materials for yourself, the arbitrator and the landlord. Staple your written evidence and arbitration presentation in order. Be brief and to the point.
- Respect the arbitrator. What s/he say goes.
- Respect the landlord. Your landlord may have a different story than you. If something the landlord says isn't true, write it down and bring it up when it's your turn to speak. Avoid blaming, name calling or interrupting.
- Ask questions. Point out things that don't make sense. Ask for proof of things you know are not true. Focus on facts.



Think about ...

WHEN IT'S OVER

- What did you do that worked?
- What did you do that didn't work? Why?
- What would you do differently next time?

Congratulate yourself – even if you didn't succeed! You've worked hard, you stood up for yourself, and learned about your own abilities to solve problems.

SAYING THANKS

Thank the people who help you, even if you don't get exactly what you want. Laws, lack of time, money, or one particular person may get in your way. You still need to thank those who try to help, so they know you appreciate their efforts.

Chapter 5

Moving Out

You're moving out. Like every other part of your tenancy, a few helpful tips and good planning will make things go a lot smoother.

This chapter describes:

- ending a tenancy
- moving tips
- getting your damage deposit back

Ending a Tenancy

There are three ways to end a tenancy:

- you decide to move out
- your landlord asks you to move out
- you both agree that you will move out on a specific date



know your rights

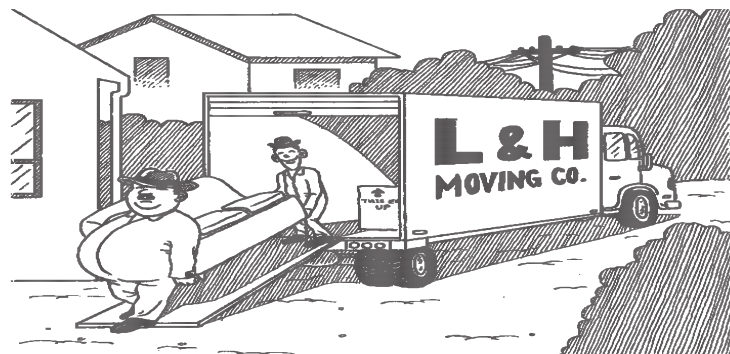
Whichever situation applies to you, it's important to contact one of the Tenant's Resources (page 36) for information on your legal rights and responsibilities when a tenancy ends. You and the landlord must give proper notice. Your landlord has to have valid reasons for telling you to move out.

You Decide to Move Out



put it in writing

If you decide to move out, you must give your landlord written notice. Use Sample 7 (page 31) as a model. Check with a Tenant's Resource to find out how much notice you must give.



SAMPLE 7 - LETTER GIVING NOTICE

date you delivered notice

Hand delivered: December 26, 2003

landlord's name and address

Lindsay Houston
4-78 Silica St
Somewhere BC
X1X 1X1

address of the place you are leaving

re: my Apartment - 574 Wilson Ave., Somewhere BC

date you are leaving

Dear Lindsay,

mention the deposit

This letter is written notice that I will be moving out on January 31st. I will clean thoroughly before I leave. I hope to inspect the place with you before I go so I can get my damage deposit back , which I need for my next apartment.

your name and signature

Sincerely,

Teresa Vipassa

If you need to move on short notice, talk to your landlord. If you agree to:

- help advertise the place, or
- find new tenants

the landlord might agree to let you move out early without keeping your security deposit or charging you the next month's full rent. Negotiate, put any agreement in writing, and have the landlord sign it.



Your Landlord Asks You to Move

The law has strict guidelines about why your landlord can evict you and how much notice they must give.



If you decide to do your landlord a favour and move when you don't legally have to, you could try to negotiate a deal. If you agree to move early, your landlord might agree to:

- help with moving expenses
- give you a rebate on rent
- return your damage deposit quickly, or
- find a new place for you to live



Put any agreement in writing and have your landlord sign it.

Moving Tips

Here are a few things you can do to make your move as easy as possible and to end your relationship with your landlord on good terms.



Things to Do for Yourself

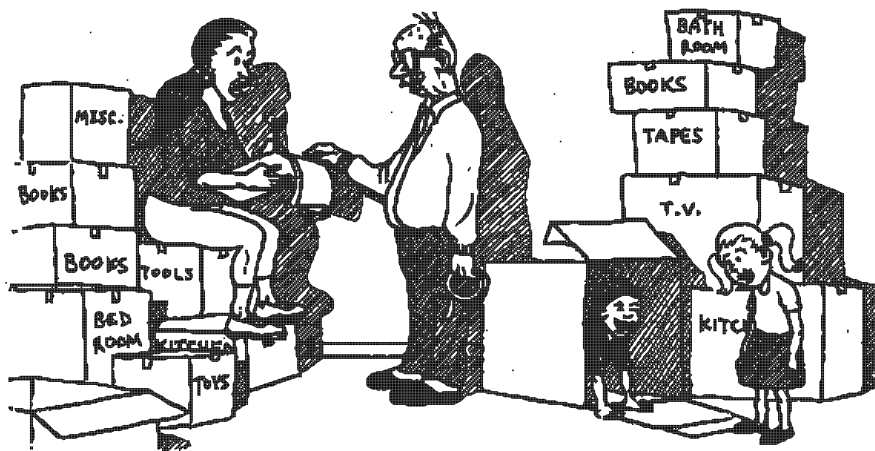
- Ask your landlord for a letter of reference. Other landlords will want you as a tenant if you've been a good tenant in the past. Use Sample 8 (below) to show your landlord the kind of letter you are looking for.
- Moving usually isn't fun. Poorly planned moving is a nightmare — things get left behind, cleaning doesn't get finished, and the few friends you convince to help never want to see you again. Use Worksheet 6 - Moving Checklist (page 35) to prepare in advance and minimize your headaches.

SAMPLE 8 - LETTER OF REFERENCE

date	May 31st, 2003
reference	To Whom it May Concern: I am pleased to provide this letter of reference for my former tenant, Teresa. She and her son took excellent care of their apartment and always paid the rent in full, on time. I always enjoyed the polite and friendly way they treated me, and would recommend them as tenants to any future landlord. Please don't hesitate to call me if you have any further questions. Sincerely
landlord's name and phone #	Joe Smith (250) 123-1234 Somewhere BC

Things to Do for Your Landlord

- While your landlord is trying to find new tenants, keep the place clean and make it easy for people to look at. Renting the place quickly will make the landlord happy and reduce the number of strangers touring through your home.
- Clean your place thoroughly once all of your things are out. Leave it in the same or better shape than when you moved in. Be sure to check your agreement from when you moved in: sometimes landlords will clean carpets, etc. if you have been there a long time. Otherwise you need to :
 - clean the oven
 - clean kitchen cupboards
 - defrost and clean the refrigerator
 - shampoo the carpets
 - vacuum everywhere
 - wash the floors
 - clean the windows
 - clean the bathrooms
 - wash any walls your kids or cooking have "decorated"
 - empty all garbage
- Make sure all damage is repaired.
- Move out on time and remember to return all your keys.



Think About...

WHAT ELSE CAN I DO TO PREPARE?

- Plan where you will get boxes from and how many you will need
- Save old newspapers for packing dishes and other breakables
- Plan what to do if it rains or snows
- Consider backup people to help if your friends back out at the last minute
- Make notes on the boxes that need to be unpacked first
- Label all boxes
- Think of ways to reduce stress and have fun on moving day - taking breaks for ice cream, etc.
- Have your camera loaded with film to take pictures of the move
- Your pets: Is there a safe quiet place for your pets?
- Your children: Can they help or should you find someone to look after them?

Getting Your Damage Deposit Back

Before returning your deposit, your landlord will want to inspect for damages once you've moved out and cleaned up. Call your landlord a few days before you move out to arrange a time.

If you used a checklist to record the condition of the place when you moved in (see Worksheet 4 (page 12)), use it again during the inspection to show you didn't do any damage. If you are responsible for damages, consider fixing them yourself before the landlord inspects - you'll probably save money. If the landlord is going to fix your damages, agree on how much they will cost, then ask for the difference back or arrange to pay the extra. Have your landlord sign the checklist when the inspection is over.



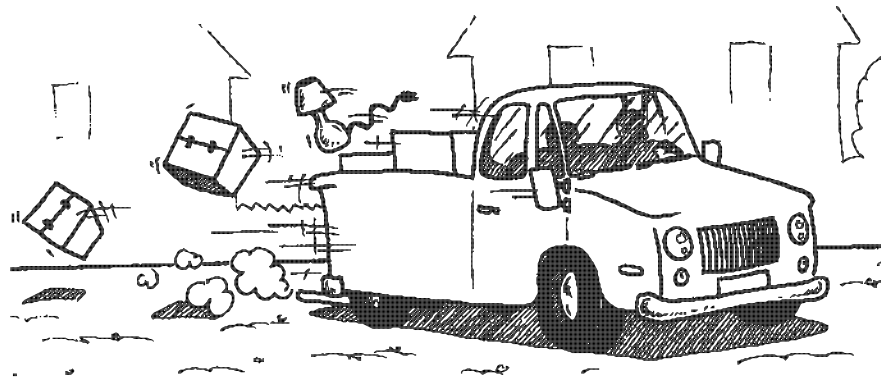
Your landlord doesn't have to give your deposit back right when you move out, but ask anyway. If they won't return it right away, provide your next address, in writing. If you have any trouble getting your damage deposit back, contact one of the Tenant's Resources (page 36) and see Chapter 4 - Solving Problems (page 20).

Think About...

NORMAL WEAR AND TEAR
Your place is going to look a little older when you leave than when you first moved in. Normal wear and tear is "O.K."

Check what your tenancy agreement says. It may say something about carpets and drapes.

If you used an Inspection Sheet like Worksheet 4 (page 12) when you moved in, see what damages have occurred since then. What repairs do you need to make?



Worksheet 7 - Moving Checklist

2-6 weeks before you move:

- Confirm/book vehicles - friend's trucks, cars or rental van. Remember rental vans are booked early for end of the month moves.
- Call the utility and phone companies. Ask them to disconnect your old place on the day you move out and hook up your new place on the day you move in.
- Arrange for people to help you clean, pack and move - friends/family/students/home maker. If you can't find anyone to help, try local community agencies or churches.
- Arrange storage if you need it.
- Arrange daycare and/or pet care for moving day.
- Sort through your things and sell anything you don't want. Have a yard sale. Give away or recycle the rest.
- Make a list of everyone who needs your new address: friends, relations, banks, utility companies, newspapers, magazines, doctors, your kids' school, the welfare office, pensions, drivers licence, etc.
- Notify everyone on your list by mail or phone. You could use the change of address cards available at the post office (they cost money). Or use email if you have it.
- Do repairs that you are responsible for.
- Collect packing boxes, tape, markers. Supermarkets and drug stores are good places to get free boxes.
- Start packing the things you won't need over the next few weeks.

1 week before you move:

- Let your landlord know exactly when you are moving out and set up an inspection time.
- Do as much major cleaning as you can.
- Go to the post office and arrange to have your mail forwarded.
- Keep packing.
- Plan meals for moving day.
- Plan for child and pet care for moving day.
- Make special plans for your plants if it's winter.

1 day before you move:

- Pack everything else.
- Pack a box of personal things you will need immediately at your new home; have it loaded last or carry it with you in the car. Keep out vacuum and cleaning supplies.
- Contact your helpers to remind them that tomorrow is the big day.
- Plan how to feed and thank them.

Moving day:

- Start moving as early as possible in the morning.
- Return to your empty place and clean it thoroughly.
- Do an inspection tour with your landlord or a witness if the landlord can't make it.
- Feed the people who are helping you move!
- Return your keys to the landlord.

TENANT'S

Try these numbers for help over the phone, in person, or through the web:

Renting Specialists

- Tenants Rights Action Coalition (TRAC)
(604) 255-0546 or 1-800-665-1185
www.tenants.bc.ca
- Residential Tenancy Office
(604) 660-1020, 1-800-665-8779, or 1-800-661-4886 for recorded information
or, call Enquiry BC and ask to be connected to your closest RT office. Offices are in Victoria, Burnaby, Surrey and Kelowna
www.pssg.gov.bc.ca/rto

Legal Resources

- Legal Services Society
www.vcn.bc.ca/lssbc/
- Electronic Law Library (a service of the Legal Services Society)
www.bcpl.gov.bc.ca/ell/
- Law Line (604) 601-6100: in Vancouver, you can obtain general information from a Law Librarian, or use Enquiry BC
- Dial-a-Law 1-800-565-5297: a library of pre-recorded messages as prepared by lawyers to provide practical information on specific topics of law.
- Lawyer Referral Service (604) 687-3221 or 1-800-663-1919: a program designed to assist you in finding the right lawyer. You can also arrange for an initial 30 minute interview with a lawyer for \$10.
- End Legislative Poverty (ELP): is a coalition of 36 BC groups working to educate and organize to eliminate poverty. 1-866-879-1209

Poverty & Legislation

- POVNET : a searchable web site that provides information about welfare, housing and homelessness, poor bashing, workfare, community organizing, disability and human rights issues.
www.povnet.org

Subsidized Housing

- BC Housing, 1-800-257-7756
www.bchousing.org
- Co-operative Housing Federation of BC
1-866-879-5111
www.chf.bc.ca

Other Resources/ Information

- BC Coalition of People with Disabilities
(604) 872-1278 or 1-800-663-1278
www.bccpd.bc.ca
- Enquiry BC: connects to any provincial office phone number in BC.
(604)660-2421 or 1-800-663-7867
- EquiFax: credit rating agency
1-800-465-7166
www.equifax.ca

REGIONAL SERVICES

OKANAGAN

- Kelowna Residential Tenancy Office
(250) 717-2000 or 1-800-661-4886
www.pssg.gov.bc.ca/rto
- Okanagan Tenants Advocate Society (Kelowna) (250) 717-8725

KOOTENAYS

- The Advocacy Centre (Nelson)
(250) 352-5777 fax (250) 352-5723

RESOURCES

REGIONAL SERVICES CONT'D

VANCOUVER AND LOWER MAINLAND

- Burnaby Residential Tenancy Office
(604) 660-3456 or 1-800-661-4886
www.pssg.gov.bc.ca/rto
- Surrey Residential Tenancy Office
(604) 660-3456 or 1800-661-4886
www.pssg.gov.bc.ca/rto
- St. Pauls Advocacy Office
(604) 683-4287
www.advocacy@stpaulsanglican.bc.ca
- Downtown Eastside Residents Association
(604) 682-0931
- Law Students Legal Advice Program (LSLAP) (604) 822-5791
www.lslap.bc.ca
- Vancouver Property Use Inspectors
(604) 873-7398
www.city.vancouver.bc.ca

VANCOUVER ISLAND

- Victoria Residential Tenancy Branch
(250) 387-1602 or 1-800-661-4886
www.pssg.gov.bc.ca/rto

VANCOUVER ISLAND CONT'D

- Action Committee of People with Disabilities (Victoria) (250) 383-4105
www.pacificcoast.net/~acpd/
- Together Against Poverty Society (Victoria)
(250) 361-3521
- North Island Advocacy (Campbell River)
(250) 830-1171
- Port Alberni Friendship Centre
(250) 723-8281 or 1-888-723-7232

CARIBOO

- Carrier-Sekani Family Services (Prince George)
(250) 562-3591 or 1-800-889-6855
- Women's Contact Society (Williams Lake)
(250) 392-4118, www.womenscontact.bc.ca

SKEENA/BULKLEY VALLEY

- Smithers Community Services Association
(250) 847-9515 or 1-888-355-6222
www.scsa.ca
- Terrace Anti-Poverty Group
(250) 635-4631 or 1-877-651-3311

.....
Tell us What You Think! We want to continue to improve this booklet.

Overall impression?

Content?

Language?

Layout?

Usefulness?

Best part/ worst part?

