

Exploring Your Options for Resolving Disputes



The Landlord/Tenant Relationship

If a person pays or promises to pay someone for the right to occupy residential premises, such as an apartment or house, these people have a landlord/tenant relationship. Most times, there are very few problems between the landlord and tenant. Doing the following things can even help to prevent problems:

- Learn about your rights and responsibilities as a landlord or tenant. Read the Residential Tenancies Act and regulations, or call us with your questions.
- Use the Standard Form of Lease so you are sure you cover all the necessary issues.
- Check out your potential landlord or tenant. Find out what other people think of them.
- Inspect the rental unit together (landlord and tenant) before move-in day. Note any problems in writing.

Resolving Disputes

When conflicts arise, parties should work together to find a solution. Review the lease and/or the Residential Tenancies Act, to see if the answer to the conflict is there. Information about landlord and tenant rights and responsibilities is also available by visiting any Access Nova Scotia centre, or by calling toll free 1-800-670-4357, or in Halifax call 424-5200.

How to Get Help

When landlords and tenants can't resolve disputes on their own, they can seek help from the Residential Tenancies Program. The following steps describe the process available to landlords and tenants to resolve disputes.

Step 1 Complete and submit the form.

Describe your problem in an Application to Director form, available from any Access Nova Scotia Centre, online at <www.gov.ns.ca/snsmr/consumer/resten>, or by calling toll free 1-800-670-4357.

Step 2 Serve the other party and prove that you did it.

You will be given copies of your application to serve on the party or parties you filed against. You will also be given an Affidavit of Service which you will have to complete after serving the other party or parties. Mediation can begin after the Affidavit of Service has been completed.

Step 3 Mediation

A Residential Tenancy Officer will attempt to mediate a solution to your dispute. Mediated solutions are best, because both sides can potentially achieve their goals. If the problem is mediated, the parties sign an agreement that is legally binding.

Step 4 Adjudication

If a mediated settlement cannot be reached, the Officer will hold a hearing. During the hearing, parties present evidence, such as documents and testimony. The Officer makes the final decision based on the evidence presented. This decision can be appealed to the Small Claims Court.