Eviction Sequence Handout

Instructions: The following eight steps of the eviction process are out of order. Put them in order by writing the step (1 through 8) you think is correct.

Step _____

Notice of Hearing

The tenant receives a notice from the Landlord and Tenant Board that a hearing is scheduled to consider the landlord's application to have the tenant evicted. The tenant is invited to attend this hearing.

Step _____

Sheriff's Notice to Vacate

If the tenant does not move out of the unit by the termination date, the landlord can file the Landlord and Tenant Board Order with the Court Enforcement Office (the Sheriff). The Sheriff will then send a Notice to Vacate that they will come to change the locks on the door on a specific date.

Step _____

Notice of Termination

The tenant receives a notice from their landlord that they must move out of their home unless they do not agree with the notice. The landlord must give the tenant notice on one of the Landlord and Tenant Board forms. The notice provides a specific date that tenant must move out by **if they agree with the notice**. This is **not** an eviction notice.

Step _____

Eviction

If the tenant does not move out of the unit before the date on the Sheriff's Notice, the Sheriff will go to the unit to lock the tenant out. They will not be allowed to stay in the unit.

Step _____

Landlord and Tenant Board Hearing

A hearing is held by the Landlord and Tenant Board. The tenant and landlord may both participate. This means the tenant can speak about their side of things and bring evidence and witnesses. Tenants can have someone represent them, but aren't required to.

Step _____

Application to the Landlord and Tenant Board (LTB)

The landlord files an application with the LTB to have the tenant evicted because they did not agree with their notice and did not move out of their home by the date the landlord requested.

Step _____

Mediation

On the day of the hearing, before the hearing starts, the tenant will have an opportunity to meet with their landlord to make a formal agreement to solve the issues. This is called mediation. If both parties can't come to an agreement, the hearing will probably take place that day.

Step _____

After the Eviction

After the Sheriff locks the tenant out, the landlord must give them reasonable access to the unit so they can remove their belongings. The landlord is only required to give the tenant access in the 72 hours (3 calendar days) after the Sheriff has locked them out.