



Residential Tenancies Guides

Exploring Your Options for Resolving Disputes

The Landlord/Tenant Relationship

A tenant and landlord relationship begins when the tenant moves into the rental unit, the tenant and landlord have made an agreement for the tenant to occupy the rental unit on the promise of payment, or if the tenant has paid or agreed to pay rent to the landlord. Most of the time, 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 at <http://www.novascotia.ca/rta>; by calling toll free 1-800-670-4357 or in Halifax call 424-5200, or by visiting any Access Nova Scotia Centre.

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 <http://www.novascotia.ca/rta> or by calling toll free 1-800-670-4357. Submit the form at any Access Nova Scotia Centre. The application fee must be paid at this time to complete the application process.

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 that you will have to complete after serving the other party or parties. Mediation can begin after the Affidavit of Service has been completed and returned to the Residential Tenancies Program.

Step 3 – Mediation

If both parties agree to mediation, a Residential Tenancy Officer will attempt to mediate a solution to your dispute. Mediated solutions are beneficial because both sides can potentially achieve their goals without having a hearing. If the problem is mediated, the parties sign an agreement that is legally binding. For more information on the mediation process, please see the “Mediations and Hearings” guide at <http://www.novascotia.ca/snsmr/access/land/residential-tenancies/guides.asp>.

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. If either party is not satisfied with the decision, it can be appealed to the Small Claims Court. For more information on the adjudication process, please see the “Mediations and Hearings” guide at <http://www.novascotia.ca/snsmr/access/land/residential-tenancies/guides.asp>.

The Residential Tenancies Program is here to help both tenants and landlords resolve disputes. Please see any of our other guides available that may help you along the process:

<http://www.novascotia.ca/snsmr/access/land/residential-tenancies/guides.asp>.