

PATHWAYS ABILITIES SOCIETY

POLICY: RENT COLLECTION, ARREARS AND RETURNED CHEQUES

Applies to: Management and Tenants

Original Approval Date: April 4, 2022

Date Board Approved: April 4, 2022

Replaces Policy Dated: Not Applicable

Board Member's Signature

PREAMBLE

In collecting rent and rent arrears and giving related notices the society will conform to the relevant sections of the Residential Tenancy Act and use any standard forms required by the Act.

POLICY

Rents are due in full on the first day of every month and are considered overdue on the second day of the month.

Tenants are encouraged to pay their rent via an e-transfer, preauthorized debit or cheque (not encouraged). Cash payments are not permitted.

Managers may occasionally allow tenants to pay rent late, but only if the tenant has made arrangements in writing before the rent is due and the manager and the tenant have agreed to a new due date. Such arrangements apply only to the current month's rent.

If a tenant has not paid their rent by the due date, the manager will contact the tenant and request payment immediately. If payment is not received within 5 days of receiving the notice, an eviction notice will be issued to take effect no earlier than 10 days after the date of the notice. Repeated late payments are grounds for eviction under section 47 (1) (b) of the Residential Tenancy Act.

All written and oral communication with tenants is documented.

An eviction for non-payment of rent does not absolve the tenant of his responsibility to pay any back rent owing.

Arrears

There are five situations when a tenant may deduct money from the rent and a landlord may not issue an eviction notice for past due rent:

1. The tenant has an arbitrator's decision allowing the deduction.
2. The landlord illegally increases the rent.

3. The landlord has overcharged for a security or pet damage deposit.
4. The landlord refuses the tenant's written request for reimbursement of emergency repairs.
5. The tenant has the landlord's written permission allowing a rent reduction.

A tenant may not withhold rent for any other reason.

Returned Cheques

Tenants will be charged all bank costs for any cheque that is returned.

Subject to the Residential Tenancy Regulation (Part 1, Section 7) and the Tenancy Agreement, tenants will also be charged an administrative fee of \$25.00 for the cost of processing a second cheque.

If a cheque is returned for a reason other than insufficient funds (NSF), the administrative fee may be waived if the manager feels it is justified.

A tenant whose rent cheque is returned and has not paid their rent, the Rent Collection and Arrears sections of this policy apply.