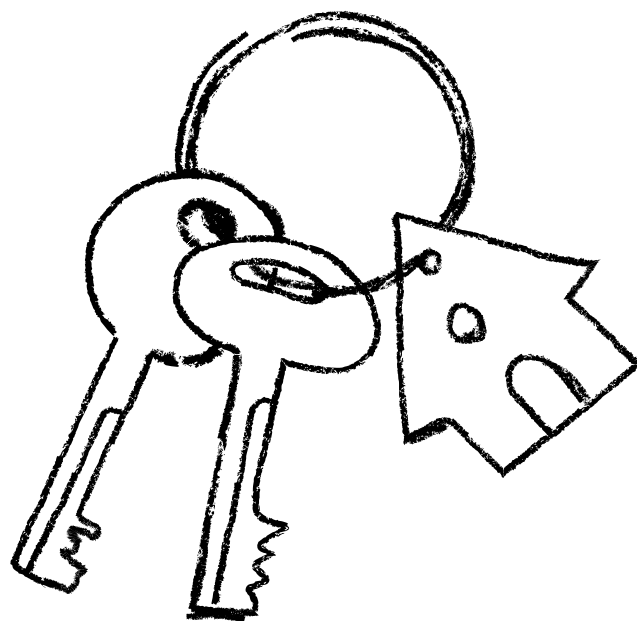


# Resource for Tenants Facing Eviction

This is legal information for tenants who are or may be facing eviction in Saskatchewan.

2023



# FINE PRINT

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This Resource is legal information for tenants to better understand rights and responsibilities around eviction in Saskatchewan.

The Resource was created in partnership between Pro Bono Students Canada (PBSC), Pro Bono Law Saskatchewan (PBLs) and Renters of Saskatoon and Area (ROSA). The Resource was created by law students under the supervision of a lawyer.

For further assistance please look at the Resource List starting on page 21.

*We acknowledge that we are on the traditional territories of many First Nations and Metis and express gratitude and respect for the land we use. We acknowledge the historical and ongoing harm to First Nation, Metis and Inuit people as a result of laws and legal systems.*

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# DEFINITIONS

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**Appeal** - When a court reviews the decision of a lower-decision-making body. For you, the landlord or tenant can appeal a decision made at the Office of Residential Tenancies to the Saskatchewan Court of King's Bench. More information about an appeal on page 16.

**Business Days** - A business day is Monday through Friday except for statutory holidays. For example, if something has to be done 5 business days from a Tuesday, the deadline would be the following week Tuesday (assuming there is no statutory holiday during that week).

**Claimant** - Is the person who applies for a hearing at the Office of Residential Tenancies (ORT). For eviction hearings, the claimant is the Landlord.

**Court of King's Bench (KB)** - The court that an ORT decision is appealed to. Find your closest KB location here: <https://sasklawcourts.ca/kings-bench/court-locations/>

**Damages** - Money that the ORT orders a person pay to the other person of a hearing. The Hearing Office (like a judge) decides how much the damages (amount owing) is. For example, a renter can be ordered to pay money to the landlord if they damaged the rental unit. A landlord can be ordered to pay money to a tenant if they did not keep the rental unit safe and maintained.

**Eviction** - For an eviction to be legal, the landlord must use ORT forms, and go through ORT processes to get an Order of Possession.

**Evidence** - Any type of proof presented for a hearing in support of a claim or defence. Evidence must be shared with the landlord and ORT ahead of the hearing. Evidence can include:

- written documents (eg tenancy agreement, letters, receipts, photos, text messages, emails, signed witness statements)
- video and audio recordings, and other physical evidence

**Fixed Term Tenancy** - It is a rental agreement that has a specific end date (which is different from a periodic tenancy which is usually a month-to-month agreement).

**Hearing** - It is when you, and the landlord go before a Hearing Officer (like a judge) at the ORT. At the hearing, you can present evidence, explain your side of the situation, and question the evidence of the other person. After a hearing, the Hearing Officer will make a decision.

# DEFINITIONS

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**Landlord** - This term refers to a person, business, housing authority or not-for-profit organization who rents a rental unit to a tenant. It can include a person who is responsible for landlord duties for the organization such as a property manager.

**Notice to Vacate** - A written notice a landlord gives a tenant to start an eviction process. More information about the Notice to Vacate on page 7.

**ORT** - Office of Residential Tenancies (some call it the Rentalsman). It is the Office that hears and makes decisions about landlord and tenant issues. The ORT hearing is a tribunal, similar to a court but less formal. The ORT staff cannot advocate for tenants or landlords. They can give information about how the hearing process works. They can email or support access to forms and information on how to make an application, or provide information about rights and responsibilities of both landlords and tenants.

**Rent Arrears** - Rent that has not been paid on time and is late.

**Respondent** - When an issue is brought to the ORT, the person against whom an application has been made is the respondent. So, if the landlord started the application to evict you, you are the respondent.

**Sheriff** - An official of the court who is allowed to evict people after a decision is made by the ORT. More information about a Sheriff on page 19.

**Tenancy Agreement** - an agreement, either written or spoken, between a landlord and a tenant. It usually says what services are included in your rent (for example laundry, heat) and how much the rent (cost) is.

**Tenant** - The person renting a residential unit from a landlord. Otherwise known as a renter.

**Writ of Possession** - An order the ORT gives allowing the landlord to take possession back of the rental unit. Sometimes called 'Order of Possession'.

# COMMON EVICTION MYTHS

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Below are some of the most common myths about evictions in Saskatchewan. **Don't be fooled!**

## **Myth 1: "I can't be evicted during the winter."**

- You can be evicted at any time of the year.

## **Myth 2: "My landlord did something wrong, so I can stop paying my rent."**

- **You must pay your rent.** If you stop paying your rent, you can be evicted. If your landlord has broken your rental agreement, **contact the ORT.**

## **Myth 3: "No one can force me out of my home."**

- This is true...partly. Only one person *can* remove you: **the sheriff.** The sheriff **can and will** remove you if they have an order of possession.

## **Myth 4: "The Hearing Officer at the ORT won't listen to me or consider my concerns. I should just move out."**

- An ORT hearing is a chance to tell your side of the story and explain how the eviction will impact you and your household. For example, how it will impact your household's health and safety. If you don't show up, the landlord will likely succeed.

## **Myth 5: "My roommate is behind on rent and I am not, so I can't be evicted."**

- This depends on the type of rental agreement. If you and your roommate signed separate rental agreements, you can not be evicted if your roommate does not pay rent. In that case, your roommate may be evicted, and the landlord may get a new tenant who will become your roommate. But, if you are tenants under the same (shared) rental agreement, you may be on the hook if your roommate does not pay rent.

# COMMON EVICTION MYTHS

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Below are some of the most common myths about evictions in Saskatchewan. **Don't be fooled!**

## **Myth 6: "The ORT will publish online my name with my eviction hearing decision"**

- Normally, ORT decisions are published online with the name of the tenant(s) and landlord(s). The decisions are publicly accessible on the ORT website and online at Canlii.org. If, for **safety and privacy reasons**, you do not want your name included in the decision, make that request to the Director of the ORT as soon as possible.

## **Myth 7: "An eviction is always the tenants fault"**

- No. **Many types of evictions exist that are no fault of you, the tenant.** For example, a landlord can give notice to end a month-to-month tenancy or evict a tenant so that the landlord can, for example, sell the rental unit, or have family or close friend(s) move-in.

## **Myth 8: "After I was served with the Eviction Hearing, I caught up on my late rent and now have no arrears, so the hearing will be cancelled."**

- Unfortunately, the hearing can still occur and you still can be evicted for having been in arrears even if you catch up unless the landlord agrees to cancel the hearing.

# TYPES OF EVICTIONS

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## RENT OR UTILITY ARREARS



- The most common type of eviction
- You may be evicted if rent or utility payments are more than 15 days late
- Saskatchewan does not recognize a reason to withhold rent. Even if the Landlord is not caring for the rental unit as they should, you may be evicted for withholding rent or utility payments.

## EVICTION FOR CAUSE



- Occurs when you do something that affects the health, safety, or integrity of the landlord or another tenant.
- For example, repeated late payment of rent, damage (beyond wear and tear) to the rental unit, illegal activity in the rental unit, sublet (rent) the unit without the landlord's consent, or risk the health or security of another tenant
- In most cases, before a landlord can evict you for cause, they must give you a reasonable amount of time to fix the issue.

## LANDLORD'S USE



- When the landlord intends to use the rental unit for themselves, renovate (which some call renoviction), or use the unit for another reason.
- Examples of this include: The landlord or a close family member or friend wishes to occupy the rental unit, the landlord sells or plans to demolish or convert the unit (for example, change an apartment to a condo)
- If you are in a fixed lease (with a specific end date), the landlord cannot end the lease early for their own use
- After eviction, if the landlord does not use the property as they said they would, you can apply to the ORT for damages (financial compensation).



# EVICTION PROCEDURE

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**1** The Landlord gives you an Information Notice (optional)

Notice to Vacate & the Landlord Makes an Application to the ORT

**2**



**3** An ORT Hearing is Held

The ORT Makes its Decision

**4**



**5** Any Appeals are Made



The Order is Enforced

**6**



# 1. INFORMAL NOTICE

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Before making an application to the ORT, most landlords will start with an informal notice, where they tell you they want to evict you and take possession of the rental property.

**This is not an eviction.** You are not required to move out at this point.

Rather this is an opportunity to stop an eviction before it gets going. Many landlords do not want to evict a tenant. If you and the landlord can come to a solution to the problem, it is possible the formal eviction process will not begin.

**Talk to the landlord and see if you can find a way to come to a solution. You may want to check with the ORT to understand your rights and responsibilities as a tenant.**

If a solution cannot be reached, and you intend to fight the eviction, now would be a good time to:

- Read through this Resource
- Begin gathering evidence
- Reach out to organizations that can provide legal assistance and other supports you may need, check out page 21

## 2. LANDLORD MAKES AN APPLICATION

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If the landlord starts a formal eviction, the landlord must give you a Notice to Vacate.

### **You Must Dispute the Notice to Vacate**

If you wish to dispute the Notice, you must provide the landlord with written notice within 15 days of getting the Notice from the landlord. This is usually done by filling in the bottom part of the Notice where it says, "Tenant Dispute Notice". **Make a copy and keep a copy for yourself AND give a copy of the filled out Notice to the Landlord. Make a note for yourself as to the day you gave the Notice back to the landlord.**

If you do not dispute the Notice to Vacate, it means you agree to the eviction, and you will not have a hearing. You will have to move out according to what is written on the Notice to Vacate.

### **After you Dispute the Notice to Vacate**

1. The landlord has to make an application to the ORT
2. The ORT will give the landlord a Notice of Hearing
3. The landlord must give you a copy of the Notice of Hearing. This Notice will say the time and place of the hearing and the reason the landlord wants to evict you. The landlord has to give you a copy of the Notice of Hearing at least two days before an urgent claim, or at least ten days before all other claims.

The next pages show what a legal Notice of Eviction looks like. If the Landlord is trying to evict you with a form that does not look like this, check with the ORT to make sure it is legal.

# NOTICE TO VACATE FOR CAUSE

## Notice to Vacate: Cause

*The Residential Tenancies Act, 2006* [Section 58]

Office of Residential Tenancies

### Questions about your rights?

Contact the Office of Residential Tenancies (ORT) at 1-888-215-2222 or [ORT@gov.sk.ca](mailto:ORT@gov.sk.ca) or visit [Saskatchewan.ca/ort](http://Saskatchewan.ca/ort)

Rental Unit Address: \_\_\_\_\_

Tenant Legal Name(s): \_\_\_\_\_

This is one month's notice to terminate your tenancy of the above property as of DD/MM/YYYY OR the last day of the next month of your tenancy after delivery of this notice, whichever is later. You must vacate on or before that time. The reason for giving this notice is as follows:

The amount of rent payable under the agreement is \$ \_\_\_\_\_ (per month).

This notice is also to advise that you may be held responsible for any and all rent loss suffered as a result of your breach of the tenancy agreement.

Date Printed: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landlord/Agent

Landlord Legal Name: \_\_\_\_\_

Landlord Mailing Address: \_\_\_\_\_

Landlord Email: \_\_\_\_\_

**Tenant:** To dispute this notice, complete the dispute notice below and return it to the landlord within 15 days of receiving this notice. If you do not dispute the notice within 15 days, you will be deemed to have accepted that the tenancy ends, and you must vacate by the date indicated on this notice or earlier.

### TENANT DISPUTE NOTICE

Tenant Legal Name(s): \_\_\_\_\_ ★

I/We hereby dispute the above notice served on me/us by the landlord.

Date: \_\_\_\_\_ ★

Signature of Tenant(s): \_\_\_\_\_ ★

**To dispute the notice, fill out these boxes and return the form to the landlord within 15 days**

#### INFORMATION

This completed notice must be served pursuant to subsection 82(1)(a) of *The Residential Tenancies Act, 2006*. A landlord may then apply for possession of the rental unit to the ORT through the ORT's online portal at [www.saskatchewan.ca/ort](http://www.saskatchewan.ca/ort).

Once an application has been submitted in full, the ORT will schedule a hearing and send out the hearing notice to the landlord. The landlord **MUST** serve the completed hearing notice on the tenant(s) pursuant to subsection 82(1)(a). At the hearing, each party will have the opportunity to respond to the claims indicated on the hearing notice. A decision will be issued after the hearing and sent to both parties by email or mail.

If a Writ of Possession is issued, a landlord may have a Sheriff remove the tenant(s) from the rental unit.

November 2022 Notice to Vacate: Cause

# NOTICE TO VACATE FOR RENT ARREARS

## Immediate Notice to Vacate and Notice of Arrears

Office of Residential Tenancies

*The Residential Tenancies Act, 2006* [Sections 57 & 70(6)(c)]

### Questions about your rights?

Contact the Office of Residential Tenancies (ORT) at 1-888-215-2222 or [ORT@gov.sk.ca](mailto:ORT@gov.sk.ca) or visit [Saskatchewan.ca/ort](http://Saskatchewan.ca/ort)

Rental Unit Address: \_\_\_\_\_

Tenant Legal Name(s): \_\_\_\_\_

I hereby give you notice to immediately deliver up possession of the premises described as:

\_\_\_\_\_

The rent is payable on the \_\_\_\_\_ day of each and every month.

The amount of rent over 15 days in arrears at the date of sending this notice is the sum of \$ \_\_\_\_\_.

The amount of rent payable under the agreement is \$ \_\_\_\_\_ per month.

As of the date of this Notice to Vacate, the application fee, amount of rent and/or utility arrears owed is the sum of \$ \_\_\_\_\_.

Date Printed: \_\_\_\_\_

\_\_\_\_\_

Signature of Landlord/Agent

Landlord Legal Name: \_\_\_\_\_

Landlord Mailing Address: \_\_\_\_\_

Landlord Email: \_\_\_\_\_

### INFORMATION

This completed notice must be served pursuant to subsection 82(1)(a) of *The Residential Tenancies Act, 2006*. A landlord may then apply for possession of the rental unit to the ORT through the ORT's online portal at [www.saskatchewan.ca/ort](http://www.saskatchewan.ca/ort).

Once an application has been submitted in full, the ORT will schedule a hearing and send out the hearing notice to the landlord. The landlord **MUST** serve the completed hearing notice on the tenant(s) pursuant to subsection 82(1)(a). At the hearing, each party will have the opportunity to respond to the claims indicated on the hearing notice. A decision will be issued after the hearing and sent to both parties by email or mail.

If a Writ of Possession is issued, a landlord may have a Sheriff remove the tenant(s) from the rental unit.

These ORT forms are provided as an example as to what an acceptable Notice of Eviction will look like. If your landlord is trying to evict you with a form that does not look like this, contact the ORT. A full list of forms can be found at:

<https://publications.saskatchewan.ca/#/categories/323>

# 3. ORT HEARING IS HELD

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A hearing is your opportunity to tell your side of the story and give evidence disagreeing with the landlord's application to evict you.

The ORT does not do any investigation itself. It is your responsibility to provide all relevant evidence.

ORT hearings are scheduled to take place over the phone. As soon as you receive the Hearing Notice, **you must give the ORT your phone number**, and if you are having witnesses, the phone number of your witnesses. **Make sure your phone does not block 1-800 or no caller ID numbers.**

In Saskatoon and Regina, hearings can be held in person. If you wish to have an in-person hearing, email the ORT at [ORT@gov.sk.ca](mailto:ORT@gov.sk.ca), and explain why you want to have an in-person hearing.

## **After you get the Notice of Hearing, you need to:**

1. Mark your calendar with the hearing date and time, rearrange your schedule so that you are available
2. Give the ORT your phone number (and a back-up phone number if possible) and the phone number of any of your witnesses
3. Make sure your phone does not block 1-800 numbers or no caller ID numbers
4. If you live in Regina or Saskatoon and area, and want your hearing to be in-person, email the ORT at [ORT@gov.sk.ca](mailto:ORT@gov.sk.ca) and explain why you want an in-person hearing
5. Reach out to a legal resource on page 21 for help
6. If you have a disability that requires accommodation, tell the ORT as soon as possible (more information on page 23)

# RULES OF EVIDENCE

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Both the landlord and the tenant have to give the other a copy of any evidence they plan to show at the hearing to support their side.

Evidence may include the verbal testimony (telling your story) of you and the landlord and their witnesses, photos, invoices, text messages or videos. For example, photos of the rental unit may be useful in arguing against a landlord who says you damaged the unit. Or, text messages could be useful if the landlord texted one thing, and is now saying something else.

## **Just and Equitable In the Circumstances**

The Hearing Officer has to consider what is just and equitable in the circumstances. This means, it is good to explain how the eviction will impact you and your household.

**Need Budgeting Help?**  
Contact the Credit Counselling  
Society at 1-877-389-0297

## **Repayment Plan**

If you are late on rent, and plan to ask for time to catch up you could propose a repayment plan. This means you are asking to catch up on your rent arrears over a period of time. Prepare a budget for the next 6 months, detailing your income and expenses. Submit that as evidence to show what amount you can reasonably pay.

If you are having trouble getting a witness to attend the hearing, contact the ORT as soon as possible. The ORT can provide a summons which forces a witness to attend.

Once you provide your evidence to the landlord, you will need to prove (show) the ORT that you have done so. You will need to complete a **CERTIFICATE OF SERVICE ON A LANDLORD**, and submit both a copy of the certificate and a copy of your evidence to the ORT by email, in-person, fax, or by uploading the material to the ORT's online portal.



# CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**  
*The Residential Tenancies Act, 2006 (sections 82(1)(a), (b), (c))*

Application #: \_\_\_\_\_

**RENTAL PROPERTY INFORMATION**  
Address/Land Location - must be in Saskatchewan: \_\_\_\_\_

I, \_\_\_\_\_, of \_\_\_\_\_, Saskatchewan,  
(Legal name of person who served the document(s)) (City/Town)

**CERTIFY that I SERVED** \_\_\_\_\_,  
(Legal name(s) of who was served)

with a true copy of the following document(s): \_\_\_\_\_,  
(Name(s) of document(s) served)

Attach copies of the documents served to this Certificate of Service.

I served the \_\_\_\_\_ with a true copy of the document(s) by:  
tenant(s)/landlord

**Section 82(1)(a): SERVICE ON A CURRENT TENANT**

Personal Service on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Address where service took place)

OR

Posting on \_\_\_\_\_ and Ordinary Mail to \_\_\_\_\_ on \_\_\_\_\_  
(Date) (Address where documents were mailed) (Date)

OR

Posting on \_\_\_\_\_ and Electronic Form to \_\_\_\_\_ on \_\_\_\_\_  
(Date) (Electronic service address) (Date)

**Section 82(1)(b): SERVICE ON A FORMER TENANT**

Personal Service on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Address where service took place)

OR

Electronic Form to \_\_\_\_\_ on \_\_\_\_\_  
(Electronic service address) (Date)

**Section 82(1)(c): SERVICE ON A LANDLORD**

Personal Service on \_\_\_\_\_ at \_\_\_\_\_  
(Date) (Address where service took place)

OR

Ordinary Mail to \_\_\_\_\_ on \_\_\_\_\_  
(Address where documents were mailed) (Date)

OR

Electronic Form to \_\_\_\_\_ on \_\_\_\_\_  
(Electronic service address) (Date)

**IMPORTANT INFORMATION ON SERVICE METHODS:**

**Personal:** a true copy of the notice/evidence is given directly to EACH tenant/landlord. Documents are deemed served at the time and date of personal service.

**Posting:** a true copy of the notice/evidence is attached to the front door of the rental unit. Posting to the front door of the rental unit is deemed served at the time and date of posting.

**Ordinary Mail:** a true copy of the notice/evidence is sent through ordinary mail. Mail is deemed served on the third business day after mailing.

**Electronic Form:** a true copy of the notice/evidence is sent through email, social media, or text message to EACH tenant/landlord. Electronic service is deemed served on the next business day after sending. Proof of electronic service MUST be submitted for the hearing officer to verify service.

I certify the above to be true and correct.

\_\_\_\_\_  
(Signature of person who served the document)

Print Name \_\_\_\_\_ Date \_\_\_\_\_

It is an offence contrary to section 79(1)(b) of *The Residential Tenancies Act, 2006* to knowingly make an untrue statement of fact in information to be provided by the Act or Regulations.

November 2022 Certificate of Service

This is what a Certificate of Service looks like, get the fillable form here:  
<https://publications.saskatchewan.ca/#/products/119951>



# TIPS TO PREPARE FOR A HEARING

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**Write out your story** or make a list of important points so you don't overlook them under the pressure of the hearing.



**Prepare a point form summary of events and timeline.** You can use this to testify or answer the Hearing Officer's questions.



**Make a list of questions** to ask the landlord and their witnesses to bring out the whole story.



**Review your evidence and speak to your witnesses.** Make sure you can describe how your evidence supports your argument (your side of the story).



**Ask for help.** Seek advice from an organization listed in the Legal Resource section at the end of this Resource.

# TIPS FOR ATTENDING A HEARING



**Know what to expect, a hearing is organized like this:**

- The landlord talks first, giving verbal evidence
- You can then ask the landlord questions
- You then talk, and give your verbal evidence (your side of the story)
- The landlord (or their lawyer) can then ask you questions
- The landlord (or their lawyer) will make a closing statement, summarizing why it is legal to evict you
- You can then make your closing argument, saying why you should not be evicted



Have a pen and paper. **Make lots of notes** of the evidence provided by the landlord and their witnesses.



**Keep your questions and presentation on topic** to the claims stated in the Notice of Hearing. Rambling and evidence not about the claim takes away from the evidence you give about the claim.



If you **have a question about the hearing**, do not interrupt. When it makes sense, ask the Hearing Officer (who is like a Judge) your question.

## Application for a Re-Hearing

If you were not able to attend the hearing but a decision to evict you was still made, contact the ORT as soon as possible, asking for a new hearing. Explain why you were not able to attend the hearing and the attempts you made to attend the hearing.

# 4. THE ORT MAKES A DECISION

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After the hearing the ORT will make a decision. This is usually made one or two days after the hearing. **The decision could be one or more of the following:**

- An order for the tenant to be evicted
- An order that the tenant not be evicted
- An order that the landlord not gain immediate possession of the rental unit (in other words, the tenant can be evicted but given more time to leave than the landlord wanted)
- An order for the tenant to pay overdue rent or utilities.

**Read the decision carefully so that you understand the decision.**

Before The ORT makes its decision, you cannot be evicted or removed from the rental unit.

- **No one other than a Sheriff can physically remove you from the rental unit.** If anyone else tries, call the ORT.
- **The landlord cannot change the locks** at any point before you are removed from the rental unit. If the landlord does change the locks, contact the ORT and the police.

**Things to Think About:**

- 1.No matter how you think the hearing went, you may want to explore housing options in case you are evicted. Ask a trusted family member or friend to stay with them. Reach out to housing services, some of which are listed at the end of this Handbook. If you are on SIS or SAID, talk to a Worker to see if you are eligible for their Short Term Emergency Support and Relocation Benefit.
- 2.Think about your **belongings** and where they could be stored if needed.
- 3.If you are evicted, make arrangements for **important mail** to go to your new address or a trusted address (for example SGI, eHealth, etc.)

# 5. APPEALING ORT DECISION

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If you are unhappy with the outcome of your hearing, you can **appeal** the ORT's decision to the Court of King's Bench.

To start an appeal, follow these steps:



## **Step 1: Understand What an Appeal is**

You can only appeal if you think a **mistake of law** was made. This means that you think the ORT applied the law wrong. Or, you can appeal for reasons of **procedural fairness**, if parts of the hearing process were unfair. You can also appeal on **jurisdiction**, this means the ORT didn't have the authority to make the decision.



## **Step 2: File your Appeal**

All appeals must be filed with the Court of King's Bench within 30 days of the date of the ORT decision.



## **Step 3: If you were evicted because of unpaid rent**

If you were evicted because of arrears (unpaid rent), you have to give 1-month's rent to the Court of King's Bench. And they hold that money until the appeal is decided.

Appeals are complicated. There are resources available to help you with your appeal. Some great places to start are found on page 21.

# 6. WRIT OF POSSESSION

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When a **Writ of Possession** is made, the ORT will set the date you are to be evicted. Sometimes, this will be immediate. Usually, the landlord gives the Writ of Possession to the **Sheriff** at least **5 days** before the day you are supposed to be evicted.

The Writ of Possession allows the Sheriff to evict you from your rental unit. If you have appealed the ORT's decision to the Court of King's Bench, the Sheriff cannot evict you until the appeal is decided. The Sheriff can evict you before you appeal, so if you are going to appeal the decision, you need to do that right away.

The Sheriff is an official of the court who is authorized to evict people. Only the sheriff is allowed to evict you from your home, and they will only do so with a Writ of Possession.

## **Remember Your Rights!**

No one except the Sheriff is allowed to forcibly evict you.

If your landlord changes the locks, or took your things, **call the ORT.**

**Once an Writ of Possession is made, you can be evicted on the date that is set on the Writ of Possession.**

Don't wait for the Sheriff to arrive and evict you. Begin making arrangements to appeal or move out **immediately.**

# EVICTON DAY PROCESS

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Before a sheriff evicts you, the sheriff will post a Notice on your door. The Notice says when the sheriff will be back to evict you. The period of time varies, it is usually 1 to 3 days. The sheriff **can** forcibly evict you from your home.

The sheriff will evict you whether you are home or not. If you are not home, the sheriff can remove your things from the rental unit and leave them outside.

Once the sheriff begins evicting you, **do not try to stop them with force.** Resisting the eviction may cause legal problems.

If you have pets, the sheriff or police may call animal control. Animal control will then take your animals from you.

Once the sheriff evicts you, **the landlord can change the locks and stop you from entering the unit.** If you stay passed your eviction, a landlord may claim damages against you, such as loss of income resulting from your overstay.

# LEFT-OVER PROPERTY

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If any of your belongings, including vehicles, are left on the rental property after you are evicted, your landlord may be able to get rid of your property by either selling or throwing them out.

Before this happens, the landlord must make reasonable efforts to locate and contact you. For this reason, it can be a good idea to give your landlord updated and current contact information for yourself.

## **Value Over \$1500**

If the landlord cannot locate or contact you, the landlord can apply to the ORT for an order to get rid of your belongings. You **are not** notified when the landlord makes this application or when the ORT grants the order.

If the landlord sells your items, the landlord can use the funds to pay off any rent owed but the rest **must** be paid to the ORT. These funds will be held for you, and you will have **6 months** to collect them.

## **Value Less Than \$1500**

If your possessions are valued at \$1500 or less, the landlord may sell or throw out the property **without** applying for an order, but they still must try to contact you before they dispose of your things.

If you think the landlord sold your possessions without trying to contact you, **contact the ORT immediately.**

# LEGAL RESOURCES

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You don't need to go through this process **on your own**. Below are some legal resources you may access for help with your case:

## **Legal Assistance**

Organizations can have intake and eligibility processes that take up time before they are able to help you. Reach out to the organization as soon as possible.

### **Pro Bono Law Saskatchewan**

Website: [pblsask.ca](http://pblsask.ca)

Phone: 306-569-3098

Email: [info@pblsask.ca](mailto:info@pblsask.ca)

### **CLASSIC Law**

Website: [www.classiclaw.ca](http://www.classiclaw.ca)

Phone: 306 657-6100

E-mail: [info@classiclaw.ca](mailto:info@classiclaw.ca)

## **Legal Information**

### **PLEA**

Website: [www.plea.org](http://www.plea.org)

Phone: 306-653-1868

### **ORT**

Website: Search "Office of Residential Tenancies Sask"

E-mail: [ort@gov.sk.ca](mailto:ort@gov.sk.ca)

Phone: 1-888-215-2222

Hearing Hotline Phone: 1-833-685-2636

The ORT offers information Clinics, visit the website to learn more.



# COMMUNITY RESOURCES

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Below are some resources you can access to get help finding housing or emergency shelter. More resources can be found by calling or looking up "211"

## SASKATOON

### **Saskatoon Housing Authority**

525 24th St East

Phone: 306-668-2700

Email:

saskatoon.housing@sasktel.net

### **YWCA Saskatoon Crisis Shelter**

Phone: 306-244-2844

510 25th St. East

<https://www.ywcasaskatoon.com/crisis-shelter-residence/>

### **Salvation Army Emergency Shelter Mens'**

Phone: 306-244-6280

<https://www.salvationarmysaskatoon.org/>

### **Saskatoon 24-Hour Mobile Crisis**

Phone: 306-933-2600

### **Saskatoon Tribal Council (STC) Emergency Wellness Centre**

Phone: 306-249-5415

415 Fairmont Drive

[ewc@sktc.sk.ca](mailto:ewc@sktc.sk.ca)

## REGINA

### **Namerind Housing Corporation**

Phone: 306-525-0147

Email: [reception@namerind.com](mailto:reception@namerind.com)

### **Regina Housing Authority**

Phone: 306-525-2377

Email: [reginahousing@sasktel.net](mailto:reginahousing@sasktel.net)

### **Souls Harbour Rescue Mission**

Phone: 306-543-0011

Email: [rescue@shrmsk.com](mailto:rescue@shrmsk.com)

### **Regina Mobile Crisis**

Phone: 306-757-0127

### **Saskatchewan Housing Corporation**

Phone: 306-787-4177

# SEEKING ACCESSIBILITY ACCOMMODATION

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Tenants with disabilities or language barriers sometimes struggle to be able to **fully participate** in hearings at the ORT. *The Canadian Charter of Rights and Freedoms* and *The Saskatchewan Human Rights Code* protects everyone from being discriminated against based on disability, age, and a number of other grounds (characteristics).

If you have a disability or language barrier, and want accommodation for your eviction process, you must make that request to the ORT as soon as possible as to the specific accommodation you require. Call, email, or visit the ORT in person to request accommodation.

## **A request for accommodation must include:**

1. What type accommodation you are looking for; AND
2. How that accommodation is relevant (relates) to your disability.
3. If possible, a doctor's notes that states the accommodation you are seeking is helpful

## **Examples of accommodation:**

- Frequent breaks during the hearing
- In-person hearing
- Permission to bring a support person to the hearing
- Accessible format text

If you believe your right to fully participate in a hearing was not met:

1. Inform the Director of the ORT
2. Make a Complaint with the Ombudsman Saskatchewan
3. Make a Complaint to the Saskatchewan Human Rights Commission
4. Get legal advice, check out page 21.