

## Order of possession

A landlord may apply for an order of possession from the Residential Tenancies Office (RTO).

An order of possession gives the landlord the right to repossess the rental unit and requires the tenant to move out.

Before applying for an order of possession, the landlord must first serve the tenant with a notice to end the tenancy.

The landlord must show that they served the tenant with the notice correctly (i.e., by personal service, registered mail, or a combination of mailing the notice and posting it on the tenant's front door).

### **When the tenant does not move out**

A landlord cannot physically remove a tenant without an order for possession, even if the tenancy has ended. A landlord also cannot lock the tenant out, take the tenant's property or discontinue essential services (such as electricity or heat).

To have a tenant removed, the landlord must first get an order of possession from the RTO. The landlord must then serve the order of possession on the tenant. If the tenant does not leave by the date noted on the order, the landlord must file the order of possession with the Supreme Court. The Court and the Sherriff's office will enforce the order.

### **Refusing an order of possession**

The RTO may refuse to grant an order of possession if the landlord was evicting the tenant for invalid reasons, or the tenant was not properly served with the notice to end tenancy.