

## Other rights and responsibilities

### Ending or restricting a non-essential service or facility

A landlord can eliminate or restrict a non-essential service or facility so long as the landlord and tenant agree to the compensation amount (generally equivalent to the value of the service being discontinued). However, a landlord cannot eliminate or restrict an essential service.

A tenant may dispute the proposed change by applying for dispute resolution.

### Prohibited fees

Prohibited fees include:

- a fee for the initial set of keys or access device;
- a guest fee (whether guests stay overnight or not);
- a fee for a replacement lock, key or access device if the landlord initiated the replacement.

### Permitted fees

Permitted fees must be specified in the tenancy agreement.

Permitted fees include the following.

- Fees for a key replacement or for additional keys, lock or access device. This fee must not be greater than the direct cost of replacing the key, lock or access device.
- NSF (not sufficient funds) fees. If the tenancy agreement includes this as a term, a landlord may charge a tenant the service fee charged by the bank if a tenant's cheque is returned.

The landlord may also charge:

- an additional administrative fee up to a maximum of \$25 for return of a tenant's cheque; and
- a fee for services requested by the tenant if those services are not required to be provided under the tenancy agreement (e.g. carpet cleaning).

### Additional person joining the household

The tenancy agreement must list all the tenants and should also include the **maximum number of occupants** permitted in the rental unit. If the landlord plans to increase the rent when more people move in, the amount must be written into and form part of the tenancy agreement at the start of the tenancy.

If there are more occupants in the rental unit than the maximum number specified in the tenancy agreement, this will likely constitute a breach of a material term and the landlord may serve the tenant with a 14-day notice to end the tenancy for cause.

### Overcrowding

The number of people residing in the rental unit must not exceed the number permitted under the fire code established under the *Fire Prevention Act* and other applicable health and safety standards.