

# Eviction Notice Checklist (N5 — Notice to End a Tenancy)

If your client receives a Notice to End a Tenancy for Overcrowding (N5), refer to this checklist.



- If you answer **No** to any of the questions on this list, this might show a problem with the eviction notice. It will be important to raise this fact at any hearing or settlement meeting.
- If a question does not apply to you, leave it blank.
- This is not a complete list of every reason you could use to fight the eviction notice. It is best if you can get legal help before a hearing or settlement meeting.

**YES    NO**



## Details in the N5 notice:

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the notice show your correct street address and unit number? |
| <input type="checkbox"/> | <input type="checkbox"/> | Is the notice signed by the landlord or the landlord's agent?     |

## If this is your first N5 in 6 months:

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the termination date on the notice at least 20 days after the notice is dated?   |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the notice give you at least 7 days to "void" or cancel the notice by reducing the number of people living in the unit?              |
| <input type="checkbox"/> | <input type="checkbox"/> | If the landlord has filed an application to evict a tenant (L2) with the Landlord and Tenant Board (LTB), did they file after the 7 days? |

## If this is your second N5 within 6 months:

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the termination date on the notice at least 14 days after the notice is dated?                       |
| <input type="checkbox"/> | <input type="checkbox"/> | Does it say that the overcrowding happened within 6 months after the landlord gave you the previous N5? |

## Landlord's application to the LTB:

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Was the L2 application filed within 30 days after the termination date in the notice? |
|--------------------------|--------------------------|---|

Check out similar checklists on CLEO's Steps to Justice for [N5 Notice of eviction for interference](#) and [N5 Notice of eviction for damage](#).