

If Your Employment Ends...

Laws for Tenants in Alberta

I just got laid off, and I can't afford my rent. Can I move out?

If you have a fixed-term lease, you cannot leave before the lease ends, or you risk paying damages to the landlord for breaching your lease agreement.

If you have a periodic tenancy (which has no fixed end date), you must give the landlord notice before you leave. If you have a monthly tenancy, you must give at least one tenancy month written notice before moving out. If you have a weekly tenancy, you must give one tenancy week's notice.

How can I get out of my lease early?

Talk to your landlord about your situation. Find out if your landlord will allow you to break your lease early. Your landlord does not have to agree to your request, but some landlords may be willing to, especially if your financial circumstances have changed.

If your landlord agrees to end your lease early, make sure any agreement you make is in writing and is signed by both you and your landlord.

If you can't break your lease, there are two other options to consider:

- Assigning your lease
- Subletting your property

Pro tip

If you think you'll need to move out, speak to your landlord as soon as possible. Offer to help your landlord find a new tenant by advertising the unit online or in local community hubs.

Your landlord may be more willing to let you leave early if you help search for a new tenant.



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What is assignment?

Assignment is when you find someone to take over your lease agreement. It is a good option if you don't plan on returning to your rental home.

How do I assign my lease?

If you find someone who wants to take over your lease agreement, you must get written permission from the landlord to assign your lease.

Your landlord can only refuse your request to assign your lease if there are reasonable grounds—for example, the new tenant refuses to fill out an application form or cannot pay the rent. If your landlord rejects your request, they must give you written reasons for refusing.

If you get permission to assign your lease, get a signed release from your landlord. A release is a new agreement discharging you from all your obligations to the landlord. For example, the release will protect you from paying rent if the new tenant doesn't pay it in the future. With an assigned lease and signed release, you are no longer responsible for anything to do with the rental unit.

What is subletting?

Subletting is when you move out of your rental property and someone new moves in, but the original lease stays in place. You remain legally responsible for all the obligations under the lease and the law. For example, if the person you find to sublet fails to pay rent, the landlord can come after you to collect the unpaid rent.

You can sublet your place for a fixed period (e.g., March 1 to June 30) or make a periodic agreement (e.g., month-to-month, week-to-week). Subletting is a good option if you want to return to your place.

How do I sublet my place?

Like assignment, you need to get written permission from your landlord to sublet. Your landlord can only refuse your request if there are reasonable grounds, and they must give you written reasons for refusing.

You should enter into a signed agreement with the person who sublets your place. The agreement should include all the obligations from your original lease and any other extra terms you think are necessary, such as how and to whom the rent will be paid.

I just lost my job and I own my home. I want to rent out a room to help pay my mortgage. What do I need to know?

For more information, refer to CPLEA's free booklet **Renting Out a Room in Your Home**.

Pro tip

If you don't hear from your landlord within 14 days of asking permission to sublet or assign your lease, the law says that you can assume the landlord has agreed to the sublet or assignment.

Where can I get more help?

- **Laws for Landlords and Tenants in Alberta**
www.landlordandtenant.org
- For a list of where to get legal help, refer to CPLEA's **Get Legal Help in Alberta**
www.cplea.ca/legalhelp/
- **Residential Tenancy Dispute Resolution Service (RTDRS)**
The RTDRS offers landlords and tenants an alternative means of resolving tenancy disputes outside of court.
www.servicealberta.ca/rtdrs/
- **Law Society of Alberta Lawyer Directory**
This database allows people to find a lawyer using certain search criteria. Individuals can find a lawyer by name, location, practice areas, language(s) spoken, gender, and whether a lawyer offers limited-scope retainers.
www.lawsociety.ab.ca/public/findalawyer/

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