

“I live in fear every day”: Results from a province-wide tenants’ rights study

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About Dalhousie Legal Aid

- Started in 1970 as a summer student project through the Halifax Neighbourhood Centre
- Oldest clinical law program in Canada & first legal service for low-income Nova Scotians
- Partnership between community groups, law students, community legal workers, and lawyers
- Provide legal aid and information for people who otherwise couldn't afford legal representation
- Study the law and provide recommendations for legal reform in Nova Scotia
- Teach law students at Dalhousie University through hands-on work



Housing is a human right

- Everyone deserves housing that is **secure, affordable, and habitable**
- Building new units is a piece of the puzzle of solving the housing crisis, but it's also important to **protect people who are already in housing**

Our questions

- What is the volume and nature of tenancy issues faced by renters in Nova Scotia?
- How and why (and why not) do tenants access justice for tenancy-related issues in Nova Scotia?
- How do demographic and socio-economic factors influence tenancy-related issues and access to justice in Nova Scotia?

Geography	Total households	Owner	Renter	Dwelling provided by the local government, First Nation or Indian band	Percentage renter in geography	Percentage of all renters
Nova Scotia	428,230	285,995	139,415	2,820	32.6%	100%
Halifax	154,890	76,940	77,935	-	50.3%	56%
Cape Breton - Sydney	14,130	8,015	5,785	325	40.9%	4%
Truro	10,875	5,730	4,965	180	45.7%	4%
New Glasgow	8,895	5,485	3,415	-	38.4%	2%
Kentville	6,710	3,675	3,035	-	45.2%	2%
Glace Bay	7,655	5,265	2,385	-	31.2%	2%
Amherst	4,535	2,615	1,920	-	42.3%	1%
Yarmouth	3,650	1,750	1,900	-	52.1%	1%
Bridgewater	4,260	2,470	1,790	-	42.0%	1%
Sydney Mines	5,540	3,840	1,700	-	30.7%	1%
Other areas	207,090	170,210	34,585	2,315	16.7%	25%

Legal Process for Residential Tenancies Dispute Resolution

Notices to Quit

- **Form E:** Landlord's Notice to Quit for breach of statutory condition
- **Form F:** Landlord's Notice to Quit - Additional Circumstances
- **Form DR2:** Landlord's Notice to Quit - Purchaser to Occupy

A Notice to Quit represents formal notification by a Landlord that they want to end the tenancy. A Landlord must apply for a Residential Tenancy hearing using a Form J to formally terminate the tenancy.

Security Deposit Claims

The deposit must be returned within 10 days after the end of the tenancy unless the Landlord applies to retain the security deposit.

To keep a deposit

- Landlord and tenant must come to a mutual agreement, or
- Landlord must file a **Form R** to keep the deposit

Tenant can demand the return of a security deposit or challenge a claim form with a **Form S**

Director's Order issued

Rental Arrears Claims

If arrears not paid/**Form J** not filed, Landlord can file **Form K** (Application to Director to end tenancy because of unpaid rent)

Form D (Landlord's Notice to Quit - Failure to Pay Rent)

- Voided if arrears paid in 10 days
- Tenant has 10 days to appeal by filing a **Form J**

Director's Order issued

All Other Claim Types

Tenant or Landlord can file **Form J** (Application to the Director to resolve dispute between Landlord and Tenant)

- Evidence is submitted 5 days before hearing

Residential Tenancies Hearing:

- Heard by a Residential Tenancies Officer
- Opportunity for mediated settlement at outset

Order of the Director (Residential Tenancies Decision)

- The decision must be rendered within 14 days of the hearing.
- 10 days to file an appeal

Enforcement

An Order of the Director is not legally enforceable on its own. To begin the process of making it enforceable, you must first ask the Residential Tenancy Officer to make the Order of the Director into an Order of the Small Claims Court.

When you receive the Order of the Small Claims Court, you can make it enforceable by then asking the Small Claims Court office to issue an enforcement Order. In the Residential Tenancies Context, the typical Order types are either an Order for Vacant Possession (an Order for the Sheriff to evict) or an Execution Order (an Order for the Sheriff to collect money).

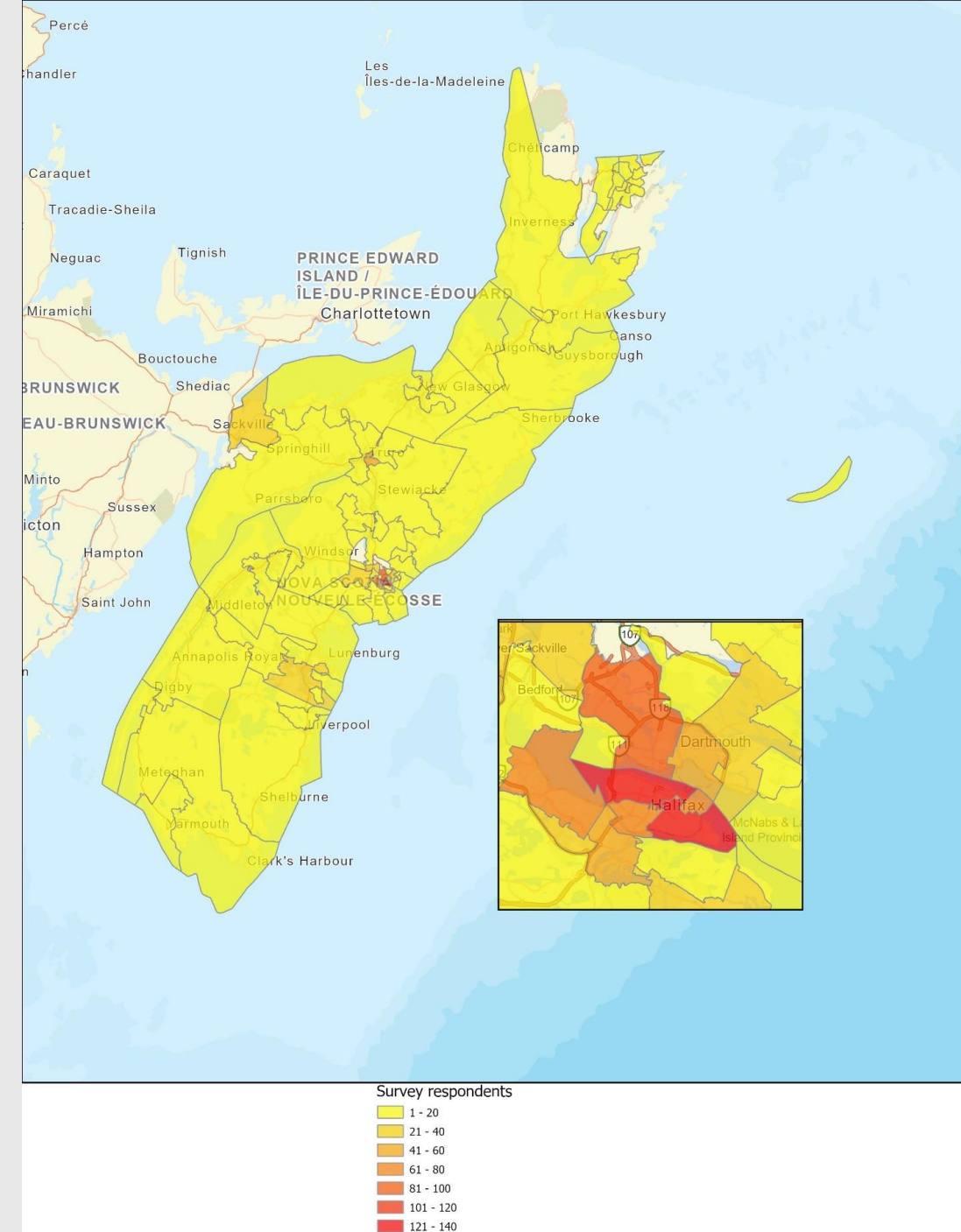
Appeals

Any Order of the Director can be appealed to the Nova Scotia Small Claims Court. These appeals are de novo meaning that the parties get to reargue the case and do not need to show an error in the earlier decision.

Orders of the Small Claims Court can be appealed to the Nova Scotia Small Claims Court but only on the grounds of a jurisdictional error, an error of law, or a failure to show the requirements of natural justice.

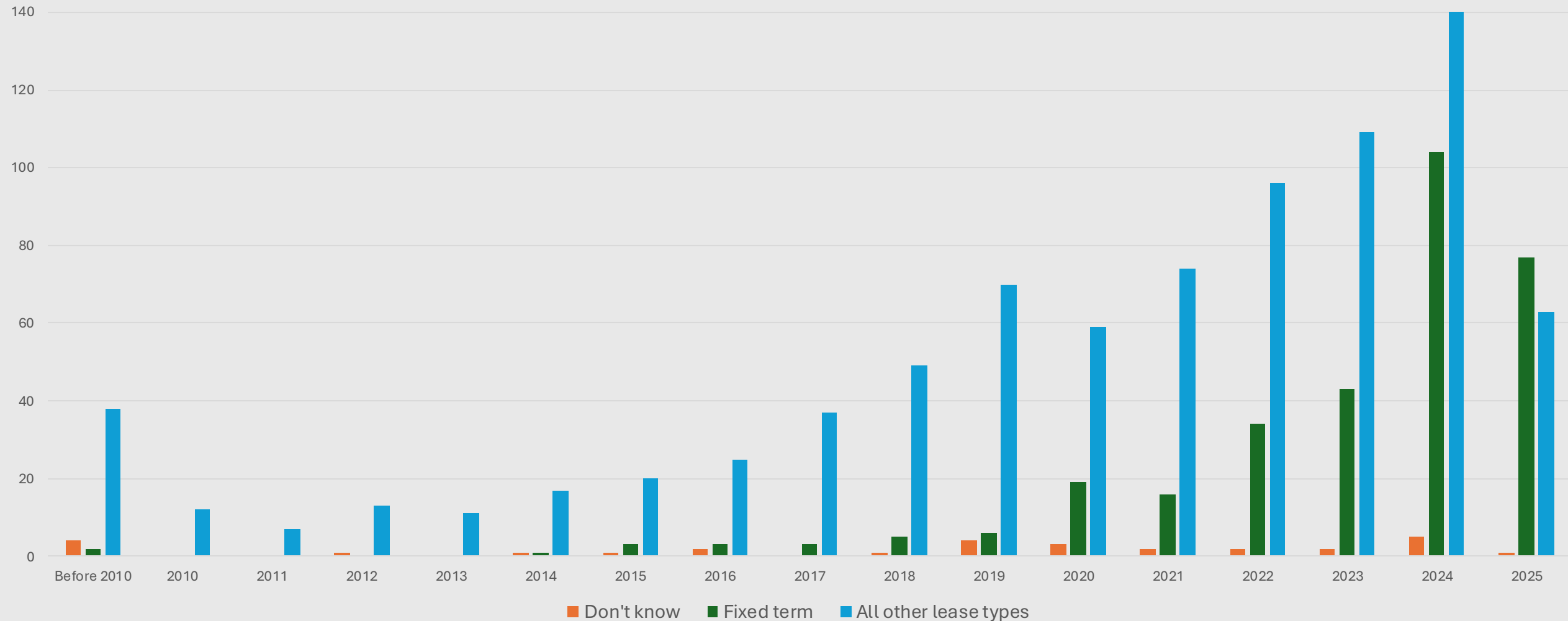
Tenants' survey

- May-August 2025
- Open to Nova Scotians 19+ who had rented their home within the past year
- 1,278 responses from throughout the province



Lease terms

Lease term by move-in year (n=1185)



Rent increases

What is your main source of income?	Has the rent for your unit increased within the past year?			
	Does not apply	No	Yes	Total
Employment income	90	201	503	794
Employment support and income assistance (e.g. Nova Scotia ESIA, provincial disability support program)	7	19	36	62
Federal government assistance (e.g. EI, Canada Child Benefit)	2	6	17	25
Federal government retirement assistance (e.g. CPP, OAS, GIS)	4	15	51	70
Investment income	1	1	3	5
Other (please specify)	7	26	45	78
Retirement income	6	13	65	84
Scholarships or student loans	11	21	21	53
Self-employment income	2	18	19	39
Total	130	320	760	1210

Tenancy problems

In the past 12 months, have you encountered any problems with your unit, landlord, or building management? (Open-ended question)	
	Coded responses
Conditions of Premises	356
Bedbugs, cockroaches, rodents, and other pests	129
Landlord's behaviour	72
Rent increase	32
Withdrawal of service	30
Security deposit	23
Eviction	21
Sublet or assignment	14
Disability, Duty to Accommodate	6
Notice to Quit by Tenant	2
Application Fee	1
Roommates	1
Other	69
Total codes	756

In the past 12 months, where have you gone to seek information or support about problems with your unit, landlord, or building management?		
	Number of respondents	Percentage of all respondents who reported problems
An internet search	373	57.9%
Friends	291	45.2%
Family	221	34.3%
Government resources (e.g. 211 or Residential Tenancies information line)	220	34.2%
Dalhousie Legal Aid Service	97	15.1%
Government official (e.g. MLA or MP)	44	6.8%
Another not-for profit organization (e.g. a shelter, food bank, family resource centre)	40	6.2%
Nova Scotia Legal Aid	34	5.3%
A not-for-profit organization that provides legal services (e.g. Elizabeth Fry, Legal Information Society, PATH Legal)	19	3.0%
A not-for-profit organization that serves people experiencing violence or abuse	7	1.1%
A lawyer with a private firm	7	1.1%
Other	104	16.1%

In the past 12 months, what actions have you or your legal representative taken to address problems with your unit, landlord, or building management?		
	Number of respondents	Percentage of all respondents who reported problems
Made an informal demand of my landlord (e.g. asked them to fix an issue)	330	51.2%
I did not take action	272	42.2%
Made a formal demand of my landlord in writing (e.g. wrote a demand letter)	85	13.2%
Filed an application to the Residential Tenancies program	40	6.2%
Made a complaint to my municipality (e.g. bylaw inspector, fire department)	35	5.4%
Went to a Residential Tenancies hearing	25	3.9%
Made a complaint to law enforcement	23	3.6%
Went to a Small Claims Court hearing for a Residential Tenancies matter	8	1.2%
Appealed a Residential Tenancies decision in Small Claims Court	5	0.8%
Appealed a Small Claims Court decision in the Nova Scotia Supreme Court	3	0.5%
Got a sheriff to enforce a legal order against my landlord	1	0.2%
Filed a complaint with the Nova Scotia Human Rights Commission	1	0.2%
Other	39	6.1%

What, if any, barriers did you face that prevented you from taking more action?		
	Number of respondents	Percentage of all respondents who reported problems
Hopelessness/I thought nothing could be done	300	46.6%
I thought it would damage the relationship with my landlord or building management	298	46.3%
I thought it would be too stressful	242	37.6%
I didn't know what actions to take	216	33.5%
I was too afraid to take action	193	30.0%
I was uncertain of my rights	181	28.1%
I thought it would take too much time	130	20.2%
I thought it would cost too much	118	18.3%
I thought the other side was right	14	2.2%
Other	108	16.8%
I did not face any barriers	70	10.9%

Residential Tenancies Program data

Year	Total Form Js and Ks received
2019	4907
2020	3092
2021	4193
2022	4598
2023	4782
2024	4875
Total	27678

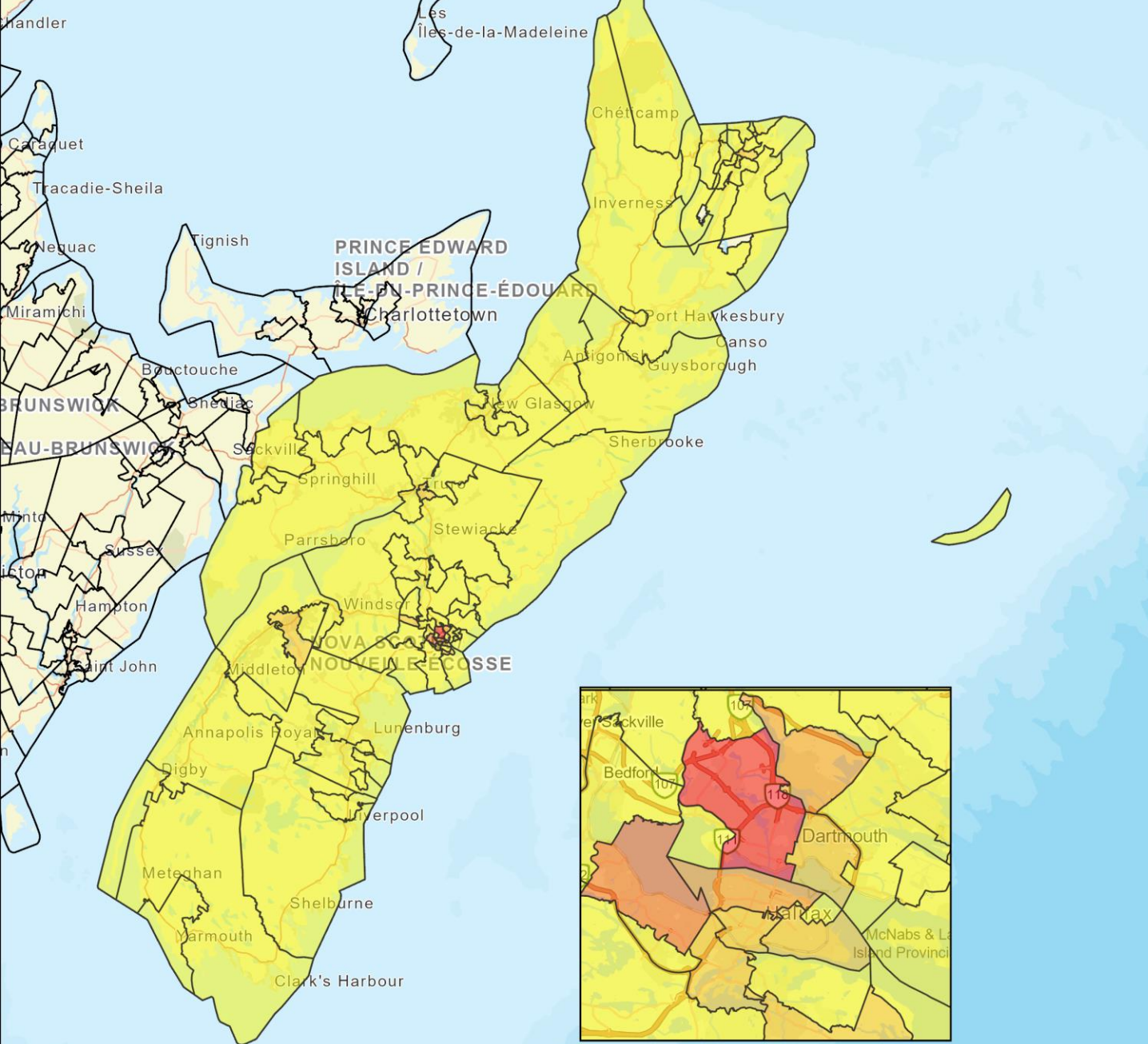
Residential Tenancies Program Applications

Eviction applications by landlords

	Year						Total
Region	2019	2020	2021	2022	2023	2024	
Unknown	1733	689	808	907	909	623	5669
Cape Breton	184	113	145	195	201	216	1054
Halifax	927	795	1013	1026	1007	1155	5923
Other mainland Nova Scotia	556	508	661	682	689	721	3817
Total	3400	2105	2627	2810	2806	2715	16463

Tenant applications

	Year						Total
Region	2019	2020	2021	2022	2023	2024	
Unknown	441	219	315	361	436	259	2031
Cape Breton	74	59	114	114	114	115	590
Halifax	222	219	398	491	442	630	2402
Other mainland Nova Scotia	302	252	440	544	601	614	2753
Total	1039	749	1267	1510	1593	1618	7776



Number of eviction applications, 2019 to 2024

1-250

251-500

501-750

751-1000

1000-1250

1251-1500

Postal code areas

Small Claims Court

	Landlord Category					
Grounds for Claim	Chain (140)	Financial (56)	Multiple owner (106)	Non- profit (28)	Single owner (79)	Total
Non-payment of rent	84	42	40	16	34	216
Non-compliance with the lease or act	15	7	12	7	9	50
Renovation or demolition		1	4		1	6
Landlord's rules					2	2
Statutory condition 4 ordinary cleanliness	4	2		1		7
Statutory Condition 3 good behaviour	4		3	4	2	13
Owner/purchaser to occupy unit		1	7		3	11

Small Claims Court

Landlord type	Average cost of rent	Average amount of rental arrears claimed	Average amount tenant ordered to pay
Chain (140)	\$1,570.75	\$3,280.01	\$3,041.74
Financial (56)	\$1,381.82	\$3,600.38	\$3,381.69
Multiple owner (106)	\$1,606.69	\$5,305.21	\$5,388.45
Non-profit (28)	\$718.26	\$3,541.42	\$3,385.56
Single owner (79)	\$1,571.08	\$7,586.87	\$3,871.22
	\$1,493.57	\$4,552.13	\$3,772.65

How will we protect tenants?

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