

## **Application Fees for Rental Units**

### **The Residential Tenancies Act:**

- prohibits landlords from charging an application fee to a person who applies to become a tenant or a landlord (rent a unit).

### **Reference:**

*Residential Tenancies Act: Section 6*

### **Details:**

The Act prohibits landlords from charging prospective tenants an application fee for applying to rent a unit.

Where monies of any kind have been paid by a prospective tenant to a landlord, other than a security deposit, those monies are considered to be an application fee. Such a fee breaches the Act. All monies must be returned to the prospective tenant.

### **Procedure:**

Anyone wishing to rent residential premises and who has paid an application fee to a landlord is entitled to the return of the money. If the money is not returned, the individual is considered to be a tenant with the right to proceed as follows:

- the tenant can file an Application to the Director asking for a return of the monies;
- the tenant must serve the landlord with a copy of the application;
- the Officer will hold a hearing, determine the facts and then issue an Order.