
**Early Termination for: Health-Related Income Reduction and
Deterioration of Health**

The Residential Tenancies Act:

- allows a tenant to terminate a year-to-year tenancy with one month notice based on health considerations;
- allows a tenant to terminate a year-to-year tenancy where the income of a tenant is severely reduced due to a significant deterioration of health.

Reference:

Residential Tenancies Act: Section 10B and 10C

Details:

The *Residential Tenancies Act* provides a clear process for terminating a tenancy based on health reasons or health-based income reduction. The Act is silent with respect to whether the Notices to Quit described in Sections 10B and 10C serve to terminate the tenancy of all tenants jointly, or whether it only terminates the tenancy of the person giving notice.

There may be circumstances where the remaining tenants and the landlord agree to continue the tenancy after such a Notice to Quit has been given, and this is acceptable. Notices to Quit under Sections 10B and 10C terminate the tenancy for all tenants unless the co-tenants choose to remain in place and continue the tenancy.

To take any other position on this issue could result in the breakup of families when one partner's health status prevents them from continuing a tenancy, but the other partner must remain behind to honour the lease. Such an outcome was not intended and should be avoided.

Procedure:

Not applicable.