

Eviction: Landlord's Use of Property



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Landlords can give an eviction notice for 'Landlord's Use of Property' in the following situations:¹

Landlord Use

The landlord or a close family member of the landlord will live in the unit. **Note:** Notices given before June 18, 2025, must give at least 4 months' notice and 30 days to challenge the eviction notice.²

Purchaser Use

The unit was sold and the purchaser or a close family member of the purchaser will live in the unit.³

Conversion

The landlord plans to convert the unit to one of the following:

- Strata lots
- Housing cooperative
- Building caretaker, manager, or superintendent use
- Non-residential use

You have **21 days** to challenge this eviction notice at the RTB.

The landlord must give you at least **3 months'** notice.

Landlords are **NOT** allowed to give eviction notices for Landlord or Purchaser Use in buildings with 5 or more units that:

1. are not strata-titled; or,
2. are strata-titled, but the landlord owns all the units.



Keep your landlord in check!

3-4 Month Notices for Landlord, Purchaser, and Conversion to Caretaker, Manager, or Superintendent Use must be on a special notice generated by the Residential Tenancy Branch (RTB) web portal.

Demolition

The landlord plans to demolish the unit.

Note: landlords must have a demolition permit BEFORE applying. You can call your city to see if they have a permit and whether you are covered by a tenant relocation plan.

You have **30 days** to challenge this eviction notice at the RTB.

The landlord must give you at least **4 months'** notice.



Renovation

The landlord plans to renovate the unit.

“Renovictions” have become rarer since the RTA was updated in 2021. Landlords are now required to apply for an RTB dispute resolution hearing for permission to evict a tenant. Renovations need to be very extensive for the eviction to be allowed.

If the landlord is successful, the tenant must vacate the unit no later than **4 months** after the next rent payment.

If you live in a building where the landlord owns 5 or more units, you have the “right of first refusal”. This means you get the first opportunity to move back into your unit under **a new tenancy agreement**, once the renovation is done.

The landlord can set the rent at whatever amount they would like for the new agreement.



Beware! Landlord Use evictions are often given in bad faith by landlords. They may have no intention of moving into the unit, or are responding in retaliation to repair/maintenance requests or complaints from tenants.

If your landlord does not use the unit for the purpose stated in the eviction notice, starting within a reasonable time after you move out and continuing for a duration of at least 12 months, they may owe you **12 months of rent in compensation**.⁴

Note: In these cases, the burden of proof is on the landlord to provide evidence to the RTB.

If you’ve received a landlord’s use eviction and believe it to be in bad faith, contact TRAC!

Free Rent?!

If you are evicted for landlord or purchaser use, demolition, conversion or renovation, you are automatically entitled to **one month’s rent in compensation**, even if you decide to give a 10 Day Notice to Move Out Early. The landlord can pay you directly or allow you to keep the final month’s rent.⁵

For More Information

- 1 See RTB Policy Guidelines 2A and 2B for more information on Landlord Use evictions.
- 2, 3 Section 49(1) of the Residential Tenancy Act (RTA) has special definitions for “landlord,” “close family member,” “purchaser,” and “family corporation.”
- 4, 5 Section 51 of the RTA and RTB Policy Guideline 50 have more information on compensation.

TRAC receives ongoing support from:

English



Department of Justice
Canada

Ministère de la Justice
Canada

This is general information that applies to British Columbia, Canada. TRAC cannot guarantee that it is current or complete. This fact sheet is not meant as legal advice for specific legal problems. Use at your own risk and consult a lawyer if you need legal advice. Last reviewed July 2025.