

Notice of Application under the Residential Tenancies Act or the Mobile Home Sites Tenancies Act On line Instructions

1. Obtain a copy of the applicable Act.
Copies can be purchased through the Alberta Queen's Printer Bookstore:

Main Floor, Park Plaza
10611 – 98 Avenue
Edmonton AB T5K 2P7
Phone: 780-427-4952

Or may be viewed online at www.qp.gov.ab.ca
2. Complete the Notice of Application and print the following number of copies:
 - a. four (4) copies if you have named one individual/company
 - b. add two (2) copies for each additional individual/companyRefer to the booklet titled "Application in Provincial Court of Alberta under the *Residential Tenancies Act*" under the publication section of this website.
3. The following additional documents are required at the time of filing the application. These documents will be attached and sworn as exhibits to the Affidavit in Support by Landlord/Tenant.
 - a. Lease/Tenancy agreement
 - b. Statement of Account *
 - c. Notice of termination of tenancy ** May not apply to tenants applications.
You are required to submit the correct number of copies of these documents at the time of filing the application.
4. The correct number of copies of the documents referred to above **in number 3** are as follows:
 - a. four (4) copies if you have named one individual/company
 - b. add two (2) copies for each additional individual/companyIn accordance with Alberta Regulations a fee is charged for photocopying.
5. The application will be heard at the court location nearest to where the premises are located.
6. Complete the Notice of Application and Affidavit in Support of an Application by Landlord/Tenant. File these documents, along with the correct number of copies of documents (see #2 and #4), at the court office nearest to where the premises are located. You are required to pay the prescribed filing fee; for claims up to, and including, \$7,500.00, the fee is \$100.00 and for claims from \$7,501.00 to a maximum of \$25,000.00, the fee is \$200.00
7. Scheduled hearing dates vary in each court location. The clerk will set the application for the next available hearing.
Related information can be accessed on the following web site:
www.servicealberta.ca/landlords_tenants.cfm

Action No.

Provincial Court of Alberta (Civil)

Landlord/Tenant

and

Tenant/Landlord

Notice of Application under the Residential Tenancies Act or Mobile Home Sites Tenancies Act

To: _____
Name and address of other party

An application will be made by _____

in respect of premises at _____
Address of tenancy premises

before a Judge of the Provincial Court at

on _____ at _____ for an Order for:

(Indicate by checkmark the remedy applied for below)

Landlord's Remedies under section 26

- 1. Arrears of rent
- 2. Damages for breach of tenancy agreement
- 3. Compensation for overholding tenant
- 4. Recovery of possession of premises
- 5. Termination of tenancy for substantial breach

Tenant's Remedies under section 37

- 1. Damages for breach of tenancy agreement/contravention of this Act.
- 2. Abatement of rent for breach of tenancy agreement/contravention of this Act.
- 3. Compensation for performing landlord's obligations
- 4. Termination of tenancy

If you do not appear, an Order may be made in your absence. If you appear, bring your evidence.

The Affidavit of _____, attached, will be read at the application.
Print Name

Address of Landlord/Tenant/Agent _____

City, Province, Postal Code

Daytime Telephone No.

Signature of Landlord / Tenant / Agent

Dated on _____

Print Name

at _____, Alberta.

Issued by the Provincial Court of Alberta

on _____

Clerk of the Provincial Court

Important notice to the Applicant: This Notice of Application, the Affidavit in support and all Exhibits attached to the Affidavit in support must be served on the other party not less than three (3) business days before the date your application is scheduled to be heard. The three (3) days do not include the day the documents are served, the date the application is to be heard, Saturdays, Sundays or statutory holidays.

Affidavit of Service

Print Name and Address I, _____
of _____
make oath and say / solemnly affirm and declare that I served _____

Cross off and initial all non-applicable sections

with a true copy of the Notice of Application, Affidavit in Support of Landlord's Application/Affidavit in Support of Tenant's Application, and/or Order by:

Personal Service on an individual

a) delivering the copies on _____ date _____ personally to the Landlord/Tenant at _____
write out the full address

Service by Registered mail on an individual

b) mailing the copies to the Landlord/Tenant at _____ write out the full address

If serving the Tenant, write the address of the rented premises or if serving the Landlord, write the Landlord's address at which rent is payable or the address of the Notice of Landlord given under the *Residential Tenancies Act* or the *Mobile Home Sites Tenancies Act*.

Attached and marked Exhibit "A" is the receipt from the Post Office and attached and marked Exhibit "B" is the acknowledgement of receipt from the Landlord/Tenant or a person receiving it on the Landlord's/Tenant's

behalf dated _____ date from acknowledgement of receipt .

Personal service at the most usual residence of individual

c) leaving the copies with an adult person residing with the tenant/by posting the copies on a conspicuous place on the rented premises, namely, _____ write out the place they were posted
on _____ date

because I believed the tenant to be absent from the premises/evading service.

Personal service at Registered office of Corporation only

d) leaving the copies on _____ date _____ at the registered office of the above named corporation at _____ write out the full address

Service by Registered mail at Registered office of Corporation only

e) mailing the copies on _____ date from postal receipt _____ by registered mail to the registered office of the above named corporation at _____ write out the full address

Attached and marked Exhibit "A" is the receipt from the post office.

Personal service on President, Head Officer, Director, Manager, Agent or Officer of the Corporation

f) leaving the copies on _____ date _____ with _____ a / an _____ of the above named corporation at _____ write out the full address

As directed by the Court (Stipulate date and method)

g) _____

Sworn / Affirmed before me

on _____

at _____, Alberta.

Signature

Commissioner for Oaths for Alberta

Print Name and Expiry