

Moving

out



Moving out

There are many reasons you might not want to live at home with your parents or guardians. Maybe you don't get along with them or you don't agree about friends, politics, or social issues. If you are over 19, you are considered an adult in Nova Scotia. This means you don't need anyone's permission to live on your own.

If you are under 16, you need permission from a parent or guardian to live with someone else. Some children and teens live with other family members, or with a friend's family, when they have trouble getting along with their parents. Some live in group homes or foster care.

In movies or on TV, you might have heard the term "emancipation." This means asking a court to say you are an adult even if you are under 19. You should know that this is an American term, and we don't use it in Canadian law.

Toni's story

Toni and his dad have argued about everything since he was 15. Last month, an argument turned into a fist fight. Now at 16, Toni just needs to go. He can crash on a friend's couch for a few weeks, until he can make a plan and find a job. He calls 211 for help in figuring out what else to do. He's packed a backpack, got his identification and his phone. Now the hard part begins: starting life on his own...

SIGNING A LEASE

Contracts involving minors usually aren't legal. But if you are under 19, you can sign a contract for things that a person needs to survive, like food and shelter. These are called "necessities of life." Even though that's true, landlords are not always willing to rent to someone under 19. If you need a place to stay, look at the Resources section at the end of this chapter.

A landlord can ask you about how much money you make. They can also ask you to agree to a credit check and to give them references. This is to help make sure you can pay for the apartment and that you have paid your bills in the past.

When you sign a lease, you have to pay a security deposit to the landlord. The most this can be is half of 1 month's rent. The landlord has to hold onto it and give it back to you when you move out. If you cause damage to the property, they can apply to the Residential Tenancies Program to keep the money.



Landlords can't charge an application fee or pet fee, or charge extra if you have children. The lease will say whether you can have pets and what the rules are for living there. Some leases include power, water, and internet. These are called "utilities." Some leases don't include utilities. Make sure to ask what is included.

If you don't make enough money or you have bad credit, you might need to get a roommate or ask someone to co-sign the lease.

TENANCY BASICS

Being a tenant means that you pay rent to the owner of the place where you live. This could be an apartment, a mobile home, or a room in a house where you live with other people, and some people call it a "rental unit." Landlords and tenants both have rights and responsibilities.

The two most common types of leases in Nova Scotia are renewable leases (also called "periodic" leases) and fixed-term leases.

A renewable lease renews itself at the end of the time period you agree to live there, whether you have a monthly or yearly lease. This means the landlord can't make you move out unless

- ▶ you don't pay your rent
- ▶ you break the rules of your lease
- ▶ they need the unit for themselves or their family.

A landlord can only increase your rent 2% per year in Nova Scotia. In January 2024, this will go up to 5%.

A fixed-term lease means the lease won't renew. It is for a set period of time. The landlord doesn't have to agree to a new lease and they can make you move out at the end of the lease. Sometimes fixed-term leases are good for tenants and landlords. An example is when a student only needs an apartment from September to June because they move home in the summer.

Sometimes landlords use fixed-term leases to make sure they have more power than a tenant, or to get around the rent cap in Nova Scotia. An example of this is when a landlord will only agree to a fixed-term lease so they can rent the apartment to someone else for a lot more money after the lease ends.



YOUR RIGHTS AS A TENANT

As a tenant, you have the right to privacy and safety.

Your landlord must keep the apartment or room or house in good shape.

They also have to follow the **Residential Tenancies Act**. This is a law that says how a landlord must treat their tenants. For example, a landlord has to give you 24 hours' notice if they want to go into your apartment, or if a maintenance person needs to be there. The only time they don't have to give you notice is if there is an emergency that needs to be dealt with right away, like a flood.

Landlords can't discriminate against you because of gender, race, religion, disability, or family status. If a landlord discriminates against you, you can file a complaint with the Nova Scotia Human Rights Commission.

[You can read more about your rights as a tenant here.](#)

If you have a problem with your landlord, you can ask the Residential Tenancies Board to decide what should happen. You can also apply to Nova Scotia Legal Aid or Dalhousie Legal Aid for legal help.

YOUR RESPONSIBILITIES AS A TENANT

As a tenant, you must

- ▶ pay your rent on time,
- ▶ tell your landlord right away of any problems
- ▶ not bother your neighbours with loud music, parties or by damaging their property.

You are responsible for fixing any damage you cause. This is why it is usually a good idea to get tenant's insurance. You can get this from an insurance company.

LIVING WITH ROOMMATES OR OTHER PEOPLE

If you sign a lease with someone else or you co-sign for someone who has bad credit, you are both responsible for everything in the lease. This means that if the other person damages the property, you might have to pay for the damage. If the other person doesn't pay their share of the rent or breaks the rules, the landlord can make both of you leave, called "eviction."

If someone lives with you and does not sign the lease, they are an "occupant." This means they are not legally responsible for paying rent or for what happens to the unit. You are responsible for their behaviour and the behaviour of any guests you have over. An occupant also does not have the same rights as a tenant and can be asked to leave at any time.



ENDING A LEASE

You can end your lease by giving written notice. It's called "notice to quit," and you have to give notice using the right form. [You can get tenancy forms here.](#)

If you have a month-to-month lease, you must tell your landlord you are leaving at least 1 full month before the end of any the month you plan to leave.

If you want to move out at the end of a year-to-year lease, you must give at least 3 full months' notice before the anniversary date. This means that if your lease was from January 1 to December 31, you need to give notice by September 30.

If you can't pay the rent or live in the unit because of health issues, you can give 1 months' notice. You will need to give your landlord information from a doctor about your health.

As a tenant you can choose to sublet your unit to someone else. This means you let someone else live there. To do it, you need permission from the landlord. The landlord can't refuse without a good reason. The landlord can ask the new person to fill out an application and there may be a fee to sublet. Since you signed the original lease, you are still responsible for the condition of the unit, and you must pay the rent to the landlord. The new person must follow the same rules of the lease and pay rent to you for the rest of the lease.

If you live with roommates and one person gives notice to end the lease, the lease ends for everyone who lives there. If you and the rest of your roommates want to stay, you can sign a new lease with your landlord.

SUPPORTING YOURSELF

To live on your own, you will need money to pay for rent, groceries, heat, and other things. You might have to get a job or apply to the government for Income Assistance (IA). IA helps you when you are not able to support yourself or your family. You may get money for your basic needs or help with other special needs. [There is more information about IA here.](#)



If you have children, the other parent might pay child support. You might also get the Canada Child Benefit and Nova Scotia Child Benefit. You don't need to apply for these benefits, but you do need to file a tax return so the government knows how much money you should get. If you have never filed a tax return before, you can get free help from volunteer programs. [You can find free tax clinics in your area here.](#)

You also need to get a social insurance number (a SIN) to get a job and file taxes. [You can apply for a SIN here.](#)

To get help finding a job, you can go to an employment support centre in your area. This is a free service that can help you write a resume, apply for jobs, and get ready for interviews. There are resources for finding a job at the end of this chapter.

WHERE TO GET HELP

Your parents or guardians have to support you until you turn 19. If you are living with family or friends, your parents might pay them child support. If you have children of your own and the other parent won't help support them, you can ask the court for help.

If you are thinking about going to court, you should get advice from a lawyer. Contact information for Nova Scotia Legal Aid is at the beginning of this book.

If you don't have a safe place to stay or you don't have enough to eat, you can go to a shelter or food bank. Community centres and church groups might also be able to help. Information about how to find support in your area is at the end of this chapter.

Resources

Emergency Shelter and Housing Index

- ▶ www.ementalhealth.ca/Nova-Scotia/Emergency-Shelter-and-Housing/index.php?m=heading&ID=19

Feed Nova Scotia

Use their website to find a food bank near you.

- ▶ www.feednovascotia.ca/find-food

Housing Nova Scotia

Call 211 for information about public housing.

Housing Toolkit

Information about housing in Pictou County

- ▶ <https://www.parl.ns.ca/projects/healthroom/pdf/PictouCountyHousingToolKit.pdf>

Immigrant Services Association of NS, Employment Services

- ▶ <https://isans.ca/find-employment/>

Nova Scotia Human Rights Commission

- ▶ <https://humanrights.novascotia.ca/contact-us>
- ▶ 1-902-424-4111
- ▶ Email: hrcinquiries@novascotia.ca

Nova Scotia Provincial Housing Agency

- ▶ <https://nspha.ca/services>

Nova Scotia Residential Tenancies Program

Contact Residential Tenancies by going to an Access NS location or calling 1-800-670-4357

Nova Scotia Works

Find an employment support centre near you.

- ▶ <https://novascotiaworks.ca/nsdc/contact-us>

Phoenix Centre for Youth

Phoenix Centre for Youth helps youth in their day-to-day lives with housing support, advocacy, crisis intervention, counseling, parenting support, referral to community and internal resources, health services, financial advocacy, food, clothing, shower and laundry facilities, computer and phone access.

- ▶ <https://phoenixyouth.ca/programs>
- ▶ 1-902-420-0676 or toll-free: 1-866-620-0676, Monday-Friday
- ▶ Email: pcfyc@phoenixyouth.ca

Shelter Nova Scotia

Use their website to find a shelter and services near you.

- ▶ www.shelternovascotia.com/contact

Transition House Association of Nova Scotia

Shelters for people facing abuse from a partner

- ▶ <https://thans.ca/our-shelters-2/>