



## LAWS AND LEGAL ISSUES FOR LANDLORDS

Various laws impact the landlord and tenant relationship in Nova Scotia. This section provides a brief description of the laws and policies that regulate smoking in apartments and rented homes in Nova Scotia, including:

### Provincial Smoke-Free Legislation

In most jurisdictions across Canada, including Nova Scotia, smoking is banned in all indoor public places and workplaces, including restaurants and bars. While there are no provincial laws that regulate smoking in private residences, the provincial *Smoke-Free Places Act* bans smoking in common areas of multi-unit dwellings such as corridors, lobbies, stairwells, elevators, escalators, eating areas and rest rooms of multi-unit residential buildings.

### Legislation Enforcement

Under the *Smoke-free Places Act*, landlords are responsible for enforcing the smoking ban in common areas of apartment buildings.

### Landlord's Rules

A landlord can establish reasonable rules that apply to residential premises. A copy of these rules must be provided to a tenant prior to executing a lease.

A rule is reasonable if it:

- Promotes a fair distribution of services and facilities
- Promotes the safety, comfort or welfare of persons working in the premises
- Protects the landlord's property from abuse

A rule must be reasonably related to the purpose for which it was intended and it must apply to tenants fairly.

An increasing number of landlords are creating rules that prohibit smoking in residential buildings. If a landlord wants to introduce a new rule within an existing building, every tenant must be given at least four months written notice prior to the anniversary of their lease.