

APPLYING FOR TENANCY: RIGHTS, RESPONSIBILITIES, AND DISCRIMINATION

When you find a place that you'd like to rent, most often the landlord will ask you to fill out an application. During this application process, both you and the landlord have rights.

A landlord can ask you for character and financial references. They may also ask for the name of your previous landlord, or the name of your employer. This is their right. Landlords are entitled to collect reasonable personal information from a prospective tenant, and the potential tenant has the right to be told why the information is needed.

Sometimes these questions may seem intrusive. Remember, though, that the rental is the property of the landlord. Good landlords will be interested in having tenants that respect the space and respect their neighbours. References can help establish that you will be a good tenant. Add to that, a landlord who is careful about having good tenants makes your life easier if you move into their rental property: you will be more likely to have responsible neighbours.

While the landlord has the right to ask for any reasonable information as part of your rental application, they cannot charge any fees for applying or accepting an application.

As a renter, you are also protected by human rights legislation. *The Saskatchewan Human Rights Code, 2018* protects against housing discrimination based on certain grounds:

- disability
- age (18 or more)
- religion or religious creed
- family status
- marital status
- sex
- sexual orientation
- race or perceived race
- nationality
- place of origin
- ancestry
- colour
- receipt of public assistance
- gender identity

A landlord cannot consider any of the protected grounds in *The Saskatchewan Human Rights Code, 2018* when deciding about renting to someone. Everyone who applies must be given equal consideration.

For example, an advertisement cannot state “no immigrants” or “no Indigenous people.” It also cannot say “no children,” or “must be working.”

A landlord can state a preference, so long as their preference doesn’t purposely exclude people on the basis of protected grounds. For example, an advertisement might state “students preferred.” Nonetheless, people other than students must still be considered.

When it comes to pets, landlords can dedicate their rental to be pet-free. However, they cannot prohibit service animals. For example, a service dog for someone who is visually impaired is not considered a pet.

As well, if you suddenly require the use of a service dog to assist with a disability, you cannot be evicted. There is an exception to this rule for landlords who are renting a room in their own house and there is a shared bathroom or kitchen facility, such as a room and board situation.

Similarly, some exceptions to cannabis restrictions may be made for medical cannabis users.

There are a few other exceptions that may apply to landlords. The law allows rental accommodations to be designated for people over the age of 55. In addition, if a rental building has two or less units and a common entrance, rules about discrimination based on sex do not apply. For example, a woman who is renting out a room in her home may state that she will only rent to another woman.

If you have any questions about discrimination as it relates to housing, or you feel you have been the victim of discrimination, you can contact the Saskatchewan Human Rights Commission at 1-800-667-9249 or shrc@gov.sk.ca.