

# **Fixed-Term Lease Policy**

**Effective Date: September 29, 2025**

## 1. Purpose

The Fixed-Term Lease Policy provides guidance to applicants, prospective tenants, staff and stakeholders by establishing clear parameters for the use of fixed-term leases as a tool to reduce barriers to public housing. The policy promotes fairness and consistency in the administration of fixed-term leases across the public housing program.

The Nova Scotia Provincial Housing Agency's Fixed-Term Lease Policy is intended to:

- Specify the circumstances under which a fixed-term lease may be offered
- Define the conditions and limitations associated with the use of a fixed-term lease
- Outline the review process for fixed-term leases, including criteria for non-renewal

## 2. Scope

This policy outlines the parameters for administering fixed-term leases within the public housing program. It specifically applies to former tenants who were previously evicted and are seeking re-entry into the program. The policy is intended to support access to housing while ensuring accountability and clearly defined conditions for tenancy.

## 3. Definitions

- **Fixed-Term Lease:** A lease agreement that is entered into for a specific and limited period, with a defined start date and end date stated in the lease. NSPHA will only administer a fixed-term lease under the conditions outlined in this policy.

- **Lease:** NSPHA's standard lease agreement, which includes Schedule A – Statutory Conditions, Schedule B – Tenant Rules, Schedule C – Building/Unit Rules and any other applicable schedules.
- **Periodic Lease:** An ongoing lease agreement with no fixed end date. This is the standard lease type issued by NSPHA.
- **Tenant:** An individual who has paid or agreed to pay rent and is a signatory to the lease agreement with NSPHA. “Tenant” may refer to one person or multiple individuals, depending on the situation. If more than one person signs the lease, all signatories are jointly responsible for complying with its terms, including the conduct of all household members and guests.
- **Occupants:** Individuals—such as adults, children, or dependents—who reside in the unit but are not listed as tenants on the lease.

## 4. Policy

### A. NSPHA Fixed-Term Lease

- i. NSPHA may offer a fixed-term lease to former tenants under one or both of the following circumstances:
  - a. The tenant was previously evicted due to outstanding arrears, including non-payment of rent or tenant charges
  - b. The tenant was previously evicted due to documented behavioral issues
- ii. Tenants must meet all other eligibility criteria for public housing.
- iii. Fixed-term leases must be prepared and signed in accordance with the *Lease Preparation and Signing Policy*.
- iv. NSPHA staff are responsible for conducting a formal tenancy

review and notifying the tenant in writing of the decision to either transition to a periodic lease or end the tenancy.

- v. Tenants must be given written notice at least four (4) months prior to the end of the fixed-term lease, indicating whether:
  - a. The tenancy will continue with a periodic lease; or
  - b. The tenant will be required to vacate the unit at the end of the lease term.
- vi. Tenants are limited to a single, non-renewable 12-month fixed term lease. Extensions or renewals are not permitted.
- vii. NSPHA is responsible for ensuring that administration of fixed-term leases remains consistent with all applicable NSPHA policies and the *Residential Tenancies Act* (RTA).
- viii. Any changes to the parameters governing fixed-term leases, or to the tenancy review process, must align with relevant NSPHA policies and the RTA.

## **B. Tenancy Review**

- i. NSPHA will conduct a tenancy review during the seventh month of a fixed-term lease (five months prior to the lease end date).

### *Continuing Tenancy on a Periodic Lease*

- ii. If there are no documented lease violations pertaining to poor behaviors as defined under the RTA, NSPHA will notify the tenant in writing that their tenancy will continue on a periodic lease, subject to the standard annual eligibility and rent review.

### *Ending a Fixed-Term Lease Tenancy*

- iii. If there are documented instances of lease violations and NSPHA has made reasonable efforts to prevent eviction, staff may complete a *Recommendation to End a Fixed-term Lease Tenancy* form for review by the District Director.

- a. Lease violations are defined as instances of 'problematic behaviour' under the RTA. This includes:
  - Repeated late rent payments (three or more occurrences)
  - Engagement in illegal activities
  - Causing significant damage to the unit or property
  - Actions that interfere with, disturb, or seriously endanger the health and safety of other occupants or the landlord
- iv. These behaviors may be committed by the tenant or any of their guests.
- v. The District Director must review the *Recommendation to End a Fixed-Term Lease Tenancy* form and decide to accept or reject the recommendation.
  - a. If the District Director accepts the recommendation to end a fixed-term lease tenancy, NSPHA must provide written notice to the tenant at least four (4) months before the end of the lease, advising that their tenancy will not continue.
  - b. If the District Director rejects the recommendation, NSPHA will inform the tenant in writing that they will continue on a periodic lease, pending their annual eligibility and rent review.
- vi. The District Director's decision is final and is not subject to appeal.

## 5. References

Relevant legislation:

- [Residential Tenancies Act, RSNS 1989, c 401](#)