

CANNABIS - Information for Landlords and Tenants

It is now legal for those aged 19 and older to purchase, possess, consume, and cultivate cannabis in New Brunswick.

In New Brunswick, consumption of cannabis in any form is prohibited anywhere but in a private dwelling or on land adjacent to a private dwelling (in your house, in your backyard, etc.). If consuming cannabis in another residence, you must have the permission of the home-owner.

Landlords can restrict smoking and growing cannabis in their properties but not overall cannabis consumption.

The Residential Tenancies Tribunal recommends that landlords outline their expectations in their leases and that tenants are informed about their rights and responsibilities. Unless a lease says specifically that smoking, or cultivation of cannabis is prohibited, then once legal, it will be permitted in rental units.

Tips on entering into a lease can be found [here](#).

Q: Can landlords ban cannabis consumption?

- A: Landlords are able to restrict tenants from growing cannabis plants and can choose to restrict smoking in their units. If a landlord has units where smoking is permitted, they cannot restrict the smoking of cannabis. Cannabis will come in many forms and landlords will not be able to ban other forms of cannabis consumption.

Q: Are landlords able to make changes to current leases to include a no-smoking clause?

- A: Landlords can amend existing signed leases with consent between the tenant and the landlord. Landlords who have already established “no smoking” units, will not have to re-write their leases as “no smoking” is all encompassing.

Q: Who can landlords call if tenants are not following their lease agreement?

- A: Leases are a binding contract. If a tenant is found in breach of contract, landlords will be obligated to follow the same steps they would for any other breach of contract.

Visit the [Residential Tenancies Tribunal's website](#) for more information on the steps that a landlord can take to resolve a conflict.

Q: Are the rules for medical cannabis different for landlords and tenants?

- A: Medical cannabis consumers are still restricted by the leases they sign. Landlords can restrict smoking inside their units but are not allowed to restrict the consumption of cannabis in other ways.

Health Information:

Using cannabis is a personal choice. There are short-term and long-term health risks associated with cannabis use, particularly for persons under the age of 25, pregnant and breastfeeding women, and persons living with or with a family history of mental health issues.

Understand the risks to make an informed decision on your personal cannabis use. For more information visit [InControlNB.ca](#). Refer to [Canada's Lower-Risk Cannabis Use Guidelines](#) to reduce your risk.