

To: Corporate Services Committee

From: Tracy Adams, Commissioner,
Corporate Services Department

Report Number: CORP-22-02

Date of Report: January 4, 2022

Date of Meeting: January 10, 2022

Subject: Residential Rental Housing Licensing: Proposed Expansion
Options and Consultation Process

Ward: All Wards

File: 03-05

1.0 Purpose

The purpose of this report is to present options for:

- a potential expansion of the City's Residential Rental Housing Licensing ("R.R.H.L.") program; and,
- stakeholder consultation related to the program's expansion as per Recommendation #2 in CORP-21-32.

In addition, the report addresses Council Directives 3 and 4 in CORP-20-02 (**Attachment 1**) as noted below:

3. Review options to provide direct communication access and a dedicated response process to provide information and respond to inquiries from tenants and landlords; and,
4. That the City develop a Tenancy Bill of Rights and Responsibilities that provides easy to understand core information and investigate the legality and feasibility of making it mandatory to post this Bill of Rights and Responsibilities in rental units.

Attachment 1 is Council Direction CORP-20-02 "Potential Expansion of the Residential Rental Housing Licensing Program".

Attachment 2 is a map of the current R.R.H.L. Rental Area.

Attachment 3 is the Landlord and Tenant Board's Brochure: Information for New Tenants.

2.0 Recommendation

That the Corporate Services Committee recommend to City Council:

1. That the Corporate Services Committee select an expansion option or options detailed in Section 5.2 of Report CORP-22-02 “Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process”, dated January 4, 2022, for the purpose of undertaking a public and industry consultation process; and,
2. That staff be directed to proceed with holding public and industry consultations as detailed in Section 5.3 of “Residential Rental Housing Licensing: Proposed Expansion Options and Consultation Process”, dated January 4, 2022, with the selected expansion option(s) and report back to the Corporate Services Committee; and,
3. That staff engage Durham Community Legal Clinic, the Landlord and Tenant Board and other applicable agencies to implement measures to promote relevant tenant-related resources for residents.

3.0 Executive Summary

Not applicable.

4.0 Input From Other Sources

The following provided input in preparation of this report:

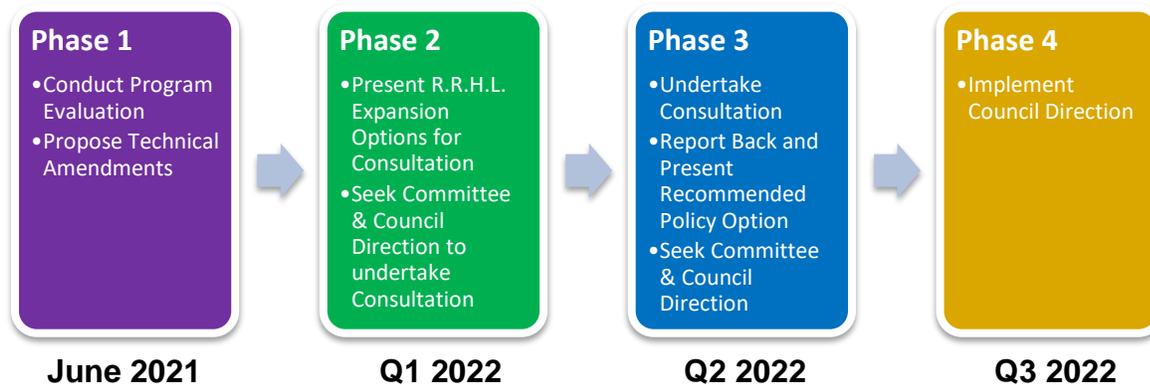
- Corporate Communications
- Finance Services
- Fire Services
- Information Technology Services
- Legal Services
- Municipal Property Assessment Corporation (M.P.A.C.)
- Planning Services
- City of Toronto ([RentSafe TO program](#))

5.0 Analysis

5.1 Background

At the City’s Council Meeting on June 21, 2021, Council considered [CORP-21-32](#), which addressed the first of four (4) phases in the study of expansion options for the Residential Rental Housing Licensing program as detailed in **Figure 1**.

Figure 1 Proposed Process to Study Expansion of R.R.H.L.



This report addresses Phase 2 and presents options for an expansion of the City’s R.R.H.L. program as well as a proposed stakeholder consultation process for consideration.

This report will also address Council Directives 3 and 4 from CORP-20-02 (**Attachment 1**) regarding the addition of a dedicated advisor to respond to inquiries regarding tenant and landlord issues, developing a Tenancy Bill of Rights and Responsibilities, and the legality of making it mandatory to be posted in all rental units.

5.1.1 R.R.H.L. Overview

The R.R.H.L. system requires all rental properties within the City’s defined Rental Area (**Attachment 2**) to be licensed with the City. Notwithstanding this, certain types of Rental Units are exempt from licensing including:

- Rental Units that are occupied by at least one (1) owner of the Rental Unit as their sole residence and where no more than two (2) bedrooms are occupied by tenants.
- “Housing projects” regulated under the Housing Services Act, 2011, S.O. 2011, c. 6, Schedule 1.

All properties licensed under the R.R.H.L. are inspected for compliance with City by-laws and applicable provincial acts and receive Property Standards and Fire Prevention inspections every two (2) years. In addition to inspections, the licensee is required to submit proof of appropriate insurance, an Electrical Safety Authority certificate every four (4) years, a floor plan of the rental property, and a declaration that the property complies with a number of City by-laws and provincial acts and regulations (e.g. Zoning, Property Standards, Fire Code, and Building Code Act).

[CORP-21-32](#) made significant changes to the program:

- Establishing a licensing term of two (2) years
- Removing the program’s demerit point system
- Revising licensing fees

- Changes to the application (e.g. removing the requirement to submit a lot maintenance plan, parking plan, transfer deed and legal description)
- Establishing two (2) new licensing classes for the R.R.H.L. as noted in **Table 1**:

Table 1 Licensing Classes for R.R.H.L.

	Class “A” Individually-Owned Dwelling Units (e.g. singles, semis, townhouses, condo units, etc.)	Class “B” Multi-unit Dwellings under Single Ownership (e.g. Apartment Buildings and Townhouse Complexes with a single owner, etc.)
Application Requirements	<ul style="list-style-type: none"> • Licensing application • Various certificates demonstrating compliance to applicable standards 	<ul style="list-style-type: none"> • Licensing application • Various certificates demonstrating compliance to applicable standards
Inspection Requirements	<ul style="list-style-type: none"> • Inspection: entire property (interior and exterior) 	<ul style="list-style-type: none"> • Inspection: all common areas (where applicable) and based on the number of dwelling units in the building, a pre-defined quantity of units will be inspected: <ul style="list-style-type: none"> • 0 to 25: 4 • 26 to 50: 6 • 51 to 75: 8 • 76 to 100: 10 • Every 25+: 2
Operating Standards	<ul style="list-style-type: none"> • Compliance with all City By-laws and all applicable law including but not limited to Provincial Legislation (e.g. Fire Protection and Prevention Act, 1997, Building Code Act, 1992, etc.) 	<ul style="list-style-type: none"> • Compliance with all City By-laws and all applicable law including but not limited to Provincial Legislation (e.g. Fire Protection and Prevention Act, 1997, Building Code Act, 1992, etc.)
Licensing Fee Structure	Application Fee: \$75 Licensing Fee: <ul style="list-style-type: none"> • Base Fee: \$250 • Per Bedroom Fee: \$75 	Application Fee: \$75 Licensing Fee: <ul style="list-style-type: none"> • Base Fee: \$250 • Dwelling Unit Fee: <ul style="list-style-type: none"> • 0 to 25: \$400 • 26 to 50: \$600 • 51 to 75: \$800 • 76 to 100: \$1,000 • Every 25+: \$200

5.1.2 Rental Rates

In order to determine the rental rate for each ward, staff analyzed Oshawa property data found in the City’s Oshawa Land Information (“O.L.I.”) system that includes data from M.P.A.C. as well as Building Permits.

The results are displayed in **Table 2**. The ward boundaries are illustrated in **Figure 2**.

Table 2 Rental Rates by Ward

	Dwelling Units ¹	Owner Occupied Dwelling Units ²	Rental Dwelling Units ³	Rental Rate ⁴
Ward 1	6,761	5,969	792	12%
Ward 2	14,922	8,804	6,118	41%
Ward 3	14,796	11,000	3,796	26%
Ward 4	18,082	9,786	8,296	46%
Ward 5	15,079	7,965	7,114	47%
Total	69,640	43,524	26,116	38%

Notes:

These rental rates are approximate figures given that housing tenure is dynamic, and this data represents the rental rate at the time the data was queried.

¹ Dwelling Unit means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities and which is designed for use as a single housekeeping establishment.

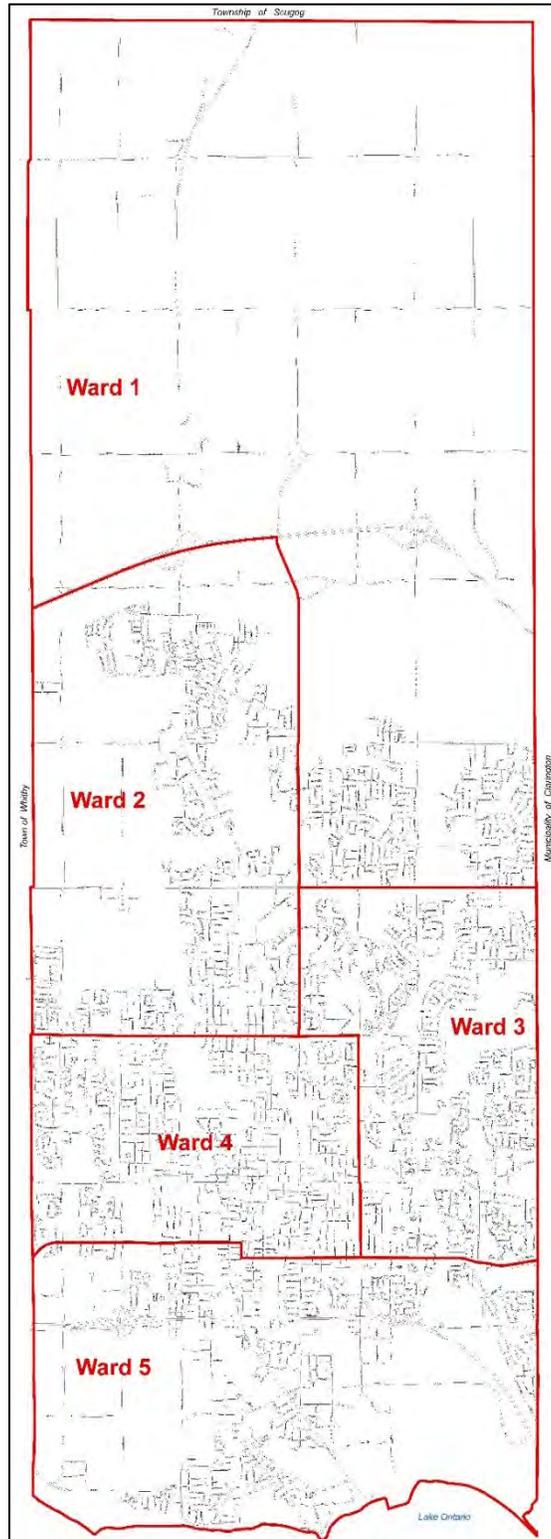
² Owner Occupied Dwelling Unit means a Dwelling Unit that is inhabited by the property owner.

³ Rental Dwelling Unit means a Dwelling Unit that is inhabited by a tenant.

⁴ Rental Rate means the percentage of total Dwelling Units in each ward that are Rental Dwelling Units.

While there are 26,116 rental dwelling units in the City, it is estimated that a City-wide expansion would require approximately 9,400 licences to be issued as some licences would cover more than one dwelling unit (e.g. a one hundred (100) dwelling unit apartment would receive one licence). The City proactively distributes communications to those in the existing rental area to educate them on the R.R.H.L.

Figure 2 Electoral Ward Map of Oshawa



5.1.3 Geographic Considerations

The current R.R.H.L. program was established to address the destabilization of the area around Ontario Tech University and Durham College. This stemmed from a rapid increase in the number of rental properties leading to issues such as conversions of single-detached dwellings into multiple units, traffic congestion, numerous vehicles parked illegally, excess garbage, and poorly maintained lawns and house exteriors.

In Section 5.4 of [CORP-21-32](#) staff proposed an analysis to find geographical areas of the City experiencing property related non-compliance to recommend further R.R.H.L. expansion opportunities. After conducting a detailed analysis of property and violation data, staff were unable to determine which geographic areas of the City would benefit most from the R.R.H.L. As detailed in **Table 2**, each ward of the City has comparable rental rates and the distribution of Class “A” and “B” properties (defined in 5.1.1) is spread across the City. Additionally, staff were unable to determine which property-related violations were associated with rental properties.

5.2 Estimated Annual Operating and Initial Capital Costs

Staff evaluated the resources required to implement an R.R.H.L. expansion including:

- Licensing and Standards Examiners required to review and process applications and schedule inspections
- Licensing and Standards Inspectors required to inspect properties
- Fire Prevention Inspectors required to inspect properties
- Indirect costs such as training, supplies, enforcement, policy and management resources
- Initial Capital Costs, referring the estimated fleet costs for the additional staff (e.g. Licensing and Standards Inspectors and Fire Prevention Officers) identified in each option

Expenses and revenues were estimated based on one hundred (100) per cent compliance (that is, all rental properties paid licensing fees and required inspections). It is estimated that an expanded licensing program could achieve full cost recovery within three (3) to five (5) years of implementation. Workspace location for additional staff is undetermined at this time and will be considered at a later date should Council proceed with expansion.

Table 3 provides an estimate of the necessary staff resources required to implement and enforce each expansion option as per Report [CORP-21-43](#) and Council's direction “That future reports regarding new or expanded regulations provide Council with an indication of the resources required to implement and enforce”.

5.2.1 Proposed Expansion Options

Staff have developed six (6) proposed R.R.H.L. expansion options for consideration, presented in **Table 3**. All proposed expansion options apply City Wide but differ in the following ways:

- **Licensing by housing type:** relates to licensing based on housing type as detailed in Options 1A, 1B and 1C:
 - Class “A” are Individually-Owned Dwelling Units (e.g. singles, semis, townhouses, condo units, etc.); and
 - Class “B” are Multi-Unit Dwellings Under Single Ownership (e.g. Apartment Buildings and Townhouse Complexes).

- **Phased Licensing approach:** relates to the gradual expansion of the R.R.H.L. program by electoral wards and housing type as detailed in options 2A, 2B, and 2C.
 - The purpose of a phased licensing approach would spread the implementation costs over a longer period while staggering the implementation of the R.R.H.L. system.
 - The wards will be implemented based on their rental rate, shown in **Table 2**. It is recommended that the wards with the highest rental rates would be implemented first.
 - Council would select either a single option, or a combination of options from **Table 3** for staff to study further and include in consultation.
 - Any option(s) that are selected for consultation, if implemented, would not impact the existing R.R.H.L. program, but add to it.

It should be noted that the City has other property related licensing and registration programs including Lodging House Licensing and Two Unit House Registration which apply City-wide.

Table 3 Proposed Options for R.R.H.L. Consultation

Option	Scope	Housing Type	Initial Estimated Annual Operating Costs	Additional Staff Required (Full Time Equivalent)	Initial Estimated Capital Costs
1A	City Wide	Class “A”	\$4,452,000	31	\$685,000
1B	City Wide	Class “B”	\$467,000	2	\$48,000
1C	City Wide	Class “A” & Class “B”	\$4,920,000	33	\$733,000
2A	Phased Approach By Ward	Class “A”	Varies (\$320,000 - \$1,304,000 per ward)	Varies (2 - 9 per ward)	Varies (\$49,000 - \$201,000)
2B	Phased Approach By Ward	Class “B”	Varies (\$5,000 - \$467,000 per ward)	Varies (0 - 2 per ward)	Varies (\$0 - \$48,000)
2C	Phased Approach By Ward	Class “A” & Class “B”	Varies (\$324,000 - \$1,518,000 per Ward)	Varies (2 - 9 per ward)	Varies (\$50,000 - \$209,000)

5.3 Proposed Consultation Approach

Staff are proposing the following public and industry consultation approach detailed in **Table 4**. The objective of the proposed consultation is to gather stakeholder feedback on the proposed expansions option(s) selected by Council.

Table 4 Proposed Public and Industry Consultation Approach

Stakeholder	Type of Consultation	Timing
All Stakeholders	Special Meeting of the Corporate Services Committee	Q2 2022
All Stakeholders	Online feedback form via www.connectoshawa.ca and paper feedback form at City hall	Q2 2022
Community Groups, and Industry Stakeholders	Direct engagement through meetings and/or corresponding with stakeholders including but not limited to: <ul style="list-style-type: none"> Town and Gown Committee Association of Community Organizations for Reform Now (A.C.O.R.N.) Durham Region Association of REALTORS® Local Property Management Companies Direct Intervention Reaching Everyone (D.I.R.E.) Durham Region Home Builders Association (D.R.H.B.A.) Durham Community Legal Clinic (D.C.L.C.) 	Q2 2022

5.4 Existing Tenant Resources

In evaluating the recommendation for direct communication access and the creation of a Bill of Rights and Responsibilities (i.e. Council Direction 3 and 4 from CORP-20-02 (**Attachment 1**)), staff reviewed resources and services the City and other agencies currently provide for tenants. An overview of the applicable resources are detailed in the subsequent sections.

5.4.1 Ontario Residential Tenancies Act and The Landlord and Tenant Board

Ontario's Residential Tenancies Act, 2006, S.O. 2006, c. 17 (R.T.A.) sets out the rights and responsibilities of tenants and of landlords who rent residential properties, including:

- The role of the Landlord and Tenant Board (L.T.B.), who resolve disputes between tenants and landlords, mediate issues and provide information to both parties about their rights and responsibilities under the R.T.A.
- Standards around rent including its collection, deposits, increases, reductions, etc.
- The responsibility of landlords and tenants related to the maintenance and repairs of rental properties
- Vital services that must be provided by landlords (e.g. utilities)
- Landlord's right to entry for a rental unit with and without written notice
- The notice required for a tenant to renew or terminate a lease

- Landlord's ability to end a tenancy and evict a tenant

The R.T.A. establishes standards to ensure consumer protection for tenants.

The L.T.B. provides dispute resolution of landlord and tenant matters under the R.T.A. Parties can choose to attempt to resolve the matter through mediation, which after, if unsuccessful or not requested, a hearing is then held where Board members hear evidence from both parties.

Tenants can contact the L.T.B. by phone at 1-888-332-3234 to get more information on or start the aforementioned dispute resolution process.

5.4.2 Landlord and Tenant Board Brochure

The L.T.B. has developed a "Brochure: Information for New Tenants" (**Attachment 3**). It is mandatory that landlords provide this information to new tenants on or before the date their tenancy begins. It includes information such as:

- Tenancies governed under the R.T.A.
- The role of the L.T.B.
- Tenant rights and responsibilities (e.g. tenancy security, privacy, damages, cleanliness)
- Landlord rights and responsibilities (e.g. rent increases and collection, keeping the property in good repair, keeping utilities functioning, etc.)

This Brochure ensures that new tenants have all the information they need regarding their rights and responsibilities when they enter into a tenancy agreement.

Staff have added this brochure to resources available in the City Hall lobby, at the Licensing and Standards counter as well as on the City's website under [Tenant Information](#).

5.4.3 The Durham Community Legal Clinic

In addition to resources provided by the Landlord Tenant Board, Durham Community Legal Clinic provides individuals living on low income in Durham Region with free legal services. The D.C.L.C. is a non-profit community legal clinic located in the Midtown Mall at 200 John St. W., Oshawa and is funded by Legal Aid Ontario. Its services include helping individuals with issues including:

- Assistance with filling out forms
- Representing individuals at some tribunals and court proceedings
- Providing referrals to other agencies as appropriate
- Conducting information sessions for the public and community agencies
- Advocating for changes to laws that affect low income people in Ontario

Their services span various areas of law including, but not limited to:

- Tenant Rights

- Ontario Disability Support Program
- Canada Pension Plan Disability
- Criminal Injuries Compensation Board
- Ontario Works
- Human Rights Law
- Employment Law
- Workplace Safety and Insurance Board
- Small Claims Court
- Consumer Law
- Senior Law
- Domestic Violence Legal Aid Advice Referrals
- Income Tax Clinic

In addition, The Durham Access to Justice Hub operates within the D.C.L.C. partners with several agencies and organizations to provide expanded legal services.

Service Oshawa and Municipal Law Enforcement Officers have been provided with information about the D.C.L.C. so they can refer customers when appropriate. This information is also included on the City's website under [Tenant Information](#).

5.4.4 City of Oshawa Resources

The City of Oshawa has a number of tenant focused initiatives:

i. Apartment Building Audits

The City conducts semi-annual audits of select apartment buildings that utilize inter-departmental inspection teams from Fire Services and Municipal Law Enforcement. Buildings are chosen based on their history of complaints, non-compliance and with a desire to include some small and some large buildings. Staff inspect for violations under the Fire Code, Property Standards and Lot Maintenance By-laws, among others. Inspections are conducted in common areas, hallways, laundry rooms, parking areas and individual dwelling units when requested by occupant.

From 2017-2019 the City inspected fifteen (15) apartment buildings, that combined, had one hundred and sixteen (116) property standards violations such as inadequate lighting levels, holes in walls and ceilings, graffiti, peeling paint, balcony safety issues, and derelict vehicles. There were also one hundred and ninety-two (192) Fire Code infractions in those apartment buildings such as damaged fire separations, fire doors not closing or latching properly, damaged equipment (e.g. exit signs, emergency lighting, fire detectors), and missing smoke alarms.

ii. Tenant Information Brochures

The City produces a [Tenant Information Guide](#). The guide provides tenants with helpful information and agency contacts who can assist in ensuring that renters are being treated fairly under the law and that each rental unit is safe, properly equipped and maintained in compliance with established standards. These brochures have been mailed out to tenants,

are available at Service Oshawa and on the City's website, and have been distributed at Tenant Information Fairs.

The brochure will be updated and distributed again in 2022.

iii. Tenant Information Webpage

Tenant Information is a regularly updated page on the City of Oshawa's website (www.oshawa.ca/tenants) which links to the Tenant Guide, has informational videos, and provides updates on tenant news and more. It has materials about renting in Oshawa, the R.T.A. and other useful contact information.

iv. Service Oshawa

Customer Service Representatives (C.S.R.s) are highly trained representatives of the City who provide services by phone, email, in person, online chat and through Service Oshawa online. C.S.R.s have been provided training on a variety of City services and programs that may be of interest to tenants including but not limited to: waste collection, by-law enforcement (property standards, parking, lot maintenance, nuisance and noise, etc.), recreation programs, Fire Prevention services, animal licensing, to name a few.

C.S.R.s can also provide referrals to external agencies such as D.C.L.C., Durham Region Social Services and the L.T.B.

Aside from temporary changes made in response to the pandemic, services are typically available Monday through Friday from 8:00 a.m. to 6:00 p.m. and on Saturdays from 9:00 a.m. to 1:00 p.m. The Service Oshawa staffing model of a mixture of full-time and part-time staff, provides the ability to maintain service levels during staff absences, vacations and during seasonal peak workloads. C.S.R.s have the ability to dispatch emergency concerns to various staff through two way radio or cell phone communications. After-hours calls are dispatched when appropriate by contracted Corporate Security services.

5.5 Dedicated Resource Consideration

In CORP-20-02 (**Attachment 1**) Council directed staff to "Review options to provide direct communication access and a dedicated response process to provide information and respond to inquiries from tenants and landlords".

Providing a resource dedicated specifically to tenant and landlord issues presents a number of challenges including:

- Significant resources would be required in order to provide coverage during a variety of hours, absences and peak workloads as well as services such as phone, email, in person, online chat and online
- A convenient office location with accessible, in-person services would be required
- City of Oshawa staff would not be able to provide information specific to external agencies as they would not be "tied in" to service level updates, internal processes of those agencies and changes to applicable legislation

- City staff could be held responsible if content or legislation from another agency was misinterpreted and inappropriate advice was provided
- Potential public confusion between the Service Oshawa phone number and a Tenant phone number

As an alternative, staff are working toward advancing the following initiatives:

- C.S.R.s will be provided with a refresher training session including City services that may be of interest to tenants and an overview of applicable webpages and agency referral information. Going forward, when residents contact Service Oshawa seeking information about their rights and responsibilities as a tenant and/or disputes with their landlord, they will be referred to the L.T.B. and D.C.L.C.
- The Tenant Information brochure is to be updated and distributed in 2022
- The Tenant Information webpage is being reviewed and updated ensuring the most relevant content
- M.L.E. are working with Corporate Communications to develop social media messaging promoting the Tenant Information webpage
- Staff will work with the Landlord and Tenant Board and the Durham Community Legal Clinic to determine if there are additional brochures or material that can be made available for display in Service Oshawa

5.6 Tenancy Bill of Rights and Responsibilities – Renter’s Guide – Tenant Information

In CORP-20-02 (**Attachment 1**), staff were directed as follows: “That the City develop a Tenancy Bill of Rights and Responsibilities that provides easy to understand core information and investigate the legality and feasibility of making it mandatory to post this Bill of Rights and Responsibilities in rental units.”

As outlined in Section 5.4.4, the City of Oshawa already has a number of tenant-focused initiatives to educate and improve the health and safety of renters. It is not recommended that the City to develop its own Bill of Rights and Responsibilities, for the following reasons:

- The L.T.B. requires landlords to provide the Information For New Tenants brochure (**Attachment 3**)
- This brochure is now available in City Hall and on the City’s website
- Content of an additional brochure would overlap with what is being provided by the L.T.B.
- A City brochure may not be reflective of any updated legislation, policies or procedures of the L.T.B.
- Municipal staff do not have the authority to interfere with, or advise on private contractual arrangements between a landlord and tenant (e.g. making the “Bill of Rights and Responsibilities” enforceable) as such matters are governed by the R.T.A.
- The City has received comments from tenants indicating that they dislike the posting of R.R.H.L. licences in their rental units as they may not wish all visitors to their homes to know that it is a rented dwelling.

- The City distributes a tenant information guide educating tenants on applicable City by-laws and important contact information.

6.0 Financial Implications

The costs for public consultation and updates to the Tenant Information brochure are included in the Council-approved operating budgets.

7.0 Relationship to the Oshawa Strategic Plan

The recommendations in this report responds to the Oshawa Strategic Plan Goals of Economic Prosperity and Financial Stewardship and Accountable Leadership.

A handwritten signature in cursive script, reading "Tracy Adams", enclosed within a rectangular box.

Tracy Adams, Commissioner,
Corporate Services Department

Excerpts from the Minutes of the Corporate Services Committee Meeting held on January 27, 2020

Potential Expansion of the Residential Rental Housing Licensing Program (CORP-20-02)

Recommendation

Whereas in 2008, the City implemented a licensing regime for residential rental housing in the vicinity of Ontario Tech University and Durham College to ensure that rental units comply with various municipal by-laws and provincial acts; and,

Whereas since then, the City has undertaken other initiatives to address tenant's concerns including but not limited to:

- Undertaking bi-annual Apartment Building Audits to ensure compliance with property maintenance standards and compliance with the Fire Code O. Reg. 213/07;
- Introduced enhancements to the City's Adequate Heat By-law 76-2006 to extend the provision of adequate heat from September 1 to June 15;
- Created a tenant information webpage providing consolidated information on a variety of topics applicable to tenants;
- Created and distributed tenant information brochures;
- When applicable, connected tenants with the Durham Community Legal Clinic to provide legal assistance for issues relating to the provincial Residential Tenancies Act, 2006;
- Initiated a review of the City's Property Standards By-law 01-2002 and including tenant advocacy groups in the consultation process; and,

Whereas Report CORP-17-32 provided information on the preliminary scope of examining the expansion of the Residential Rental Housing Licensing (R.R.H.L.) program to apartment buildings and other property types city-wide; and,

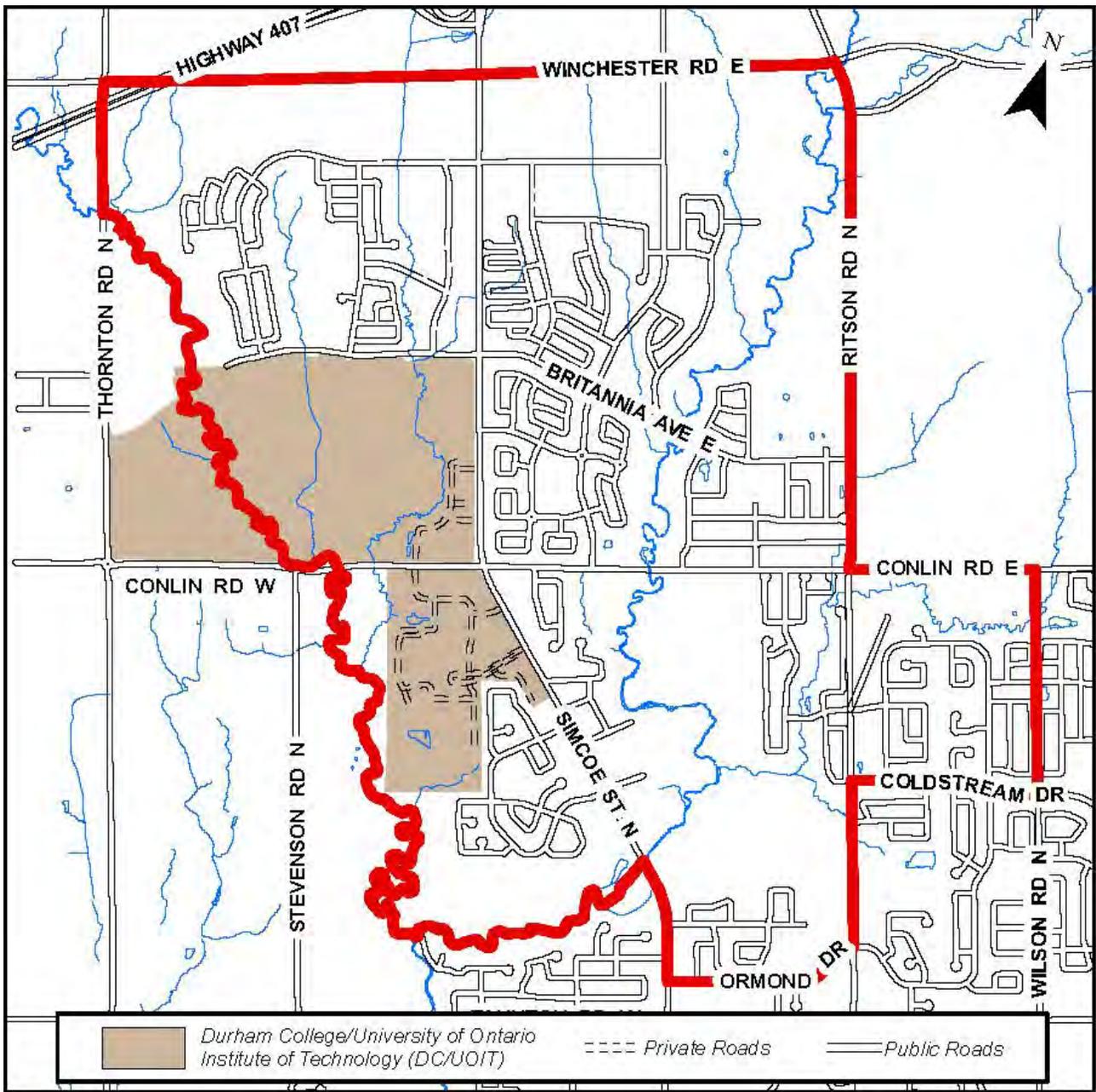
Whereas undertaking a study on the expansion of the R.R.H.L. program is a major project that is not currently on the Corporate Services Department 2020 Business Plan;

Therefore be it resolved that staff:

1. Review options to potentially expand the R.R.H.L. program city-wide and report back to the Corporate Services Committee; and,
2. Invite Direct Intervention Reaching Everyone (D.I.R.E.) to participate as a stakeholder in the City's review of the City's Residential Rental Housing Licensing; and,

3. Review options to provide direct communication access and a dedicated response process to provide information and respond to inquiries from tenants and landlords; and,
4. That the City develop a Tenancy Bill of Rights and Responsibilities that provides easy to understand core information and investigate the legality and feasibility of making it mandatory to post this Bill of Rights and Responsibilities in rental units.

Map of Residential Rental Housing Licensing Program Area





Brochure: Information for New Tenants

Landlords must provide this information to new tenants on or before the date the tenancy begins.

The Law

Most residential tenancies are covered by the *Residential Tenancies Act* (the RTA). This law:

- gives landlords and tenants specific rights and responsibilities,
- provides rules for increasing the rent and for evicting a tenant, and
- creates the Landlord and Tenant Board (LTB).

Exemptions

Some rental units are not covered under the RTA. For example, the RTA does not apply:

- if the tenant must share a kitchen or bathroom with the owner, or the owner's family members
- if the unit is used on a seasonal or temporary basis

The role of the Landlord and Tenant Board is to:

- inform landlords and tenants about their rights and responsibilities under the RTA, and
- resolve disputes between landlords and tenants through **mediation** or **adjudication**, or by providing information.

Tenant Rights and Responsibilities

You have the right to:

- **security of tenancy** - You can continue to live in your rental unit until you give your landlord proper notice that you intend to move out, you and your landlord agree that you can move, or your landlord gives you a notice to end your tenancy for a reason allowed by the RTA.

Important: If your landlord gives you a notice to end your tenancy, you do not have to move out. Your landlord must apply to the LTB to get an order to evict you and you will have the right to go to a hearing and explain why your tenancy should not end.

- **privacy** - Your landlord can only enter your rental unit for the reasons allowed by the RTA. In most cases, before entering your unit, your landlord must give you 24 hours written notice. There are some exceptions, however, such as in the case of an emergency or if you agree to allow the landlord to enter.

You are responsible for:

- **paying your rent** on time.
- **keeping your unit clean**, up to the standard that most people would consider ordinary or normal cleanliness.
- **repairing any damage** to the rental property caused by you or your guests - whether on purpose or by not being careful enough.

You are not allowed to:

- **change the locking system** on a door that gives entry to your rental unit unless you get your landlord's permission.

Landlord Rights and Responsibilities

Your landlord has the right to:

- **collect a rent deposit** - It cannot be more than one month's rent, or if rent is paid weekly, one week's rent. This deposit must be used as the rent payment for the last month or week of your tenancy. It cannot be used for any other reason, such as to pay for damages. A landlord must pay interest on the deposit every year.
- **increase the rent** - There are special rules that limit how often your landlord can increase the rent and by how much. In most cases, a landlord can increase the rent only once a year by the guideline that is set by the Ontario Government. A landlord must give a tenant at least 90 days notice in writing of any rent increase and this notice must be on the proper form. **Exceptions:** Non-profit and public housing units, residences at schools, colleges and universities, and certain other accommodation are not covered by all the rent rules.

Your landlord is responsible for:

- **keeping the rental property in a good state of repair** and obeying health, safety and maintenance standards.
- **providing you with a copy of your written tenancy agreement** within 21 days after the day you signed it and gave it to your landlord. For most tenancy agreements first entered into on or after April 30, 2018, the landlord must use the standard lease form entitled *Residential Tenancy Agreement (Standard Form of Lease)*.

Your landlord is not allowed to:

- **shut off or deliberately interfere with the supply of a vital service** (heat, electricity, fuel, gas, or hot or cold water), care service or food that your landlord must provide under your tenancy agreement. However, your landlord is allowed to shut-off services temporarily if this is necessary to make repairs.
- **take your personal property** if you don't pay your rent and you are still living in your rental unit.
- **lock you out of your rental unit** unless your landlord has an eviction order from the LTB and the Sheriff comes to your rental unit to enforce it.
- **insist that you pay your rent by post-dated cheque or automatic debit.** These ways of paying your rent can be suggested, but you cannot be refused a rental unit or evicted for refusing to give them.

Contact the Landlord and Tenant Board

Call us:

Toll free: 1-888-332-3234

Toronto area: 416-645-8080

TTY: Bell Relay Service at 1-800-268-9242

Visit our website at tribunalsontario.ca/ltb

Visit your local LTB office. For office locations visit [our website](#).