



## Tenant Protection Fact Sheet Page 1 of 5



### EVICTION:

- ✓ Tenants in Ontario **cannot** be evicted until they have an opportunity to make their case at a Landlord and Tenant Board (LTB) hearing.
- ✓ A tenant can **only** be evicted after a hearing is held and an Order from the LTB is mailed to the tenant.

### REQUIRED PROCESS FOR EVICTION:

- ✓ If a client is given any notice from the landlord, this does **not** mean the tenant has been evicted.
- ✓ The landlord must first apply to the LTB.
- ✓ A hearing notice is then mailed to the tenant with the hearing date and location.
- ✓ The tenant should contact us the moment they receive any notices.

### INTERFERING WITH OTHERS, DAMAGE, AND OVERCROWDING:

- ✓ The **initial** N5 Notice to End a Tenancy is a warning notice only telling the tenant about a problem that must be corrected. As long as the tenant corrects the behavior within 7 days, the notice is void.
- ✓ It is only after a **second** N5 notice that is given within 6 months that can have more serious implications. In this case, a hearing at the LTB will be scheduled where an adjudicator will decide whether the behavior would warrant an eviction.

### SHERIFF'S ORDER:

- ✓ **ONLY** the sheriff can remove a tenant pursuant to an order from the LTB. Landlords cannot enforce an eviction themselves, nor can they change the locks.





## MEDIATION:

- ✓ If a tenant does not comply with a mediated agreement from the LTB, the LTB will issue an order without a hearing. However, a tenant can file a “Set Aside” and request a new hearing.

## APPEAL PROCESS:

- ✓ Any party can request a “Review” of a Landlord and Tenant Board order with an error.

## MAINTENANCE/INFESTATIONS:

- ✓ Tenants should **always** email, text or write to their landlord to inform him/her of any maintenance issues or infestations (e.g. bedbugs, cockroaches, mice).
- ✓ Tenants can also request that the Town/Township, Fire Department and Electrical Safety Authority inspect their unit so that various work orders can be made.

## PAYING YOUR RENT

- ✓ Tenants should **ALWAYS** continue to **pay their rent on time each month** – even if there are major maintenance issues as rent rebates or abatements can be requested at the LTB. Tenants should always strive go to a hearing with no money owing.
- ✓ Tenants can be evicted for persistent late payment (with a hearing at the LTB)

## HARASSMENT/INTERFERENCE

- ✓ If a landlord harasses a tenant, or interferes with vital services, the tenant may file a T2 with the LTB and ask for various remedies.



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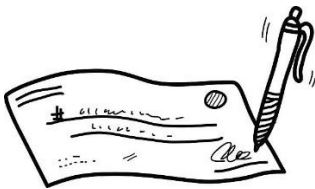
A landlord shall not substantially interfere with the reasonable enjoyment of the rental unit or the residential complex.



A landlord shall not harass, obstruct, coerce, threaten or interfere with a tenant.



The only security deposit that a landlord may collect is the equivalent of one month's rent, which will be applied to the tenant's last month's rent.



A landlord cannot demand a particular method of payment of rent (e.g. post-dated cheques, automatic debiting, or e-transfer)



A landlord cannot raise the rent more than the rent increase guideline (2.2% in 2020) and can only do so every 12 months with 90 days written notice.



However, a landlord may apply to the LTB requesting that the rent be increased by more than the guideline in an extraordinary increase in municipal taxes or costs to protect/restore the physical integrity of the building, maintain plumbing, heating, mechanical, electrical, ventilation or air conditioning systems, to provide access for persons with disabilities, to promote energy/water conservation, or if it maintains/improves the security of the residential complex.



A landlord cannot discriminate on the basis of a disability, the receipt of public assistance, family status, sex (including breastfeeding and pregnancy), sexual orientation, gender and gender identity.



Any lease that has a “no pet provision” is void. Tenants are allowed to have pets as long as there are no noise or safety concerns.



A landlord cannot change the locks without providing a replacement key.



If a tenant receives an application for landlord's own use, a hearing must first be held with the tenant present and one month's compensation must be given to the tenant if an adjudicator finds the landlord's intentions genuine.



Under the Human Rights Code, every person has a right to equal treatment with respect to housing, without discrimination due to a disability.

As hoarding is a mental health issue, the landlord has an obligation to work with the tenant to try to eliminate excess clutter.



The tenant is responsible for ordinary cleanliness and for the repair of undue damage to the rental unit or residential complex caused by wilful or negligent conduct of the tenant, another occupant of the rental unit or a person permitted in the residential complex by the tenant.