



The Social Planning Council of Cambridge and North Dumfries is a non-profit organization that actively participates in building and strengthening our community through research, analysis, facilitation and education, fostering innovation and positive social change.

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Renters' Rights and Responsibilities

Renting in Ontario

The goal of this Info Note is to increase housing stability by informing renters and landlords about their legal obligations to one another. In Ontario, both renters and landlords have legal rights and responsibilities under the Human Rights Code, the Residential Tenancies Act, or the Co-operative Corporations Act. This Info Note provides information related to these laws.

The information provided in this Info Note does not constitute legal advice. If you are in need of legal advice related to renting issues, we recommend that you consult a lawyer or the Waterloo Region Community Legal Services.

Protections Under the Human Rights Code

Everyone in Ontario has the right not to be treated differently by their landlord because of a characteristic of their identity that is protected under the Human Rights Code. Currently, the Human Rights Code prohibits discrimination and harassment on the basis of:

- Race
- Colour
- Ethnic background
- Religious beliefs or practices
- Ancestry
- Aboriginal descent
- Place of origin
- Family or marital status (including same sex relationships)
- Whether or not you have children
- Immigration, refugee, or citizenship status
- Disability
- Sex, gender identity or expression
- Sexual orientation
- Age (16 or older)
- If you receive social benefits like Ontario Works (OW), Ontario Disability Support Program (ODSP), or CPP.

The Human Rights Code applies to every stage of renting a home, apartment, or room including the application process, rules and regulations, repairs, maintenance and evictions.

Special Needs Accommodation

Landlords are legally required to accommodate renters' special needs due to disabilities. However, they must do so only up to the point of undue hardship based on cost, outside sources of funding, or health and safety concerns. Renters must work with their landlords to solve any problems and provide their landlords with the information required to make accommodations possible.

Rights and Responsibilities Under the Residential Tenancies Act

The Residential Tenancies Act (RTA) is the law in Ontario that protects people who rent apartments, houses, or rooms in a rooming or boarding house. The law does not protect people who rent a room and share bathroom or kitchen facilities with the owner nor does it apply to those who rent from a co-operative.

Renters' Rights

The Residential Tenancies Act gives renters the following rights:

- To be given a copy of their lease.
- To be provided with receipts for their rent free of charge from their landlord.
- Not to have their rent increased more than once a year. Any rent increase must be within the rent increase guidelines or approved by the Landlord and Tenant Board. The landlord must provide 90 days' notice to the renter before any rent increase.
- Not to have their rent deposit be more than one month's rent. The rent deposit can only be used as last month's rent and cannot be used to cover any damages.
- Not to have to provide post-dated rent cheques or give permission for automatic rent withdrawals from their bank account.
- Not to have their supply of water, heat or electricity shut off by their landlord.
- Not to have their landlord enter their unit unless they have given the renter written notice or unless it is an emergency. If the renter has given notice that they are moving out, the landlord can show the apartment between 8am and 8pm.
- Landlords are responsible for keeping their units in good repair. Landlords must obey all health, safety, housing and maintenance standards, as set out in any provincial laws or municipal bylaws.

Renters' Responsibilities

The Residential Tenancies Act gives renters the following responsibilities:

- To pay their rent on time and in full.
- To keep their unit clean.
- To report to the landlord any maintenance issues or concerns.
- To repair or pay to repair any damaged caused on purpose or due to carelessness by themselves or their guests in the unit, as well as in any common areas such as hallways, elevators, stairways, driveways or parking areas.
- To not participate in any illegal activity or in any activity that puts the safety of others at risk.
- To not overcrowd of the unit.

How to Resolve Issues Under the Residential Tenancies Act

The Landlord and Tenant Board is the name of the tribunal that resolves issues related to privacy, eviction notices, rent increases, and other issues under the Residential Tenancies Act between landlords and renters and enforces their rights. Before making an application to the Landlord and Tenant Board, renters are encouraged to take the following steps:

- Speak to their landlord about the issue or problem
- Write a letter asking the landlord to fix the problem (it is important to keep a copy)
- If it is a maintenance or repair problem, the renter can contact the By-Law Enforcement Officer at the City of Cambridge or Township of North Dumfries and make a complaint.

If these steps do not work, the renter can apply to the Landlord and Tenant Board. There is a fee associated with making an application to the Board. When a person applies to the Board, the Board will schedule a hearing. At the hearing, the renter and the landlord can each present their case to a member of the Board. After the hearing, the Board member will make an order saying what the renter and the landlord must do.

If the Board agrees that the landlord has not done enough to fix the problem, the Board can order that the landlord pay back part of the rent the renter paid while the problem existed. The Board can order that the renter's rent will be reduced until the problem is fixed. The Board can also order the landlord to make repairs, or to repay money to renter if they had to pay for repairs.

How to Resolve Issues Under the Human Rights Code

The Human Rights Code protects all people in Ontario from discrimination and harassment. Sometimes discrimination is direct. For example, a landlord might treat a renter badly because of their ethnicity or sexual orientation. Other kinds of discrimination are less direct. For example, a landlord might refuse to put in a ramp or make other changes for a renter who uses a wheelchair. There might be strict rules about noise that are harder for people with children to follow or a landlord might refuse to rent to people who have no credit rating. This can be a problem for young people and for people who are new to Canada.

If a renter has been discriminated or harassed they can contact the Human Rights Tribunal of Ontario and file an application against their landlord. The Tribunal will work with the renter and the landlord through a process called mediation to come up with a solution. If mediation does not work, the Tribunal will hold a hearing to determine if discrimination or harassment has taken place.

Harassment, in some instances, is a criminal offence and renters who have experienced harassment are encouraged to contact the Waterloo Regional Police Services.

Rights and Responsibilities for Renters in Co-operatives

People who rent in co-operatives have rights and responsibilities outlined in Ontario's Co-operative Corporations Act. Renters must also abide by the by-laws of their specific co-operatives or face possible eviction. In co-operatives, evictions require a majority vote of the board of directors. An eviction vote can only take place if the renter has been given at least 10 days notice. Co-operatives cannot turn off a renter's heat, water, or electricity or take possession of a renter's personal property.

Community Resources

Waterloo Region Community Legal Services: 519-743-0254 - www.wrcls.ca

City of Cambridge By-Law Enforcement: 519-740-4613 x.7907 - www.cambridge.ca

Township of North Dumfries By-Law Enforcement :519-621-0340 - www.northdumfries.ca

Region of Waterloo Housing Division: 519-575-4800 - socialservices.regionofwaterloo.ca

Lutherwood Housing Services: 519-749-8305 - www.lutherwood.ca

Waterloo Regional Police Services: 519-653-7700 - www.wrps.on.ca

Landlord and Tenant Board: 1-888-332-3234 - www.ltb.gov.on.ca

Community Legal Education Ontario: www.cleo.on.ca

The Human Rights Tribunal of Ontario: 1-866-598-0322 - www.hrto.ca

For more information about this Info Note or related research, please contact:



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