

The Tenant



Federation of Metro Tenants' Associations
- Fighting for Tenants' Rights since 1974 -

Fall 2007

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**You are a
tenant and
you should
vote!**

The election on October 10th is your opportunity to have your say on who should be dealing with tenant issues at Queen's Park for the next four years.

Who will listen to tenants? Who will act on vacancy de-control, landlord licencing and affordable housing? Who will give our City a fair deal?

For more information about how the provincial election affects Toronto, go to:
www.fairdealforourcity.ca

Questions to Consider When Voting for a Provincial Politician

1. Does the candidate think it is fair that a landlord can charge a new tenant an unlimited amount of rent?

Currently, the system of rent control that is in effect in Ontario is called vacancy decontrol. What it means is: for a vacant apartment, a property owner can charge whatever rent they want. This is often called 'market rent'. Once a tenant is living in an apartment, their rent can only go up once a year by a certain percentage amount, called the annual guideline amount: for 2007 the annual guideline amount is 2.6% and for 2008 it is 1.4%.

2. Will the candidate call for an end to vacancy decontrol?

The reason that vacancy decontrol was instituted was as a way of 'encouraging' property owners to invest capital in repairing and maintaining their property. Unfortunately, the only thing that we have seen is a rapid increase in rents in Ontario.

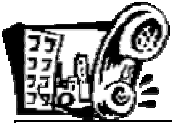
3. Currently, rental buildings built after 1991 are exempt from rent regulation. Will the candidate phase in rent regulation for newer buildings?

As a way to 'encourage' property owners to invest in new rental property, rents on buildings built after 1991 are exempt from rules around rent increases. Unfortunately, this policy has not increased the number of new rental housing units in Ontario.

4. Will the candidate review certain unfair rent increases that tenants continue to pay for?

Over the past 8 years, thousands of landlords successfully received above guideline rent increases for one-time jumps in utility costs. Further to this, many capital improvements that caused huge rent increases above the guideline are fully paid

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Ask the Hotline

By Howard Tessler

Question: I would like to get involved in the provincial election by helping a candidate distribute flyers in my apartment building. My superintendent told me that I would be disturbing other tenants if I distributed flyers and put a sign in my window and that I can be evicted for doing this. Is this true?

Answer: Participation in the electoral process is the right of every citizen. This participation not only involves voting for the candidate on Election Day but helping to inform your neighbors of the issues. The *Residential Tenancies Act (RTA)* recognizes this right and says that a landlord must allow candidates or their representatives reasonable access to the building for canvassing or distributing election materials (s.28).

The property owner may not like your political choice but they must respect your right to inform other tenants of a candidate's views by canvassing the building. It's your right!

If you have any questions about your rights as a tenant, please call the Tenant Hotline at 416-921-9494 Mon.-Fri. 8:30am – 6:00pm or email us at hotline@torontotenants.org

Rental Notes

- 36% of Ontario's tenant households are living at or below the "poverty line"
- While renters accounted for 33.5% of Ontario households in 2001, they comprised 67.9% of households in core housing need – affordability is the predominant cause of core housing need *Canadian households are considered to be in core housing need if they do not live in and could not access acceptable housing; the term "acceptable housing" refers to housing that is:*
 - ✓ affordable (costs less than 30% of before-tax household income),
 - ✓ in adequate condition (not requiring major repairs), and
 - ✓ a suitable size (not crowded, enough bedrooms for size and make-up of resident households)
- 42% of Ontario tenant households pay 30% or more of their household income on shelter costs
- 20% of Ontario tenant households pay 50% and over of their household income on shelter costs; the

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Eviction Notes

- The average household income for tenants facing eviction was \$29,900
- 52% of tenants facing eviction had not been late paying their rent in the previous year, or had only been late once or twice
- 26% had been late three or four times and 22% had been late five or more times
- 48% of all tenant households facing evictions were either single parent or two-parent families with children
- 39% of tenants surveyed had job-related reasons for being in arrears
- 17% reported medical problems or related expenses
- 7% reported family breakdowns
- 12% reported financial problems
- 13% reported landlord/tenant issues

Rental Notes continued from page 2

risk for homelessness increases where rental costs consume more than 50% of pre-tax household income for a tenant household

- There were 122,426 low-income households across Ontario on the *active* waiting lists for social housing at the beginning of 2006. Among the 36 Service Managers which track applicant incomes, 80% of the low-income households on their waiting lists had gross incomes below \$20,000 and, therefore, could not afford monthly rent of more than \$500
- Based on Canada Mortgage and Housing Corporation's (CMHC) definition of affordable housing [which is less than 30% of before-tax household income] an affordable monthly rent for half of Ontario's tenant households [median household income at \$32,194] would be \$805 or lower
- An affordable monthly rent for half of the Toronto CMA's tenant households [median household income at \$36,802] would be \$920 and below [using CMHC's definition of affordable housing]
- In the City of Toronto, [where 34% of Ontario's tenant households live], there were 66,412 households on the social housing waiting list [active and inactive] as of August 31, 2007
- The City of Toronto has lost most of its stock of affordable private rental apartments since rent controls on vacant units were lifted 8 years ago. Between 1997 and 2003, the number of one-bedroom units with rents below \$700 per month shrank by 85%, and the number of two-bedroom units with rents below \$800 per month shrank by 89%
- According to the April 2007 CMHC rental market survey, vacancy rates *decreased* in 4 of the 11 Ontario Census Metropolitan Areas, *increased* in 6 of the 11 CMAs and remained *unchanged* in one (Hamilton).

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for and should be removed from the rent.

5. Will the candidate support a review of tenancy and condominium law to improve the rights of condominium tenants?

Currently, tenants living in rented condominiums are vulnerable to condominium boards and do not have the full protection of the Residential Tenancies Act, 2006. Condominium tenants have very little ability to enforce issues in 'common areas' of their buildings.

6. What steps would the candidate take to simplify the process for tenants to deal with landlords when their rights are not respected?

Tenants seeking justice at the Landlord Tenant Board must face professional landlords and their agents, must figure out which of six different forms to use, must come to the Board during working hours, and must learn rules of evidence and/or pay for representation.

7. Is the candidate in favour of restoring the 6% interest on Last Month's Rent deposits?

Last Month's Rent deposits are considered 'security' for property owners who are concerned that their tenants might leave without paying their last month. Historically, the law allowed this practice, but put a premium on the annual interest that a property owner must give to a tenant – 6%. The Residential Tenancies Act removed the 6% interest and replaced it with an interest rate equal to the annual guideline amount, with the provision that a property owner could use it to 'top up' a tenant's Last Month's Rent deposit.

8. Is the candidate in favour of licencing landlords?

The City of Toronto is currently looking at a way of licensing property owners (Multi-Unit Residential Apartment Building Regulatory Strategy). The advantage of a licensing system is that it might create a way for Property Standards inspectors to investigate buildings without having to respond to tenant complaints, as they currently must do. Though this is being looked at by the City of Toronto, it is NOT currently on the provincial agenda.

9. What would the candidate do to ensure an

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adequate supply of affordable rental housing?

In Toronto, the social housing waiting list (both active and inactive) as of August 31st, 2007 totaled 66,412 households, with an average wait of 6-10 years

10. In reaching a Fair Deal for Our City, will the candidate ensure that cost of social housing is uploaded from cities to the Province?

Through the Social Housing Reform Act, 2000 the province downloaded the responsibility (and the cost) of Social Housing (sometimes referred to as subsidized housing) onto cities throughout Ontario. This means that the City of Toronto ends up paying for social housing without provincial support.

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- According to the April 2007 CMHC rental market survey, two-bedroom rents increased in 8 of the 11 Ontario CMAs, except for Kingston [rent decreased by \$2, from \$841 to \$839], Thunder Bay [rent decreased by \$3, from \$696 to \$693], and Windsor [rent decreased by \$5, from \$774 to \$768]
- According to the April 2007 CMHC rental market survey, the highest monthly rents for two-bedroom apartments were in Toronto (\$1,073) and Vancouver (\$1,051), followed by Calgary (\$1,037)

Sources

Rental Notes: Statistics compiled by Mary Todorow, Advocacy Centre for Tenants Ontario (ACTO), June 2007
Eviction Statistics: taken from "Analysis of Evictions Under the Tenant Protection Act in the City of Toronto", by Linda Lapointe; March 31, 2004

To learn more about the issues that affect the City, visit www.fairtaxes.ca

Visit our website! www.torontotenants.org

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I will pay my membership dues by:

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City: _____ Postal Code: _____
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Fax: _____ e-mail: _____

Yes! I would like to donate \$ _____ to the FMTA!

Type of membership:

- New Member Renewal
-
- Individual: \$15/year
 Senior, student or unemployed: \$5/year
 Sustaining Member: \$50/year
 Homeowner (non-voting): \$25/year
 Organization (non-voting): \$25/year
 Tenants' Association: _____ units, \$10/year/unit (minimum 3 units)