

# The Tenant



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

Spring 2007

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## Meeting with Dr. Ma

By Victoria Natola

On March 23, Outreach & Organizing Coordinator Dan McIntyre, the Chair of our Board of Directors, Dean Fulford, and Tenant Organizer Victoria Natola met with the Chair of the newly (re)formed Landlord and Tenant Board, Dr. Lilian Ma as well as three other Board administrators. The purpose of our meeting was to clarify how the new Residential Tenancy Act will affect tenants.

Here's what we talked about:

- Where can tenants go if they feel that the Member for their hearing was disrespectful, demeaning, or treated them

unfairly? Dr. Ma states that tenants can contact her directly so long as it's not because they disagree with a decision – there is an appeals process for that!

- We pushed for a one form system for tenants, so that instead of having several different forms for different problems, tenants would only need to fill out one. We're hopeful that the Landlord and Tenant Board takes this suggestion seriously.
- We expressed concern about tenant groups being split up and brought one by one into mediation, which can be quite intimidating in an already stressful situation! The LTB stated that doing this is inappropriate and unacceptable and they will talk to their mediators to ensure that this process stops.
- We pushed for mediators having to hand out a 1-page information sheet that lets tenants know that mediation is strictly voluntary; that tenants do not have to agree to anything but can instead request to have their hearing in front of the member. Tenants often do not realize they can sign away their rights in mediation, so they should

be aware that they don't have to sign anything that they are unhappy with.

- Finally, the Government promised that the law would protect 'good' landlords and 'good' tenants. We want assurances that the Residential Tenancies Act will not protect 'bad' landlords the way that the Tenant Protection Act did. For example, we want to make sure that there are no barriers at the Board for tenants who are bringing applications against landlords who are not fulfilling their obligations around repair and maintenance issues; and that landlords aren't rewarded by being granted Above Guideline rent Increases without first bringing their apartments back up to par.

Overall, the meeting was quite positive and there were promises that Dr. Ma will meet with us on a more regular basis so we can work together to make the Landlord and Tenant Board work for tenants!



## Ask the Hotline

By Howard Tessler

**Question:** Under the new law, do I still get 6% interest on my last month's rent deposit?

**Answer:** With the proclamation of the Residential Tenancies Act on January 31<sup>st</sup>, 2007, you are no longer entitled to 6% interest on last month's rent. The law now says that the interest on your last month's rent deposit will be equal to the Annual Guideline Increase Amount. (The Annual Guideline Amount for 2007 is 2.6%.) The law allows property owners to apply the interest on your last month's rent directly to your last month's rent deposit in order to keep the deposit "current". In other words, you won't get a cheque for the interest, but you also don't have to 'top up' your last month's rent deposit.

However, because 2007 is the transition year for the new law, you are still entitled to more interest than 2.6%. The following is a chart so that you can see how much you are owed according to your renewal date:

Renewal Date	Interest	Renewal Date	Interest
January 2007	6.00%	August 2007	4.30%
February 2007	6.00%	September 2007	4.02%
March 2007	5.72%	October 2007	3.73%
April 2007	5.43%	November 2007	3.45%
May 2007	5.15%	December 2007	3.17%
June 2007	4.86%	January 2008	2.88%
July 2007	4.58%		

If your landlord owes you interest and has not paid you that amount, the law allows you to deduct the amount from "a subsequent rent payment". Just remember that it's a good idea to explain, in writing, that you are deducting the interest owed to you.

***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](mailto:hotline@torontotenants.org)***

## Tenant Education Project

By Jed Kilbourn

The Tenant Education Project is a one-year pilot program funded by the City of Toronto. The goals of the program are to educate as many tenants and community service

providers as possible about the Residential Tenancies Act.

One of the interesting features of the project is that its primary focus is in the 13 priority neighbourhoods as identified by the City's Strong Neighbourhoods Strategy.

The Tenant Education Project offers free workshops and education sessions on the new rights and responsibilities of tenants in Toronto.

The workshop is flexible and designed for:

- Housing workers
- Youth workers

- New Canadians (including ESL classes)
- Youth
- Anyone in rental housing
- Anyone who is curious about the new law and tenant rights

One of the biggest challenges that tenants in Toronto have is a lack of knowledge about their rights.

Help us educate as many people as possible! For more information, please email:

[jed@torontotenants.org](mailto:jed@torontotenants.org)

## Air Conditioners

By Wendy Lum

So, it is finally here. Spring is in the air and soon the summer heat will be upon us. We have a bouncy spring in our step as we happily stroll into our lovely abodes. Then, we are either greeted with a nice cool air conditioned unit or warm heavy air. When the City of Toronto announces its Extreme Heat Alert warnings, air conditioning is at the forefront of our minds.

If you already had air conditioning last summer, your property owner can't charge you for the extra hydro during the summer months. Any extra hydro that your air conditioner is using is already included in your rent. If you have already agreed to an extra charge, then your property owner may ask you to pay it.

Sometimes property owners are willing to provide an air conditioner for your use if you are willing to increase your rent. Please keep in mind that a property owner can't increase the rent by more than the guideline plus 3 percent of the previous lawful rent charged [RTA, s.121 (3)]. Also, a tenant who enters into an agreement under this section may cancel the agreement by giving written notice to the property owner within five days after signing it [RTA, s.121(4)].

If you decide to purchase your own air conditioner and the property owner wants to charge you an extra amount for the hydro you can say no. The risk is that if you install the air conditioner and you damage the property, or if the air conditioner leaks and causes damage, you will be responsible for the repair.

So, fellow tenants, with all this being said, flip on your air conditioners and enjoy our long hot summer days.

## Licensing Landlords

By Emmy Pantin

In late December, the City of Toronto's Municipal Licensing & Standards began a consultation process for creating a "Regulatory Strategy for Multi-Residential Rental Properties". Here's the FMTA Position on licensing:

We believe that:

- The regulatory strategy be universal – all property owners and managers are to have a license, including not-for-profit housing providers
- The regulatory strategy be self-funded – a fee per unit in a property owner's portfolio (the more units an owner has, the more expensive the fees – allowing 'Mom & Pop' and other small landlords to be regulated)
- The regulatory strategy be proactive – working the same way that restaurant inspections are done
- The regulatory strategy include education for landlords, their agents and staff
- The license be issued to property owners according to the buildings they have –

[Ms. Jones has a license to manage 10 buildings]

- If property standards are not upheld, an escrow account is created per building with a *licensed* property manager to manage it until the repairs are done – [the property owner is not allowed to collect income from that property until the issues are resolved, thereby allowing tenants to maintain their tenancy in a building with outstanding violations]
- Additional license fees or penalties may be imposed on buildings that operate below property standards
- The licensing criteria not be limited to property standards, but include issues raised by the Ontario Human Rights tribunal, for example, a property owner's duty to accommodate, freedom from discrimination, etc.
- The licensing program include both an online list and an onsite posting of buildings and their license standing (e.g. *pass, conditional pass, fail*)

**Federation of  
Metro Tenants'  
Associations**

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(416) 921-4177

**Go To:**

[www.torontotenants.org](http://www.torontotenants.org)

# Annual General Meeting

**Saturday  
May 26**  
10.00 am – 3.00 pm

**Woodsworth  
College**  
Room 126  
117/119 St. George St.  
Toronto

**All members are welcome  
and encouraged to attend!**

To renew your  
membership in advance  
of the meeting, or for  
more information, please  
call 416.646.1772

## Agenda

10.00am	Registration and Coffee
10.30am	Meeting
	Chair's Report
	Financial Report
	Committee Chair Reports
	Staff Program Reports
11.25am	Keynote Speaker
12.00pm	Lunch
12.45pm	Member Motions and Reports
1.00pm	Board Elections
2.00pm	Meet the new Directors!

## Become a member of the FMTA!

I will pay my membership dues by:

Cheque or money order  
(made out to FMTA)

Cash

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Apt. #: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Telephone: (h) \_\_\_\_\_ (w) \_\_\_\_\_  
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)