

The Tenant



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

Fall/Winter 2008

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Newcomer Tenants

By Victoria Natola &
Chairperson Gene Lara

Toronto is a wonderfully diverse city made up of people from around the globe. We pride ourselves on being a welcoming and accessible City but many newcomers will tell you that they have endured a much different experience.

Some landlords may prey on vulnerable newcomer tenants if the tenants are

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Tenants of 2 Secord Stand Together in Crisis

By Dan McIntyre

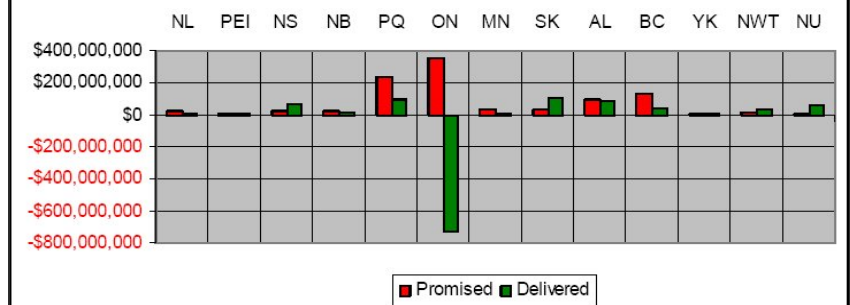
On Sunday morning, July 20, about 300 tenant households on Secord Ave were awakened by a huge explosion and fire in their building.

A Hydro transformer had

exploded and everybody had to get out of the building immediately. There was no time to think or gather up their stuff. Many families had children and many of the tenants were diagnosed with medical issues. Fortunately,

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Housing promises / housing spending



Data from 2001-2007: From Michael Shapcott - Wellesley Institute
See **Affordable Housing** – Page 6

A Mouse in the House!

Winter is coming! Unfortunately, during the cold months mice are looking for food, water and shelter. But we as tenants are only paying for shelter for ourselves and not for these little critters. Before the cold sets in, tenants can do a few things to prepare themselves.

By Wendy Lum

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Ask the Hotline: Bed Bugs

By Howard Tessler

Question: Recently I discovered that I have bedbugs in my apartment. I told my superintendent and he said it's my responsibility to deal with it. Is that true?

Answer: Hotline calls about bedbugs used to be a very rare occurrence, but are now a very common, city-wide problem. The landlord is responsible for preventing vermin and pests from entering your unit and for exterminating them.

Problems can arise because there are numerous issues that the tenant *must* do to make the control procedures effective. This includes washing and drying clothes and bedding, sealing mattresses and pillows in plastic, vacuuming of carpets and in some cases—removal of bug infested property. Bed bug bites may also have to be treated with medicated creams. All this can be costly and it's not crystal clear in the RTA who is responsible for these costs.

Tenants can approach landlords about the costs incurred due to the bedbugs or even for treatment. If your landlord is not willing to address the issue contact Municipal Licensing and Property Standards and subsequent to that, take the matter to the Landlord and Tenant Board.

For more information see www.toronto.ca/health; www.pmra-arla.gc.ca and Maintenance Standards of the Regulations of the Residential Tenancies Act (Sec. 46 of ONT. REG. 517/06)

FMTA Tenant Survival Manuals
 Now Available On-Line!
 In 12 Languages!
www.torontotenants.org

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unaware of what their rights are and are just trying to get settled and start their life in Canada.

Myths and Facts

MYTH. We have heard stories of landlords having a minimum income requirement, saying things like they won't rent to anyone who makes less than \$40,000/yr.

WRONG! A landlord cannot refuse tenants based on their income, nor can they tell you that they will not rent to you if your rent is more than a certain percent of your income.

MYTH. Another common myth out there is that tenants might require a Canadian landlord reference, credit references or to have been employed for longer than 6 months with their present job.

WRONG! Just because a tenant does not have credit does not mean that they have bad credit. If a tenant is new to Canada, they will not have any credit history nor will they have had a long-term job! People have a right to be housed and landlords have other options to

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Apartment Recycling

In 2005, the City of Toronto determined that only 12% of potential recycling was being done in apartment buildings.

By Dan McIntyre

This year, to increase recycling, the City has started a new system requiring homeowners and landlords to pay a fee which will be based on the recycling (or lack thereof) in the buildings.

As the largest Tenant Federation in Canada, the FMTA was obviously concerned that this cost could be passed off on to tenants. Luckily, the FMTA has taken steps to ensure this does not happen.

The City established a working committee which I sit on. One of my roles is to ensure that landlords can not pass on this fee to tenants by way of extra rent increases.

However, as part of an organization which supports the environment, I am also encouraging all tenants to participate in helping achieve a 70% rate of recycling. It is the right thing to do for the environment.

There will be a lot of information coming soon. As a defender of tenant rights in Toronto, the FMTA will be keeping tenants aware of changing developments and continuing to ensure that tenants' rights are upheld. Stay tuned!

Fire Continued from page 1

there were no serious physical injuries.

As terrible as that morning was, this article is about the strength of that tenant community and the support that they received.

The City of Toronto, led by Councillor Janet Davis responded quickly and services were set up for the tenants. The school across the street was set up as an emergency building. Arrangements were made for tenants to stay in hotels and motels (and decent ones too); food vouchers were made

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The Tenant! Editorial Collective

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tenants and upcoming FMTA
events on our Website:
www.torontotenants.org

Smart Meter Problems Continue...

By Victoria Natola

Smart-metering (introduced in the last issue of the Tenant!) has lately been quite the hot button issue for tenants and tenant advocates alike.

Smart metering involves putting digital usage meters in each apartment, which means that a household can better monitor the amount of energy they use and when they use it.

Some landlords have been trying to force tenants to pay directly for their electricity in return for a pitiful rent reduction.

Many tenants are obviously wondering, "What can I do when I hear my landlord is making the switch to smart-metering?"

The first thing tenants can do is contact our Organizing and Outreach team. We can let you know if any of your neighbours have already contacted us and what work has already been done in your building. We can also organize an information

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Immigrant Tenants Continued from page 2

check that a tenant can afford to live there. If the tenant does not pay their rent or damages the unit, landlords have legal recourse.

MYTH. One last common barrier that newcomers face is space. With rents being as high as they are in Toronto, it is very common for parents wanting their children to share bedrooms, however, some landlords have policies that state that children of the opposite sex are not allowed to share a room or that there is a one child per room rule.

WRONG! A landlord does not have the right to dictate how a family lives. That is contrary to human rights law unless the size of the family contravenes municipal over-crowding by-laws.

These are just some of the many barriers that many newcomer tenants face. Thankfully there are organizations in Toronto that will help tenants who have faced discrimination such as the Centre for Equality Rights in Accommodations (416-944-0087) and our very own Tenant Hotline. There are many resources available to tenants and we hope that all tenants learn how to access these resources and assert their rights.



Need Repairs? Call the Hotline!
416-921-9494



Mouse Continued from page 1

Landlords can also do a few things to prevent mice from entering your home. Unfortunately, because in many cases landlords are not pro-active in preventing mice infestations here are a few suggestions in preventing mice from entering your winter abode:

1. store food in tightly sealed containers
2. purchase tightly sealed trash cans
3. mice can get through a hole the size of a quarter, seal around doors and windows
4. seal any cracks and holes with a water resistant sealant
5. keep your home and especially the kitchen clean of food and debris
6. it may also be helpful to

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Smart Meters Continued from page 4

meeting for all of the tenants in your building so everybody can know what is going on, what your options are, and what you can and cannot do. We can also refer you to your local community legal services for legal assistance.

REMEMBER: the landlord is never allowed to interfere with your vital services, although some landlords are under the impression that they can for smart-metering. If your landlord threatens you in any way to agree to smart-metering or to sign an agreement, make sure to write down the date and time of the conversation, what specifically the landlord said, and who, if anyone was there to witness the conversation. If the landlord sends you a letter, make sure to hold on to it! The landlord is *never* allowed to harass or threaten tenants for any reason.

Tenants fall in to either one of two categories: tenants that have a clause in their lease

that states the landlord could make you pay for electricity at a later date or tenants without that clause.

For tenants who have no clause in their lease, that's great! The landlord cannot simply change the terms of your lease without your agreement. If you do not want smart metering, do not sign any papers for your landlord or from the smart-metering company.

For tenants who do have the aforementioned clause, you can refuse to sign the papers that your landlord or the smart-metering company give you, but if they are persistent and you are worried that your electricity might be effected, include a letter with the paperwork that states that you will pay the reduced rent and the electricity charges, but only because you fear that you may lose your home if you do not.

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Landlord Licensing Update!

The City of Toronto's staff report on Landlord Licensing (due in January 2008)

By Dan McIntyre

has unfortunately, again been postponed until November. Stay tuned for more details. The FMTA is pushing to have licensing implemented in Toronto and the staff report should be available on-line when finally released.

Affordability in Rental Housing?

By Howard Tessler

My old Urban Geography professor Ron Bryant, an eccentric town planner from Edinburgh had an old saying: “a week’s pay for a month’s rent.”

Recently I began to wonder? Does this old saying have any basis in reality? Does the average tenant pay about 25 per cent of their income on rent? Or is it a much higher amount?

Thanks to the Wellesley Institute’s (wellesleyinstitute.com) recent reports on housing, we can look at statistics from the recent past.

The City of Toronto’s “Housing Opportunities Toronto: An Affordable Housing Framework 2008-2018” summarizes some trends in affordable housing. These include:

- 100,000 households pay more than 50 per cent of their income for rent;
- 3,900 families and individuals sleep in emergency shelters on any given night;
- 50,000 households are on the ‘active’ waiting list for social housing; many families are

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Housing Affordability – 1997 to 2005 from Michael Shapcott - Wellesley Institute

	1997	1998	1999	2000	2001	2002	2003	2004	2005
CAN									
<i>Median hh income</i>	\$26,000	\$26,700	\$27,800	\$28,300	\$28,900	\$29,300	\$28,300	\$27,900	\$29,000
<i>Aff rent</i>	\$ 650	\$ 668	\$ 695	\$ 708	\$ 723	\$ 733	\$ 708	\$ 698	\$ 725
<i>Avg mkt rent</i>	\$ 597	\$ 616	\$ 628	\$ 648	\$ 672	\$ 694	\$ 704	\$ 720	\$ 732
<i>Aff gap</i>	\$ 53	\$ 52	\$ 67	\$ 60	\$ 51	\$ 39	\$ 4	-\$ 22	-\$ 7
ON									
<i>Median hh income</i>	\$29,000	\$29,300	\$30,900	\$31,800	\$31,800	\$31,900	\$30,600	\$28,100	\$30,200
<i>Aff rent</i>	\$ 725	\$ 733	\$ 773	\$ 795	\$ 795	\$ 798	\$ 765	\$ 703	\$ 755
<i>Avg mkt rent</i>	\$ 726	\$ 761	\$ 785	\$ 829	\$ 863	\$ 883	\$ 886	\$ 898	\$ 903
<i>Aff gap</i>	-\$ 1	-\$ 29	-\$ 13	-\$ 34	-\$ 68	-\$ 86	-\$ 121	-\$ 196	-\$ 148

hh = Household

Aff rent = affordable rent

Avg mkt = Average Market

Aff gap = affordability gap

Smart Meters Continued from page 5

Again, make sure to keep copies!

If you refuse to sign any agreements and you do not take the rent reduction and pay your own hydro bills, you will hopefully not be affected. However, on the chance that you do have your power interrupted or shut off entirely you should immediately call the Investigations & Enforcement Unit (416-585-4577) to let them know that your landlord

has cut off your vital service. Then contact your community legal clinic so that you can have legal advice on what your next step should be.

Thankfully, so far none of the tenants we have worked with have had their electricity cut off, but if you do have this experience or if you hear the smart-metering is coming to your building, please call our Organizing & Outreach team at (416) 413-9442 so we can get started on standing up to your landlord!

Housing Continued from page 6

waiting from 5 to 10 years;
- 20,000 new low and moderate income households will be added to the city's population over the next 10 years.

The City's report paints a picture that all is not well for Toronto tenants. Unless new rental housing is built at the affordable level, the housing crisis that we find ourselves in now, will deepen.

This grim picture is made clearer by research findings of the Wellesley Institute, a Toronto based independent research and policy institute, that specializes in advancing urban health, in its "National Housing Report Card, 2008."

So if you felt it was getting harder to pay the rent—you were probably right. In 1997 the average rent charged was \$726, in 2005 it was \$903 while the median household income went from \$29,000 to \$30,200. In the same period, the gap between affordable & market rent went from \$1 to \$148.

Unfortunately, rent is, on average, getting harder to pay for tenants which is why the FMTA board of directors continues to push for rental control and continues to fight for tenant rights.

Fire Continued from page 3

available and other on-site services were set up.

The Federation had people at the site both immediately and on a continuous basis. We ensured that tenants knew of our Hotline, and the availability of the Flemingdon Community Legal Services.

Even the landlord – at first – did some things right. It was made clear that there would be July rent refunds, and that they expected no rent while the building was closed down. They initially promised that any tenant could break their lease. Later, they backtracked on that promise.

The tenants are now back in the building, but have suffered much damage. In addition to trauma, most tenants have lost many of their possessions and some have even suffered from looting. Many are trying to get out of their tenancies, but many plan to stay.

There now have been 3 tenant meetings in a packed gymnasium. The tenants have launched a class action suit with a high profile law firm.

In the meantime, the Flemingdon Community Legal Clinic is helping individual tenants with the issues that may come before the Landlord Tenant Board.

And, with our help, the tenants now have a Tenant Association. There is much work to do. We are awaiting the results of the investigation into this matter. We hear that Toronto Hydro has been checking transformers in other buildings. Hopefully, no other tenants will ever have to go through this.

Missing in action on this matter has been the Province of Ontario. However, the Minister of Housing has recently indicated that they will review the Residential Tenancies Act with respect to the consequences related to such a disaster. Why should tenants be forced to live where they don't want to live? Why should they have to pay full rent after such a happening? What can be done to prevent another such tragedy? These are issues the FMTA is raising with the Minister.

Michael Prue, the MPP for the area got things started by asking the Minister in the House to take action.

We dedicate this article to the tenants of 2 Secord, and in particular to those tenants that have taken a leadership role in holding the community together and starting the Tenant Association.

For more information contact www.secordclassaction.com

Federation of Metro Tenants' Associations

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(416) 921-4177

So Long Jed Kilbourn...

By The FMTA

It is with great sadness and regret that we inform you that our Tenant Education Project Coordinator, Jed Kilbourn has left the FMTA to pursue academic interests.

Jed started the Tenant Education Project at the FMTA providing education on tenant rights to agencies and tenants across Toronto. He was an invaluable part of our organization for many years and we wish him well in his pursuits. Good Luck Jed!

Victoria Natola has replaced Jed and will be our new FMTA Tenant Education Project Coordinator.

Mouse Continued from page 5

- trim tree branches that are touching the home
- 7. seal cracks and holes on the outside of the home (this is a suggestion for the landlord)

REMEMBER! Pest control is ultimately your landlord's responsibility. If mice do take up residence in your home even though you have taken all the precautions you should write a letter to your landlord detailing your issue and keep a copy for yourself. The landlord should then call in a pest management professional. Your home is your castle and should be mice free. Hopefully, this winter it will stay that way!

Visit our website! www.torontotenants.org

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- Tenants' Association: _____ units, \$10/year /unit (minimum 3 units)