

# The Tenant



January 2005

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

## Tenants are Frustrated

By Dan McIntyre

### In this Issue:

• **How Nosey Can They Be?**

• **The Bulb Goes on at Hydro**

• **Congrats Leah!**

• **Coming to the Board Table**

It is trying our patience to wait for the Government to finally end the *Tenant Protection Act* and bring in "real protection for tenants at all times."

New tenant legislation expected in the fall has been delayed. Cabinet has not yet approved a new package and we are advised that they are trying to get it right.

Tenants have lived with the current Act for more than 6 years. In Toronto alone, there have been over 2700 successful applications for Above Guideline Increases. The Annual Guideline has consistently exceeded inflation – except for a temporary respite this year.

Night after night, day after day, the staff of the Federation works with tenants who are still being victimized by bad legislation. We have been offering hope that things

will change for the better. The frustration continues.

The new Legislation is now predicted for March. There will be much to do after it is introduced. But there is still much we all can do to affect the legislation.

We should continue to talk to key people in the Government. We encourage all tenants to contact their MPP, preferably in writing. We also recommend letters to the editor of newspapers to highlight tenant issues.

We need a fair system and a fair Tribunal. We need an end to unfair and unjustifiable increases. We need mechanisms to reduce rents, particularly costs no longer borne.

We need the concept of vacancy de-control ended.

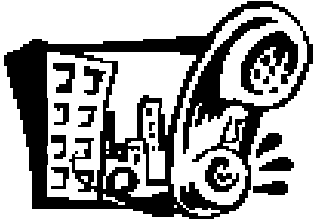
We need a system that guarantees that tenants receive the good maintenance and value that we pay for. We need a fairer Tribunal with an emphasis on eviction prevention and stopping the excesses of landlords.

This is all possible. We need the Ontario Government to come through for tenants.

But the waiting is painful. The Federation will strive to reflect the frustrations being felt in the tenant community.

For more details on tenant issues and what we have been doing, visit our web site at [torontotenants.org](http://torontotenants.org)

Together we are strong!



## This Issue's Hotline Question

By Howard Tessler

**Q.** Can landlords require banking information and your social insurance number?

**A.** The *Tenant Protection Act*, the law that governs the legal relations between landlords and tenants, does not say very much about what landlords can or cannot ask of prospective tenants.

While landlords cannot ask questions that would violate the Human Rights Code (such as race, sexual orientation, or country of origin), they "may use...income information, credit checks, credit references, rental history, guarantees, or other similar business practices..." (TPA sec 38). So landlords are within the law when they ask for banking information and your previous landlord's name and telephone number. They can ask for your social insurance number as well but you can refuse to give it. The *Personal Information Protection and Electronic Documents Act* restricts private companies from requiring your SIN unless they can show that it is required by law that they obtain it. The landlord does not have the right to refuse you because you do not give your SIN. It is not correct that your landlord requires it for a credit check.

***If you have any questions about renewing your lease or any other questions about your legal rights as a tenant, please feel free to 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)***

## Annual General Meeting Highlights

By Gail Nyberg

The Federation of Metro Tenants' Associations held their Annual General Meeting (AGM) on October 29, 2004 at OISE. Tenant Leaders from across the city came together to discuss issues facing tenants.

The guest speaker at the AGM was Brad Duguid, Parliamentary Assistant to the Minister of Municipal Affairs and Housing. Mr. Duguid spoke to the members of the FMTA about the upcoming changes in legislation. At that time the new legislation was expected in early November.

The members voted to change the constitution and bylaws of the FMTA: the AGM will now be held in the May or June starting in 2005. The 2004 Board of Directors will remain in place until the upcoming AGM in the spring. Stay tuned for your invitation to the Spring AGM.



## Hydro Sees the Light!

By Tim Maxwell

In the last issue of this newsletter, Emmy Pantin wrote about the dispute some Beaches area tenants were having with their landlord over hydro billing. The landlord had unilaterally decided that he didn't want to pay for hydro anymore, regardless of tenancy agreements. He informed Toronto Hydro that the tenants would be paying for electricity and forwarded their names for direct billing.

The outreach team met with the tenants to review their options and help them develop a strategy. Tenants decided to send a well-crafted submission to Toronto Hydro directors. In their submission, the tenants reminded Hydro directors of their written policy to respect the law (funny how they needed such a policy, eh?) and also reminded them that the *Tenant Protection Act* was, for better or worse, a law: one that required landlords to follow a certain process before removing a service.



While explaining to the directors of Toronto Hydro that they appeared to be willing accomplices in the landlord's attempt to circumvent the law, the tenants also informed Hydro executives that they could neither establish nor enforce a contract with an unwilling party. The tenants did not want to pay and would not pay for hydro, as it was already included in their rent. Toronto Hydro "saw the light" and informed the landlord that the electrical bill required his full attention.

## Hotline Counsellor Wins City Award

By Emmy Pantin

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Congratulations to one of our amazing Hotline Counsellors, Leah Lakshmi Piepzna-Samarasinha. Leah was honoured with a City of Toronto Award for Community Service last September. Leah was recognized specifically for her work with youth. For the last three years, Leah has been working as a facilitator with *Pink Ink*. According to the Supporting Our Youth website, which runs the project, *Pink Ink* is "a conscious, multi-disciplinary, for-youth-by-youth writing program for queer, transgendered, Two Spirit and questioning writers in Toronto who are 25 and under. *Pink Ink* exists as a hate-free, anti-racist, anti-sexist, anti-homophobic, safe space for young queers and



*Leah on the cover of the Winter 2003 issue of Trade Magazine*

trans kids to create, grow, change, cultivate, reflect, and transform through writing as critical and conscious expression." *Pink Ink* is the only writing group for lesbian, gay, bisexual, transgendered and two-spirited youth in the City of Toronto. Leah has been a counsellor on the FMTA's Tenant Hotline since October 2002. Way to go, Leah!

### Yes, I want to be part of the Tenants' Movement!

Please send me my membership card and information about the services that I receive a member.

<p><b>I will pay my membership dues by:</b></p> <p><input type="checkbox"/> Cheque or money order (made out to FMTA)</p> <p><input type="checkbox"/> Cash</p> <p><b>Please Print:</b>                  Name: _____                  Address: _____ Apt. #: _____                  City: _____ Postal Code: _____                  Telephone #: (h) _____ (w) _____                  Fax: _____ e-mail: _____</p> <p>Yes! I would like to donate \$ _____ to the FMTA!</p>	<p><b>I am joining as the following type of member:</b></p> <p><input type="checkbox"/> New Member <input type="checkbox"/> Renewal</p> <hr/> <p><input type="checkbox"/> Individual: \$15/year  <input type="checkbox"/> Senior, student or unemployed: \$5/year  <input type="checkbox"/> Sustaining Member: \$50/year  <input type="checkbox"/> Homeowner (non-voting): \$25/year  <input type="checkbox"/> Organization (non-voting): \$25/year  <input type="checkbox"/> Tenants' Association: _____ units,                  \$10 per year per unit (minimum 3 units)</p>
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