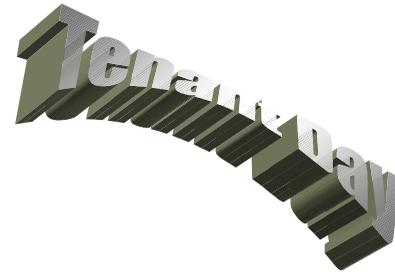


Every month, Toronto tenants

pay their landlords approximately

\$500 million dollars in rent!



Join us for Tenant Day on Saturday June 1st. Show your support for fair rents, and a fair law for tenants!

1:00-2:00 pm Neighbourhood Tour

- We will be meeting at the Rosehill Reservoir, then taking a short tour of the Yonge and St. Clair neighbourhood. On the way we will pass numerous buildings facing AGIs, and visit the Toronto South Housing Tribunal.

2:00-4:00 pm Tenant Day at the Rosehill Reservoir

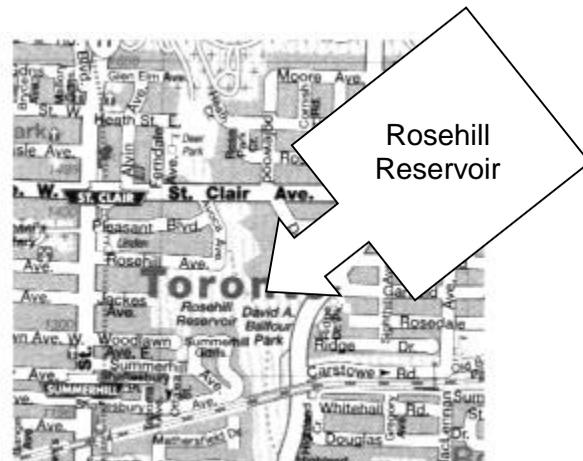
- Local politicians and tenant advocates will be speaking out against the Tenant Protection Act
- Write your message to the Premier, Housing Minister and Chair of the Housing Tribunal

Rank the maintenance conditions in your building!

-
- Find out more about the FMTA and how you can get involved in the Tenants' Movement!

For more information, check out our website: www.torontotenants.org

Together we are strong!



Hotline Question of the month

By Phool Nayyer

Q. I would like to leave my apartment. I was told that if I had a lease I could not sublet easily. I have to leave the city because of business. Can you help me get out of my lease.

A. Under the Tenant Protection Act, most tenants will be able to assign or sublet their units regardless of whether the tenancy is periodic, fixed, contractual or statutory. The only exceptions are for tenants of superintendent's units, as well as tenants in social housing.

(1) **Assignments** [s.17 & 48]

An assignment of a tenancy refers to a situation where a current tenant wants to move out of their unit before the lease expires and finds someone else to take over the balance of their lease. In effect they give up, or transfer, all "interests" in the unit. The new tenant (also known as the "assignee") takes over all of the benefits and obligations expressed in the original tenancy agreement, including the rent paid by the current tenant, with the same effect as though the tenancy had not changed.

Landlord's Choice: A landlord may consent to assign the rental unit to the potential assignee; he may refuse consent to the assignment of the rental unit to the potential assignee; he may not respond to the tenant's request.

Charges: If landlord accepts tenant's request to give consent to an assignment, he may charge reasonable out of pocket expenses incurred in giving consent to an assignment.

Refusal or non-response: If landlord refuses consent to the assignment the tenant may give the landlord a notice of termination under section 48 within 30 days after the date a request is made. If landlord does not respond within seven days after the request is made, the tenant may terminate the tenancy under section 48.

Consequences of Assignment: If a tenant has assigned a rental unit to another person, the tenancy agreement continues to stay on the same terms and conditions and, (a) the assignee is liable to the landlord for any breach of the tenant's obligations and may enforce against the landlord any of the landlord's obligations. If any breach of obligation relates to the period before the assignment; the former tenant is liable to the landlord. If the former tenant has started a proceeding under this Act before the assignment, the new tenant may be affected by its result. The new tenant may join in or continue the proceeding.

(Next month we will discuss subletting. If you have any questions, please call the Tenant Hotline at 416-9494 Monday-Fridays 8:00am-6:00pm. The Hotline has answered over 4,000 questions from tenants from January-April 2002.)

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

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

I will pay my membership dues by:

Cheque or money order (made out to FMTA) Cash

Please Print:

Name: _____
Address: _____ Apt. #: _____
City: _____ Postal Code: _____
Telephone #: (h) _____ (w) _____
Fax #: _____
e-mail: _____
FMTA 27 Carlton St., Ste.500. Toronto, ON. M5B 1L2 (416-921-9494)

I am joining as the following type of member

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, at \$10 per year per unit (minimum 3 units).

City of Toronto Summit

By Dan McIntyre

On June 25 and 26th, there will be a City Summit to look to the future of Toronto. This is an initiative of the United Way, the Board of Trade, and the City. On April 29, our Vice Chair Susan Slater and I attended a meeting hosted by the United Way where we heard more details about "the new deal for Cities" and the upcoming summit. A brief review of the agenda did not seem to deal with housing or homelessness.

Topics should include public transit, the environment, the arts, smart growth, and tax policies. What should be at the top of the list, however, is affordable housing for all.

We have recommended that such a Summit must deal with housing and homelessness as a priority. It would be something if delegates did not discuss this after walking by many homeless on their way to the convention centre.

There needs to be housing and tenant advocates at this summit. Many other sectors will be well represented.

By the way, it is good that the City is copying our Tenant Summit idea. They just need to do it right.

Thinking ahead to the next election

With the next provincial election somewhere in the not too distant horizon, its time for tenants to start thinking about how to vote.

To help you out, the FMTA is giving the three political parties the opportunity to speak directly to you. We are asking each of the political parties to respond to the following two questions:

- 1) Why should the tenants of Toronto support your party?
- 2) Why should the tenants of Toronto *not* support the other two parties?

Their responses will be published in our June newsletter, posted on our website, and—if received in time—handed out at Tenant Day on June first.

Social Housing Tenants Alert! New rules for tenants as of May 1st, 2002

(The following is from an Information sheet issued by the Ontario Non-Profit Housing Association. The FMTA wishes to thank them for this important information)

The Provincial Government has just downloaded many of its housing responsibilities to local governments. Starting this month, our municipal government will take over the job the Province once did: funding and administering social housing programs.

What does this mean for you?

Most things won't change.

- Your building will not be sold or taken over. The building will still be owned by the non-profit, overseen by the same volunteer Board, and managed by the same staff.
- You will still pay rent in the same way you do now.
- Most building policies and rules will stay the same.

But there are some new rules.

The Provincial Government has set some new regulations. Both the municipality and the non-profit must follow these regulations.

You now have just 10 business days to report changes.

If you pay rent geared to income and :

- your income goes up (even if you don't yet have the documents that show your new income)
- a new person moves into your unit
- a member of your household moves out
- you are sent a notice asking for your annual proof of income
- your citizenship status changes

then you must write to the non-profit within 10 business days. If you miss the 10 business days deadline, **you will lose your subsidy.**

You can re-apply for subsidy, but you will go to the bottom of the waiting list. You can also ask for a review of the decision. But that means risks and paperwork for you. Better to remember the 10 business days rule.

Everyone 16 years and over must now sign the lease.

Minimum rents are going up to \$85.

If your rent is now less than \$85 you will be given a three month notice before increasing your rent. Rent for other tenants paying rent-geared-to-income will not go up because of the new regulations.

(continued on next page)

Tenant Summit Review

By Michelle Mulgrave

Members from 40 tenant associations representing all areas of the city spoke about rent increases, poorly maintained buildings and the need to work together.

June 28th is a very important day for tenants since arguments will be heard at Divisional Court regarding permanent rent increases due to a temporary spike in heating costs. If Richard Fink is successful this could mean money in tenants' pockets. Stay tuned for the results.

Pledge forms were completed by tenants. Tenants pledged to attend Tenant Day, write letters to Ernie Eves, and write letters to local or major newspapers.

Tenant Day is scheduled for **Saturday June 1, 2002**. We have planned activities for the day and a number of speakers will also be present. Bring at least 10 other tenants from your building.

Tenants also volunteered to form a sub-committee to work on getting our stories out to the media. Those interested in working on this committee can contact us at 416-413-9442.

With the next provincial election looming, now is the time to make some noise. We must demand that the next government scrap the Tenant Protection Act. Contact your M.P.P. and demand their position on this awful piece of legislation and what they intend to do about it.

Tenant summits are a great opportunity to meet tenant leaders across the city. By working together we can come up with a solution to this mess.

The FMTA can be reached at: 27 Carlton Street, Suite 500
Toronto, ON. M5B 1L2

Tenants' Hotline: (416) 921-9494

Outreach & Organizing: (416) 413-9442

FMTA office: (416) 646-1772

Fax: (416) 921-4177

Webpage: www.torontotenants.org Email: fmta@torontotenants.org; hotline@torontotenants.org
tdf@torontotenants.org



The Tenant



Federation of Metro Tenants' Associations

May 2002

FMTA Adds Fuel on Gas Fight in Court

By Dan McIntyre

We have been fighting unfair and unjust rent increase applications by landlords for a long time. The biggest issue in the last year has been the lap dogs at the Tribunal permitting permanent rent increases based on a temporary increase in heat costs in the winter of 2001.

Now this matter is heading to the Courts. Because this is so important to tens of thousands of tenants in Toronto, we have retained our own lawyer to intervene on the first case before the Court on June 28. This case is for the tenants of 1305 Wilson who are ably represented by Mr. Richard Fink.

The FMTA is prepared to add arguments and weight to the main case on behalf of all the other tenants who will be affected by this decision. This case will be the precedent.

Our lawyer, is Mr. Rene Zanin of Fasken, Martineau and Dumoulin. This is a major law firm with vast experience in regulatory law. We will be telling the Court that the Tribunal had choices. We will tell the Court that the principles of equity and unjust enrichment should be applied by the Tribunal in order to avoid injustice. We will be telling the Court about the importance of the issue. And we will be supporting the arguments of Mr. Fink.

This is an expensive undertaking for the FMTA. We will be seeking contributions to offset the costs. But, the FMTA has always fought for tenants. We could not pass this by, especially when we found a major law firm that believed in our case.

Our intervention will improve the chances of tenants to achieve justice.



Coming to a Federation near you: the new, updated
Tenant Survival Manual

KEEP KIDS SAFE

by Mary Rickett, Policy and Research Officer, Municipal Licensing and Standards
Division City of Toronto

Two window safety incidents have occurred in Toronto this spring. The City of Toronto has legislation to prevent such falls and keep children safe.

This May, the City of Toronto is launching a campaign to raise public awareness of window safety among families with children, apartment dwellers, landlords and property managers and to increase by-law compliance.

Window safety devices are regulated under the Toronto Municipal Code, Chapter 629, Property Standards. By-law regulations apply to all rental apartments, condominiums, non-profit and cooperatives, with three or more units. All landlords, property managers and/or apartment owners are required to comply with the by-law provisions.

Two provisions regulate window safety.

One provision regulates window devices in individual unit apartments. It requires that all apartment windows that do not lead to a balcony, that are 2 metres or more above finished grade which are capable of being opened, to be equipped with a window safety device to prevent any part of the window from opening more than 100 millimetres.

The other provision regulates window safety in common areas. All common area windows which are greater than 2 metres or more above grade, that do not lead to a balcony must have a guard that complies with the Ontario Building Code, if the lower window sill is less than 1 metre from the floor.

Window safety is everyone's responsibility. To obtain more information on window safety call Access Toronto at 416-338-0338.

(To obtain copies of this important brochure you can contact the FMTA either by email fmta@torontotenants.org or call 416-646-1772)

The Tenant

May 2002

(continued from previous page)

You must pursue all sources of income.

If you are on subsidy, you will need to make a "reasonable effort" to get any income you qualify for, including:

- Ontario Works
- Old Age Security (OAS) or the Canada Pension (CP)
- Employment Insurance (EI)
- Money promised to you under an immigration sponsorship agreement
- Child support payments (Note: you do not have to pursue any source of income that would put your safety at risk)

If you are overhoused, you must move to a smaller unit.

If you are overhoused – that is, if you have fewer people in your unit that the rules allow – you will be placed at the top of the non-profit's waiting list for a smaller unit. You can refuse two units. But if you refuse a third unit, you will lose your subsidy.

If no suitable unit becomes vacant within 12 months you will be placed on the municipality's central waiting list. You can choose to move only to a certain area, or a certain non-profit. But again, if you refuse three units (including a unit you may have refused in a non-profit) you will lose your subsidy.

You have the right to ask for a review of decisions.

You can ask for a review if you believe:

- the housing provider based any rent geared to income decision on wrong information
- the housing provider has not calculated your rent correctly
- your request for a transfer has been unfairly refused
- you have been wrongly asked to move because you are overhoused

Write to the office where the decision was made within 10 business days. The review will be carried out by someone who was not involved in the original decision.

Want to shape future decisions?

The Provincial Government made all the new rules in this bulletin. The municipality can also set some new policies.

- It can set new occupancy standards (rules about the number of bedrooms a household can have)
- It can set top limits on the income or the assets a person paying rent geared to income can have
- It can set limits on the length of time a subsidized household can be away from their unit for non-medical reasons. (that limit can't be less than 60 days)

If you want to be involved in these decisions contact your Board of Directors and ask if you can participate in the decision making process.

Check out the Discussion Board. Tell your story, ask questions, get answers.

**www.torontotenants.org
The FMTA website is now
better than ever!**