

The Tenant Support Grants Program

Why Tenants Need Help

The *Residential Tenancies Act* came into force January 31, 2007. It continues to allow landlords to raise rents above the annual rent increase guideline. Tenants still get as little as 30 days' notice before a formal hearing about their AGI. The short notice period leaves them little time to prepare a dispute if they choose to launch one.

The new Act continues to overturn a law that prevented landlords from demolishing affordable rental homes or converting them to condominiums. When this happens, tenants can appeal to the Ontario Municipal Board (OMB) to try to prevent the loss of their homes. The City will help you do this.

How the City of Toronto is Helping

The City of Toronto has created a Tenant Defence Fund to help tenants preserve affordable rental housing. The Fund helps tenant groups through an Outreach and Organizing Team hired to provide a range of services.

They include:

- outreach, education and help in organizing tenant groups
- assistance in preparing for a Board hearing or an appeal to the OMB or divisional court
- links to community legal clinics and other services
- assistance in applying for a grant to cover costs.

The Fund also provides a Tenant Support Grant to help cover the costs of preparing a dispute or appeal. These costs are high, especially if expert advice is hired.

By applying for a Tenant Support Grant, your group may receive up to **\$1,000** to cover the basic costs of disputing a landlord's AGI application. Some groups may receive an additional grant up to **\$5,000–\$10,000** to cover additional costs, such as:

- hiring expert advice that would support their case in a major way
- launching an appeal of a Board Order
- applying for a judicial review to divisional court.

Tenant groups may also apply for a grant up to **\$15,000** to dispute an application before the Ontario Municipal Board (OMB) to demolish their rental homes or convert them to condominiums.

Applying for a Tenant Support Grant

You need to work with other tenants in your building to apply for a grant. The best way to do this is to form a tenants' association and set up a bank account to deposit any grant money you may receive.

Contact the Outreach and Organizing Team for help (see below). The Outreach Team can help you prepare your case and help you apply for the right kind of grant.

Complete an application form for either a "Basic Tenant Support Grant" or an "Additional Tenant Support Grant." You can get grant application forms from the Outreach Team, your City Councillor or from community legal clinics or at www.toronto.ca/housing.

Each application form has three parts:

- general information about your building and the reasons for your dispute or appeal
- an estimate of your expenses and the reasons for them
- a petition of tenants supporting the dispute or appeal.

The Outreach Team can help you draft the reasons for your dispute or appeal and estimate your expenses. For the basic grant, there are limits on the amount you may be reimbursed for each expense, so avoid using up the entire grant on any one item. For example, the cost of photocopying your landlord's file at the Board can be high but the limit you can claim for photocopying is \$200. Other eligible expenses include the cost of hiring a qualified agent to represent you at the Board, renting meeting space and the cost of printing, postage and translation.

When you have filled out the grant application form and tenants' petition, send it to the City of Toronto (at the address below) with copies of the following:

- a) a copy of your landlord's application for an AGI, demolition or condo conversion
- b) proof of rent for each tenant affected by the landlord's application (e.g. rent roll for your complex, rent receipts or Notices of Rent Increase)
- c) a Notice of Hearing from the Board, OMB or divisional court (if available).

Staff will contact you if your application has been approved. **(Please see over)**

Qualifying for a Grant

To qualify for a grant, a certain minimum number of tenants affected by the landlord's AGI, demolition or condo conversion application must sign the tenants' petition in the grant form. If there are fewer than 100 units in your complex, at least 50% of the affected tenants must sign the petition. If there are 100 or more units, at least 33% must sign.

There is also a qualifying rent. Again, if there are fewer than 100 units in your complex, at least 50% of the affected tenants must rent at or below the qualifying rent for their unit type. If there are 100 or more units, at least 33% must rent at or below the qualifying rent. The qualifying rents for 2011 are:

Bachelor apartment.....	\$895
One-bedroom apartment	\$1,093
Two-bedroom apartment	\$1,305
Three-bedroom or larger apartment .	\$1,548

The reason for the qualifying rents is to help target the grants to buildings with affordable rents. Please note there are other eligibility criteria on the grant application forms.

Additional Grants

You can ask the Outreach Team to recommend your group for an additional grant, based on the merits of your case. If they recommend an additional grant, they will send you an "Additional Tenant Support Grant" form. Complete the form and send it to the City of Toronto with copies of the following:

- a) a copy of the letter from the Outreach Team recommending your group for an additional grant
- b) a copy of your landlord's application for an AGI, demolition or condo conversion
- c) proof of rent for each tenant affected by the landlord's application (if not already provided for the basic grant)
- d) quotes from all eligible professionals, the services to be provided and their costs
- e) qualifications of the eligible professionals and proof of membership in their professional association.

Getting the Grant

Whether you apply for a basic or additional grant, you have to submit a written request to the City of Toronto for your grant. This should be done within 90 days after you get the final decision of the Board, OMB or divisional court. Your letter should include:

- a) a copy of the Order or Decision of the Board, OMB or court (whichever applies to your case)
- b) a list of all eligible expenditures and the corresponding invoices or receipts

- c) proof of rent for each tenant affected by the landlord's application (if not already provided).

If your group is approved, you will then get a grant to cover your actual expenses up to the maximum amount for each eligible expense or service. Grants are considered on a first-come, first-served basis and only one grant per rental complex can be awarded. Grants are given only to approved tenant groups, which are responsible for paying their own agents and lawyers.

Advance Payment for Retainer Fee

If your group is approved for a grant, you may request an advance payment to retain an agent or lawyer to represent your group. The "retainer fee" amount cannot exceed 50% of the basic grant approved or \$1,000 of the additional grant approved. You must submit your request in writing and include:

- a) a Notice of Hearing or appeal related to your case
- b) a letter from your agent or lawyer stating they will represent your group and indicating the retainer fee.

Partial Payment

If your group is approved for an additional grant for a court appeal or judicial review of a Board Order, or a dispute of a demolition or condo conversion, you may apply for a partial payment to cover your lawyer's or expert's costs for preparing your case before and during your hearing. The partial payment must not exceed 75% of the additional grant approved after deducting the retainer fee if previously approved. You must submit a written request including:

- a) a notice of the hearing or appeal
- b) a letter from your lawyer or hired expert indicating the work carried out to date and the amount of the partial payment requested.

The program does not provide partial payment for groups disputing an AGI application before the Board.

For more information, contact the Tenant Defence Fund Outreach and Organizing Team at:

- Federation of Metro Tenants' Associations (FMTA) Outreach and Organizing Team
Phone: 416-413-9442
Fax: 416-921-4177

Send completed application forms to:

- City of Toronto
Shelter, Support & Housing Administration Division
55 John Street, Metro Hall, 6th Floor
Toronto ON M5V 3C6
Attention: Administrative Co-ordinator,
Housing & Homelessness Supports & Initiatives