

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the Tenant Defence Sub-Committee**

**Meeting No. 1**

**Friday, February 27, 2004**

The Tenant Defence Sub-Committee met on Friday, February 27, 2004, in Committee Room 2, City Hall, Toronto, commencing at 2:12 p.m.

**Members Present:**

Councillor Michael Walker  
Councillor Shelley Carroll  
Councillor Cliff Jenkins  
Councillor Gloria Lindsay Luby  
Councillor Peter Li Preti  
Councillor Jane Pitfield  
Councillor Sylvia Watson

No declarations of interest pursuant to the Municipal Conflict of Interest Act were made.

**Confirmation of Minutes**

On motion by Councillor Pitfield, the minutes of the meetings held on September 5, 2003, were confirmed.

**1.1 Election of Chair and Vice Chair**

The Tenant Defence Sub-Committee elected Councillor Walker as Chair and Councillor Carroll as Vice-Chair.

## **1.2 Appointment of Members to the Tenant Defence Sub-Committee**

The Tenant Defence Sub-Committee had before it a communication (February 6, 2004) from the City Clerk advising that City Council on January 27, 28 and 29, 2004, in its adoption of Clause No. 1 of Report No. 2 of The Striking Committee, appointed the following Members of Council to the Tenant Defence Sub-Committee for a term of office expiring May 31, 2005, and until their successors are appointed:

Councillor Shelley Carroll  
Councillor Cliff Jenkins  
Councillor Gloria Lindsay Luby  
Councillor Peter Li Preti  
Councillor Pam McConnell  
Councillor Jane Pitfield  
Councillor Michael Walker  
Councillor Sylvia Watson.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

## **1.3 Mandate of the Tenant Defence Sub-Committee**

The Tenant Defence Sub-Committee had before it a Memorandum (February 16, 2004) from the General Manager, Shelter, Housing and Support Division, respecting the mandate of the Tenant Defence Sub-Committee.

Mr. Phil Brown, General Manager of Shelter, Housing and Support Division introduced the following members of staff:

- Ms. Katherine Chislett, Director of Housing and Homelessness Supports and Initiatives;
- Ms. Gwynne Cheung, Policy Development Officer, Shelter, Housing and Support Division; and
- Ms. Marilyn Brown, Legal Services Division.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

#### **1.4 2004 Update on the Tenant Survival Manual**

The Tenant Defence Sub-Committee had before it a memorandum (February 16, 2004) from the General Manager, Shelter, Housing and Support Division, providing copies of the 2004 update on the Tenant Support Survival for information, which was written and produced by the Federation of Metro Tenants' Association (FMTA) as part of the eviction prevention project funding under the Shelter, Housing and Support Division's 2003 Operating Budget. (Note: Manual distributed to members of the Tenant Defence Sub-Committee separately.)

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

#### **1.5 Update on the Tenant Support Grants Program**

The Tenant Defence Sub-Committee had before it a memorandum (February 16, 2004) from the General Manager, Shelter, Housing and Support Division, providing, for information, an update on the Tenant Support Grants Program.

On motion by Councillor LiPreti, the Tenant Defence Sub-Committee received the foregoing communication for information.

#### **1.6 2003 Final Report of the Tenant Defence Fund Outreach and Organizing Team**

The Tenant Defence Sub-Committee had before it a memorandum (February 16, 2004) from the General Manager, Shelter, Housing and Support Division, forwarding, for information, the 2003 Final Report of the Tenant Defence Fund Outreach and Organizing Team.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

#### **1.7 2003 Tenant Vote Campaign**

The Tenant Defence Sub-Committee had before it a memorandum (February 20, 2004) from the General Manager, Shelter, Housing and Support Division, forwarding, for information, the final report respecting the 2003 Tenant Vote Campaign, prepared by the consultant selected to develop and implement the campaign, Tim Welch Consulting, December 2003.

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Mr. Dale Ritch appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

## **1.8 Landlord-Tenant Law Reform**

The Tenant Defence Sub-Committee had before it the following communications:

- (a) (December 22, 2003) from Councillor Michael Walker respecting Landlord-Tenant Law Reform, and recommending that:
  - (1) the General Manager, Shelter, Housing and Support Division be instructed to:
    - (a) compile all staff reports, studies, motions, deputations, etc. which have come before this Sub-Committee regarding the social and economic consequences of the Tenant Protection Act on the City of Toronto, and:
    - (b) provide a summary of the key recommendations made by the City of Toronto over the past five years with respect to amending the Tenant Protection Act, enacting new legislation and changing the policies and procedures of the Ontario Rental Housing Tribunal, and
  - (2) the General Manager of Shelter, Housing and Support report back to the Sub-Committee outlining a series of recommendations with respect to Landlord-Tenant Law reform in the following categories:
    - (a) Short-Term:
      - changes to the policies and procedures governing the Ontario Rental Housing Tribunal which could be enacted administratively by its chair or through regulation by Provincial Cabinet, and
      - changes to the Tenant Protection Act which could be implemented through regulation by Provincial Cabinet, and

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(c) Long-Term:

- major changes to the Tenant Protection Act or completely new legislation which would require the Provincial Legislature to act, and
- (3) the General Manager, Shelter, Housing and Support Division, report back to the Sub-Committee with a comprehensive strategy for pursuing these changes at the provincial level; and
- (b) (January 9, 2004) from Mr. Dale Ritch concerning disclosure of information for multi-residential buildings in the City of Toronto.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee:

- (1) requested the General Manager, Shelter, Housing and Support Division to report on the communication (December 22, 2003) from Councillor Walker; and
- (2) referred the communication (January 9, 2004) from Mr. Dale Ritch to the General Manager, Shelter, Housing and Support Division for a separate report thereon.

**1.9 Application for Tenant Support Grant  
220 Eglinton Avenue East  
Appeal of Decision**

The Tenant Defence Sub-Committee had before it the following communications:

- (a) (February 18, 2004) from Councillor Michael Walker recommending that the Tenant Defence Sub-Committee recommend the issuance of a Tenant Support Grant in the amount of \$9,000.00 to the tenants of 220 Eglinton Avenue East in order to cover legal expenses incurred while fighting their landlord's application for vacant possession of the building; and
- (b) (February 16, 2004) from the General Manager, Shelter, Housing and Support Division, regarding the tenant support grant application from the Tenants' Association of 220 Eglinton Avenue East.

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The following persons appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter:

- Ms. Elizabeth Donovan; and
- Mr. Dan McIntyre, Project Co-ordinator, Outreach and Organizing Team.

Councillor Walker appointed Councillor Carroll Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Tenant Defence Sub-Committee, in view of the time element, authorized its Chair, Councillor Walker, to submit a Notice of Motion to Council for its meeting on March 1, 2 and 3, 2004, recommending that a Tenant Support Grant be approved in the amount of \$5,000.00, in order to cover legal expenses incurred while opposing their landlord's application for vacant possession of the building; and that the grant be deemed to be in the interest of the Municipality.

Councillor Walker resumed the Chair.

**1.10 Presentation: Future Directions on Rent Regulations and Laws Affecting Tenants**

Ms. Katherine Chislett addressed the Tenant Defence Sub-Committee on future directions on rent regulations and laws affecting tenants.

Ms. Kathy Laird of Advocacy Centre for Tenants Ontario (ACTO) appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee:

- (1) endorsed the future directions proposed by the Commissioner of Community and Neighbourhood Services;
- (2) requested staff to:
  - (a) prepare a list of short-term potential items that can be worked on, and compile positions taken previously by Council regarding tenant issues;
  - (b) forward the material requested above to the Ministry of Municipal Affairs before the release of the Green Paper; and
  - (c) take into consideration the materials submitted by ACTO in terms of their upcoming communications with the Province on this issue.

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**1.11 Schedule of Meetings for 2004**

The Tenant Defence Sub-Committee had before it the proposed schedule of meetings for 2004 prepared by the Committee Secretary.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee approved the following schedule of Tenant Defence Sub-Committee meetings for the balance of 2004:

Meeting Date	Committee Room	Time
Wednesday, May 12, 2004	4	9:30 a.m.
Wednesday, July 28, 2004	4	9:30 a.m.
Wednesday, September 22, 2004	4	9:30 a.m.
Wednesday, November 17, 2004	4	9:30 a.m.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the foregoing communication for information.

**1.12 Tenant Defence Sub-Committee  
2004 Budget Allocation**

The Tenant Defence Sub-Committee had before it a communication (February 23, 2004) from Councillor Michael Walker, respecting the Tenant Defence Fund – 2004 Budget Allocation, and recommending that:

- (1) the Tenant Defence Sub-Committee endorse the following recommendations with respect to the 2004 budget allocation for the Tenant Defence Fund:
  - (a) funding to the Outreach and Organizing portion of the Tenant Defence fund be increased by \$70,000 in 2004, for a total of \$220,000;
  - (b) funding to the Grants portion of the Tenant Defence Fund be decreased by \$25,000 in 2004, leaving a total of \$150,000; and
- (2) the Tenant Defence Sub-Committee communicate its support of the above-noted recommendations to Budget Committee and City Council for their consideration.

The following persons appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter:

- Mr. Dan McIntyre, Program Co-ordinator, Outreach and Organizing Team, FMTA;
- Mr. Dale Ritch; and

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- Mr. Brad Butt, Greater Toronto Apartment Association;

Councillor Walker appointed Councillor Carroll Acting Chair and vacated the Chair.

On motion by Councillor Walker, the Tenant Defence Sub-Committee recommended to the Budget Advisory Committee the adoption of Recommendation Nos. 1(a) and 1(b) embodied in the communication (February 23, 2004) from Councillor Michael Walker, subject to amending Recommendation No. 1(b) to read as follows:

- “(b) funding to the Grants portion of the Tenant Defence Fund be decreased by \$70,000.00 in 2004, leaving a total of \$105,000.00; and”.

(Budget Advisory Committee; Councillor Michael Walker, Commissioner of Community and Neighbourhood Services; General Manager, Shelter, Housing and Support Division – February 27, 2004)

Councillor Walker resumed the Chair.

### **1.13 METCAP Living –Fountainhead Tenants’ Association**

The Tenant Defence Sub-Committee had before it a motion by Councillor Li Preti recommending that the Tenant Defence Sub-Committee approve a grant of \$3,000.00 for the Fountainhead Tenants’ Association in order to ensure that the tenants' interests are represented during the consultation process, so that they may retain counsel to try to negotiate a permanent rent reduction based on the eventual and permanent loss of services that will result from the finalization of the Met Cap Living appeal process.

On motion by Councillor Li Preti, the Tenant Defence Sub-Committee, in view of the time element:

- (1) authorized its Chair, Councillor Walker, to submit a Notice of Motion to Council for its meeting on April 15, 2004, recommending a grant of \$3,000.00 to the Fountainhead Tenants’ Association, in order to ensure that the tenants’ interests are represented during the consultation process, and for the retention of counsel to try to negotiate a permanent rent reduction based on the eventual and permanent loss of services that will result from the finalization of the Met Cap Living appeal process; and further, that the grant be deemed to be in the interest of the Municipality; and



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- (2) requested the Commissioner of Community and Neighbourhood Services to report thereon to Council on April 15, 2004.

**1.14 25 St. Mary Street –  
Request for Assistance**

The Tenant Defence Sub-Committee had before it a communication (February 26, 2004) from Councillor Kyle Rae in support of the request for funding from the 25 St, Mary Street tenants' association to allow them to engage the services of a lawyer to defend the Tribunal decision in court.

The following persons appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter:

- Ms. Bernice Bradt, on behalf of the 25 St. Mary Tenants' Association;
- Mr. Michael Roberts, Executive Assistant to Councillor Rae; and
- Ms. Michelle Mulgrave, Federation of Metro Tenants Association.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee, in view of the time element, authorized its Chair, Councillor Walker, to submit a Notice of Motion to Council for its meeting on March 1, 2 and 3, 2004, recommending that a Tenant Support grant of up to \$10,000.00 be awarded to the 25 St. Mary Tenants' Association, for the retention of a solicitor to uphold the Tribunal's decision in the Divisional Court to which the landlord has appealed; and approval of the grant be subject to receipt of invoices to the satisfaction of the Commissioner of Community and Neighbourhood Services; and further, that the grant be deemed to be in the interest of the Municipality.

**1.15 Parking Charges for Apartment Buildings**

On motion by Councillor Lindsay Luby, the Tenant Defence Sub-Committee requested the General Manager, Shelter, Housing and Support Division, to submit to the next meeting of the Sub-Committee a report on the issue of parking charges for apartment buildings.

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The Tenant Defence Sub-Committee adjourned its meeting at 4:25 p.m.

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Chair