

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Tenant Defence Sub-Committee

Meeting 3

Monday, May 29, 2006

The Tenant Defence Sub-Committee met on Monday, May 29, 2006, in Committee Room 1, City Hall, Toronto, commencing at 9:45 a.m.

Members Present:

Councillor Michael Walker, Chair
Councillor Cliff Jenkins
Councillor Pam McConnell
Councillor Jane Pitfield
Councillor Sylvia Watson

Regrets:

Councillor Gerry Altobello
Councillor Shelley Carroll

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

Confirmation of Minutes

On motion by Councillor Pitfield, the Tenant Defence Sub-Committee confirmed the Minutes of the meeting held on March 2, 2006.

3.1 Presentation on the Proposed *Residential Tenancies Act*

The Tenant Defence Sub-Committee heard a presentation by staff on the Proposed *Residential Tenancies Act*.

The following persons addressed the Tenant Defence Sub-Committee:

- Kathy Laird and Grace Vaccarelli, Advocacy Centre for Tenants Ontario, and filed a copy of their submission, entitled “Recommended Amendments to Second Reading of Bill 109, *Residential Tenancies Act, 2006*”; and
- Dan McIntyre, Program Co-Ordinator, Tenant Defence Fund Outreach – Organizing Team.

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

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

- (1) received the presentations; and
- (2) supported in principle the submission of the Advocacy Centre for Tenants Ontario (May 2006) regarding recommended amendments to the Second Reading of Bill 109, *Residential Tenancy Act, 2006*, concerning market housing.

Councillor Walker resumed the Chair.

3.2 Proceedings of the Tenant Forum held on March 9, 2006

The Tenant Defence Sub-Committee considered a report (May 5, 2006) from the General Manager, Shelter, Support and Housing Administration on the proceedings of the Tenant Forum held on March 9, 2006.

Recommendations:

It is recommended that:

- (1) the proceedings of the Tenant Forum attached as Appendix A be received for information;
- (2) the proceedings of the Tenant Forum be distributed to the following groups:
 - (a) the Minister of Municipal Affairs and Housing, the Chair of the Ontario Rental Housing Tribunal, and the Minister responsible for the Canada Mortgage and Housing Corporation;
 - (b) Toronto-area elected officials from all three orders of government;

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- (c) key stakeholder groups such as tenant associations, landlord organizations, housing organizations and the legal services community; and
 - (d) individuals who made submissions at the Forum or requested copies of the Proceedings; and
- (3) Council urge the provincial government to move swiftly to repeal the *Tenant Protection Act* and to enact new legislation to regulate rents and protect the rights of tenants during the Spring 2006 sitting of the legislature.

On motion by Councillor Jenkins, the Tenant Defence Sub-Committee recommended to the Community Services Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (May 5, 2006) from the General Manager, Shelter, Support and Housing Administration.

(Community Services Committee; c. General Manager, Shelter, Support and Housing Administration – May 29, 2006)

3.3 2006 Status Report: Applications under the Tenant Support Grants Program

The Tenant Defence Sub-Committee considered a revised memorandum (May 25, 2006) from the General Manager, Shelter, Support and Housing Administration, providing, for information, an update of the applications received under the 2000, 2001, 2002-2004, 2005 and 2006 Tenant Support Grant Program as of May 25, 2006.

The Tenant Defence Sub-Committee received the revised memorandum.

Councillor Watson moved that the Tenant Defence Sub-Committee meet privately to consider the communications and report on 103-105 West Lodge Avenue, and because the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, discussions be held in-camera, which was carried.

The Tenant Defence Sub-Committee recessed its meeting at 11:00 a.m. to meet in-camera.

Members Present:

Councillor Michael Walker, Chair
Councillor Cliff Jenkins
Councillor Pam McConnell
Councillor Jane Pitfield
Councillor Sylvia Watson

The Tenant Defence Sub-Committee adjourned its **private meeting** at 11:18 a.m. and immediately reconvened in public session with the aforementioned Members in attendance.

**3.4 Community Services Committee Report 1, Clause 7
103-105 West Lodge Avenue – Request for Clarification
on a Legal Opinion Provided in a Public Document**

The Tenant Defence Sub-Committee considered a communication (February 9, 2006) from the City Clerk advising that City Council on January 31, February 1 and 2, 2006, referred this Clause back to the Tenant Defence Sub-Committee for further consideration.

The Tenant Defence Sub-Committee also considered the following:

- (a) confidential communication (January 6, 2006) addressed to the Community Services Committee, from the Tenant Defence Sub-Committee, respecting 103-105 West Lodge Avenue Request for Clarification on a Legal Opinion Provided in a Public Document, and that such report be considered in-camera as the subject matter relates to the receiving of advice that is subject to solicitor-client privilege.
- (b) confidential report (May 5, 2006) from the City Solicitor addressing the recommendation made by the Tenant Defence Sub-Committee and the Community Services Committee, and that such report be considered in-camera as the subject matter relates to the receiving of advice that is subject to solicitor-client privilege.

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

- (1) received the following:
 - (i) communication (February 9, 2006) from the City Clerk;
 - (ii) confidential communication (January 6, 2006) addressed to the Community Services Committee, from the Tenant Defence Sub-Committee; and
 - (iii) confidential report (May 5, 2006) from the City Solicitor;
and
- (2) endorsed the enforcement of the legal strategy referred to in the confidential report (May 5, 2006) from the City Solicitor.

The Tenant Defence Sub-Committee waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code to permit introduction of the following:

Walked-On Item

3.5 467/469 Spadina Road – Financial Assistance to Fight Eviction

The Tenant Defence Sub-Committee considered a communication (May 25, 2006) from Councillor Michael Walker, Chair, Tenant Defence Sub-Committee advising that on May 1, 2006, the residents of 467/469 Spadina Road were served a Notice to Terminate Tenancy, Form N13, and requesting that the Sub-Committee approve a grant of \$5,000.00 to the tenants of 467/469 Spadina Road to be used towards legal representation to fight the attempted eviction.

The Tenant Defence Sub-Committee also considered a communication (May 26, 2006) from Dan McIntyre, Program Co-Ordinator, Tenant Defence Fund Outreach – Organizing Team, addressed to the Shelter, Support and Housing Administration Division, in support of a grant approval.

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

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

- (1) submitted the communication (May 25, 2006) from Councillor Michael Walker, Chair, Tenant Defence Sub-Committee, to the Community Services Committee without recommendation; and
- (2) requested the General Manager, Shelter, Support and Housing Administration to report to the June 8, 2006 meeting of the Community Services Committee on providing a grant of \$5,000.00 to the tenants at 467/469 Spadina Road to be used towards legal representation to fight the attempted eviction.

(Community Services Committee; c. General Manager, Shelter, Support and Housing Administration – May 29, 2006)

Councillor Walker resumed the Chair.

The Tenant Defence Sub-Committee adjourned its meeting at 11:20 a.m.

Chair