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To: [Planning and Housing](#)
Subject: Deputation to Subcommittee on Protection of Affordable Rental Housing
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Attachments: [Subcommittee on Protection of Rental Housing deputation notes.pdf](#)

Please find attached a copy of the deputation made by the Advocacy Centre for Tenants Ontario on November 20th.

Best,

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Subcommittee on Protection of Rental Housing Deputation

Advocacy Centre for Tenants Ontario

November 20, 2019

I am here on behalf of the Advocacy Centre for Tenants Ontario (ACTO), a community legal clinic serving the needs of Ontario's low-income tenants. As we all know, renters in Toronto experience the impacts of high and rapidly increasing rents, lack of available apartments, and stagnating incomes. Toronto has the lowest turnover rates in the province, indicative of a rental market where tenants cannot afford to move out, even if they need to find a new home. This has made security of tenure even more crucial. Affordable rental options are scarce and tenants who are forced to leave their homes will be unable to find similar units.

ACTO manages the Tenant Duty Counsel Program (TDCP) across the province of Ontario to provide legal advice to tenants at the Landlord and Tenant Board (LTB). In Toronto, ACTO employs TDC lawyers at all three LTB locations. Through our Tenant Duty Counsel program, we have seen the growth in no-fault evictions. These are evictions based on the claim of a landlord (or their immediate family members) planning to move into the unit they are renting to a tenant (N12 application). Or the landlord needing the tenant to vacate the rental unit for major renovations (N13 application), also known as a renoviction. From our data, N12 applications have almost doubled in 4 years-- increased from 323 in 2015 to 595 in 2018. While still much lower, applications based on renovations (renovictions) have also increased. N13 applications increased from 18 in 2015 to 71 in 2018. These are worrisome trends and we're glad to have this subcommittee look into how we can address this rise in eviction applications.

We have participated in consultations with the provincial government and recommended action to limit the process of eviction for demolition, renovation or conversion. While there is a need to renew the rental housing stock, it is not necessary to terminate the tenancies of those living there to accomplish this. We have also recommended strengthening the requirements for evictions for landlord's own use. Affordable rental units are being lost every day because current policies allow displacement of tenants. Urgent action is required to stem this tide and relieve the pressure on our more affordable rental stock.

We are also concerned about the over use of Above Guideline Rent increases that may increase rents beyond what tenants find affordable. In order to preserve affordability of existing rental housing we have urged action by the provincial government on new rules about “eligible” expenditures.

While we understand that the RTA is a provincial matter, we support the recommendation for this subcommittee to explore ways in which the City of Toronto could strengthen tenant protection, for example through building permits and planning approvals.

One major challenge in addressing evictions is the lack of data on outcomes at the LTB—we simply do not know what happens to tenants after their hearing. There is also a lack of data about evictions in general. Not just N12 and N13 evictions but evictions overall. Keep in mind that many tenants do not attend their hearing at the LTB—they simply move out. Half of tenants don’t show up to eviction hearings to argue why they shouldn’t be evicted. Therefore, it is unclear if it was an eviction based on merit or if it could have been prevented or mediated. There are also informal evictions about which we hear anecdotally—tenants who are told they have to move out but where there is no application. We have no data on the extent of this problem.

Therefore, we agree with the recommendation that better data is necessary to address tenant protection in Toronto but would go beyond data solely on N12 and N13 applications.

Finally, if we want preserve affordable rental housing we need programs that prevent evictions. Some of them, such as the Eviction Prevention in the Community program, are already having success in helping preserve tenancies. Tenants need resources to be able to contest no-fault evictions in particular. Resources could include better access to information on the rules around N12 and N13 evictions, building the capacity of tenant organizations, and general awareness of eviction procedures and how to contest them at the LTB.