

Authority: Community Services Committee Report No. 1, Clause No. 7,  
as adopted by City of Toronto Council on February 1, 2, and 3, 2000  
Enacted by Council: February 3, 2000

## **CITY OF TORONTO**

### **BY-LAW No. 48-2000**

#### **A by-law to establish a Tenant Support Grants Program.**

WHEREAS section 113 of the Municipal Act provides that the council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind for any purpose that, in the opinion of the council, is in the interests of the municipality; and

WHEREAS City Council is of the opinion that grants to eligible tenant groups based on the criteria set out herein for disputing landlord's applications for above-guideline rent increases and for retaining professional services to assist in disputing such applications, are in the interests of the municipality;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this By-law,
  - (a) "Commissioner" shall mean the Commissioner of Community and Neighbourhood Services;
  - (b) "Eligible Professional" shall mean a professional engineer, architect, forensic accountant, or lawyer who is registered with the regulating professional body of his/her profession;
  - (c) "Eligible Professional Services" shall mean the services of an Eligible Professional;
  - (d) "Landlord Application" shall mean an application to the Ontario Rental Housing Tribunal by a landlord for an order allowing the rent charged to be increased by more than the guideline for any or all of the rental units in a Residential Complex, pursuant to section 138 of the Tenant Protection Act, 1997;
  - (e) "Notice of Rent Increase" shall mean a notice given by a landlord to a tenant in accordance with section 127 of the Tenant Protection Act, 1997;
  - (f) "Notice of Hearing" shall mean a copy of the Landlord Application or a copy of a notice of hearing given by the landlord to the tenant in accordance with section 175 of the Tenant Protection Act, 1997;
  - (g) "Residential Complex" shall have the same meaning as in the Tenant Protection Act, 1997;

- (h) “Team” shall mean the Outreach/Coordinating Team retained by the City in response Request for Proposal No. 9155-00-07009; and
- (i) “Tribunal” shall mean the Ontario Rental Housing Tribunal.

2. For the purposes of sections 3 through 6, “Eligible Group” shall mean a group representing all or some of the tenants of a Residential Complex which group meets the following criteria:

- (a) The landlord of the Residential Complex in which reside all the tenants that the group represents has made a Landlord Application to the Tribunal;
  - (b) The Landlord Application does not relate to rent-geared-to-income units;
  - (c) The group has the support of the following number of tenants in disputing the Landlord Application, as evidenced by a petition in accordance with subsection 4(a):
    - (i) if less than 100 units are affected by the Landlord Application, 50 percent of the tenants residing in the affected units at the time the application to the Commissioner for a grant is made; and
    - (ii) if 100 or more units are affected by the Landlord Application, 33 percent of the tenants residing in the affected units at the time the application to the Commissioner for a grant is made;
  - (d) The following number of units in the Residential Complex have a current rent at or below \$ 720.00 for a bachelor apartment unit, \$ 888.00 for a one-bedroom apartment unit, \$ 1063.00 for a two bedroom apartment unit, \$1264.00 for a three-bedroom apartment unit, \$1090 for a two-bedroom townhouse unit, and \$1313 for a three-bedroom or larger townhouse unit :
    - (i) if less than 100 units are affected by the Landlord Application, 50 percent of the affected units; and
    - (ii) if 100 or more units are affected by the Landlord Application, 33 percent of the affected units;
- and
- (e) The group is the first group representing tenants in the Residential Complex affected by the Landlord Application to make a grant application to the Commissioner.

3.
  - (a) The Commissioner, upon application made to the Commissioner in accordance with section 4, shall approve applications and commit a grant to an Eligible Group for the purposes of disputing a Landlord Application.
  - (b) Applications shall be approved and grants shall be committed by the Commissioner in the order in which complete applications are received and subject to funds being available for this purpose.
  - (c) The Commissioner shall provide periodic reports to the Tenant Defence Sub-Committee advising of the grants committed.
  - (d) The Commissioner, upon receipt of a report made to the Commissioner in accordance with section 6 by an Eligible Group to whom a commitment for a grant has been made, shall pay to the Eligible Group an amount which is the lesser of the grant commitment made by the Commissioner and the amount of Eligible Expenditures for which the Eligible Group provides invoices in accordance with section 6.
  
4. An application for a grant must be in a form satisfactory to the Commissioner and must be accompanied by the following documentation:
  - (a) A petition in favour of disputing the Landlord Application signed by the following number of tenants, stating the name of each tenant and containing an acknowledgement by each signing tenant that the rent he or she currently pays to the landlord is at or below the applicable rent amount set out in section 2(d):
    - (i) if less than 100 units are affected by the Landlord Application, 50 percent of the tenants residing in the affected units at the time the application to the Commissioner for a grant is made; and
    - (ii) if 100 or more units are affected by the Landlord Application, 33 percent of the tenants residing in the affected units at the time the application to the Commissioner for a grant is made;
  - (b) Copies of the Notices of Rent Increase or Notices of Hearing relating to the Landlord Application served by the landlord on each of the tenants who signed the petition required by paragraph 4(a); and
  - (c) A description of the Eligible Group's reason for disputing the Landlord Application.
  - (d) An estimate of the amount of Eligible Expenditures that the Eligible Group expects to incur in disputing the Landlord Application.

**5.** Each Eligible Group will be eligible for a grant up to \$1000.00, which grant may include up to following maximum amounts for each of the following Eligible Expenditures incurred by the Eligible Group:

| Eligible Expenditure:  | Maximum Amount: |
|--|-----------------|
| Cost of hiring a qualified agent and/or lawyer to represent the Eligible Group at the Tribunal     | \$1000.00       |
| Cost of renting meeting and/or office space  | \$ 100.00       |
| Printing and production costs, cost of postage, cost of translation and/or interpretation services | \$ 500.00       |
| Cost of photocopying the Tribunal's file pertaining to the Landlord Application                    | \$ 200.00       |

**6.** Within three months of the Tribunal's disposition of the Landlord Application, every Eligible Group to whom a commitment for a grant has been made, must submit to the Commissioner a report in a form satisfactory to the Commissioner accompanied by the following documentation:

- (a) An order issued by the Tribunal disposing of the Landlord Application, in which the Eligible Group is not noted in default; and
- (b) Invoices for each of the Eligible Expenditures incurred by the Eligible Group.

**7.** For the purposes of sections 8 through 11, "Eligible Group" shall mean a group representing all or some of the tenants of a Residential Complex which group meets all the criteria set out in section 2 and requires Eligible Professional Services.

- 8.** (a) The Commissioner, upon application made to the Commissioner in accordance with section 9, shall approve applications and commit an additional grant to an Eligible Group for the purposes of retaining Eligible Professional Services to assist in disputing the Landlord Application.
- (b) Applications shall be approved and additional grants shall be committed by the Commissioner in the order in which complete applications are received and subject to funds being available for this purpose.

- (c) The Commissioner shall provide periodic reports to the Tenant Defence Sub-Committee advising of the additional grants.
- (d) The Commissioner, upon receipt of a report made to the Commissioner in accordance with section 11 by an Eligible Group to whom a commitment for an additional grant has been made, shall pay to the Eligible Group an amount which is the lesser of the additional grant commitment made by the Commissioner and the amount of Eligible Expenditures for which the Eligible Group provides invoices in accordance with section 11.

**9.** An application for an additional grant must be in a form satisfactory to the Commissioner and must be accompanied by the following documentation:

- (a) A petition in favour of disputing the Landlord Application signed by the following number of tenants, stating the name of each tenant and containing an acknowledgement by each signing tenant that the rent he or she currently pays to the landlord is at or below the applicable rent amount set out in section 2(d):
  - (i) if less than 100 units are affected by the Landlord Application, 50 percent of the tenants residing in the affected units at the time the application to the Commissioner for an additional grant is made; and
  - (ii) if 100 or more units are affected by the Landlord Application, 33 percent of the tenants residing in the affected units at the time the application to the Commissioner for an additional grant is made;
- (b) Copies of the Notices of Rent Increase or Notices of Hearing relating to the Landlord Application served by the landlord on each of the tenants who signed the petition required by paragraph 9(a);
- (c) A description of the Eligible Professional Services required by the Eligible Group and its reasons for requiring such Eligible Professional Services;
- (d) A statement from the Team, in a form acceptable to the Commissioner, that it is the Team's opinion that the Eligible Group would benefit from Eligible Professional Services and a description of the nature of the Eligible Professional Services from which it would so benefit;
- (e) A quotation from an Eligible Professional of the nature recommended by the Team, outlining the Eligible Professional Services to be provided to the Eligible Group and the cost of providing such services; and

- (f) A description of the professional qualifications of the Eligible Professional submitting the quotation and proof of his or her membership in the regulating professional body of his/her profession.
- 10.** (a) For the purposes of sections 8 through 11, “Eligible Expenditures” shall mean the cost of Eligible Professional Services incurred by an Eligible Group in disputing a Landlord Application;
- (b) Each Eligible Group will be eligible for an additional grant in the amount of its Eligible Expenditures, up to a total maximum amount of \$5000.00.
- 11.** Within three months of the Tribunal’s disposition of the Landlord Application, every Eligible Group to whom a commitment for an additional grant has been made, must submit a report to the Commissioner, in a form satisfactory to the Commissioner accompanied by the following documentation:
- (a) An order issued by the Tribunal disposing of the Landlord Application, in which the Eligible Group is not noted in default; and
- (b) Invoices for each of the Eligible Expenditures incurred by the Eligible Group.

ENACTED AND PASSED this 3rd day of February, A.D. 2000.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)