



STAFF REPORT ACTION REQUIRED

Update on Shelter, Support & Housing Administration's Tenant Support Programs and Initiatives

Date:	June 4, 2015
To:	Tenant Issues Committee
From:	General Manager, Shelter, Support and Housing Administration
Wards:	All
Reference Number:	

SUMMARY

This report provides updates on key programs and initiatives in Shelter, Support and Housing Administration's (SSHA) private market tenant portfolio, including the Tenant Defence Fund, the Poverty Reduction Initiative's Eviction Prevention project and SSHA's Divisional Landlord Advisory Group.

RECOMMENDATIONS

The General Manager, Shelter, Support and Housing Administration, recommends that:

1. the Tenant Issues Committee receive this report for information.

Financial Impact

There is no financial impact arising from this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Equity Impact

Housing and homelessness services, including SSHA's private market tenant programs, serve a range of equity seeking groups including people experiencing homelessness, the working poor, youth, seniors, Aboriginal people, and other vulnerable groups.

DECISION HISTORY

On February 10-11, 2015, City Council established a Tenant Issues Committee as a Council Advisory Body for the term ending November 30, 2018 or until its mandate is completed within the 2014 to 2018 term

(<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX2.1>).

ISSUE BACKGROUND

Divisional Tenant Initiatives

Preventing homelessness is a strategic direction of the *2014-2019 Housing Stability Service Planning Framework* (HSSPF), which was adopted unanimously by City Council at its meeting on December 16-18, 2013.

A key action of the HSSPF is to develop a comprehensive eviction prevention strategy (Key Action 1.1). This initiative will consider the current range of eviction prevention services funded by SSHA, develop an integrated divisional strategy to improve alignment of these existing services and provide clear outcomes in reducing the number of people becoming homeless due to eviction.

SSHA provides or funds the provision of a number of eviction prevention services that help people maintain their housing such as:

- Rent Bank (described in more detail below);
- Trusteeship (financial literacy, individual client-centred money management, liaising with landlords, employers, creditors and income security programs);
- Extreme clean services (intensive cleaning services, short-term follow-up and basic life skill support, referrals and case conferencing with community service providers for long-term support);
- The Tenant Hotline; and
- Housing support services to help vulnerable people stabilize in housing.

Toronto Rent Bank

The Toronto Rent Bank provides interest free loans to seniors, individuals, and families facing imminent eviction for rental arrears. The maximum loan is for two months of rent, up to a maximum dollar amount based on Housing Income Levels set by Canada Mortgage and Housing Corporation (CMHC). The Rent Bank also provides rental deposit loans to those who require first and/or last month rent to move to more affordable or stable housing. Loans are available through most Housing Help Centres which operate Rent Bank Access Centres.

Initially the Toronto Rent Bank was 100% funded by the City through SSHA. The Provincial Ministry of Municipal Affairs and Housing started to provide funding for the Rent Bank in 2004 and continued to fund the program on an annual basis until 2013, when the provincial contribution to Rent Bank funding was incorporated into the new Community Homelessness Prevention Initiative (CHPI) funding envelope.

Committees and Working Groups

SSHA chairs the Rental Housing Advisory Committee (RHAC), which serves as an advisory body to SSHA with respect to issues affecting landlords and tenants in the private sector rental market. The RHAC, which meets four times a year, provides a forum for the community to discuss policies and services related to rental housing. It is comprised of a network of community agencies serving and advocating for landlords and tenants and city representatives from SSHA, Tower Renewal, City Planning and Municipal Licensing and Standards (MLS).

SSHA also chairs a Rooming House Working Group (RHWG), which provides a forum for interaction and information sharing among rooming house tenants, rooming house providers, representatives from community agencies that work with tenants and landlords, and city representatives from SSHA, MLS and City Planning. The working group meets three or four times a year. RHWG used to meet six times a year. However, because of the decline in rooming house stock and zoning issues which limit the creation of new rooming houses in much of the city, the working group meets less frequently as there is less planning work done.

Automatic Rent Reduction

Revenue Services administers the Landlord and Tenant Notification Program for Property Tax Decreases and Rent Reductions. The *Residential Tenancies Act, 2006* (RTA) allows residential tenants to reduce their rents when the rental buildings in which they live have had a property tax decrease over two consecutive years. Municipalities are required to send notices about the tax decrease and rent reduction to landlords of affected buildings by September 15 and to tenants by December 15. Calls to the Tenant Hotline, which is funded by SSHA, increase when the rent reduction notifications are sent to applicable tenants.

Housing Stabilization Fund

The Housing Stabilization Fund (HSF) prevents homelessness and improves housing stability by meeting the emergency housing needs of Toronto residents who receive Ontario Works (OW) or the Ontario Disability Support Program (ODSP). This fund is managed by Toronto Employment and Social Services (TESS) and is accessed by individuals who are homeless or at-risk of homelessness. The eligibility for this program includes those who are: homeless and leaving an emergency shelter or the street; housed and relocating because of domestic violence or fire/flood damage; housed and relocating due to a high rent situation; and housed and in energy arrears with risk of disconnection

or rental arrears with risk of eviction. Eligible residents may qualify for funds to help with rental costs, moving costs, furniture/household items and energy arrears.

Tenant Defence Fund

The Tenant Defence Fund (TDF) was created by Council in late 1999 in response to a rapid increase in applications for above-guideline rent increases (AGI) resulting from passage of the *Tenant Protection Act* (predecessor of the current RTA). The program was established to provide financial and educational assistance to groups of tenants who wished to dispute the AGI applications before the Landlord and Tenant Board (LTB). One year later, the mandate was expanded to include assistance to groups challenging appeals to the Ontario Municipal Board (OMB) for building demolitions and conversions to condominiums.

Structure of the Program

The TDF program assists tenants through two sub-programs that complement each other: the Tenant Support Grant Program and the Outreach and Organizing Program.

1. The Tenant Support Grant Program (Grant Program) provides direct grants to tenant groups to retain legal and other representation for participation in the legal process regarding AGI applications, and demolition or condominium conversion appeals when their landlord has made an application or an appeal to the LTB, Divisional Court and/or the OMB. This program is funded and administered by SSHA.
2. The Outreach and Organizing Program (Outreach Program) helps tenants organize to prepare their defence before the LTB, Divisional Court and/or the OMB, and to make applications to the Grant Program. This program is funded by SSHA and is currently administered by the Federation of Metro Tenants' Associations (FMTA).

The Tenant Support Grant Program

The Tenant Support Grant Program provides the following direct grants for tenant groups to dispute landlord applications and appeals to the LTB, Divisional Court and/or the OMB:

1. Basic grants which provide a maximum of \$1,000 to each eligible tenant group to pay for basic representation and administrative costs; and
2. Additional grants for:
 - a. additional costs for obtaining professional assistance beyond the basic grant level such as legal, accounting or engineering services (maximum \$5,000);

- b. a landlord appeal on an Order of the LTB on an AGI application to the Divisional Court (\$10,000 maximum);
- c. a landlord application for judicial review about a LTB Order on an AGI application (\$10,000 maximum); and
- d. a landlord appeal to the OMB on applications for demolitions or conversion to condominiums (\$15,000 maximum).

The eligibility criteria, application process and payment process for the program were set out in the City of Toronto Municipal Code Chapter 797. If the tenant group is determined to be eligible for funding and all documentation required has been received, staff prepare a payment to representatives in the tenant group who are responsible for paying the paralegal.

The Outreach and Organizing Program

While the Grant Program is administered by SSHA, a contracted agency administers two other programs that complement the Grant Program. The FMTA is the current contracted agency. The City entered into a contract with the FMTA through a 2012 Request for Proposals (RFP). A new RFP for these services will close on June 16, 2015.

Tenant Support Program for AGI and Other Landlord-Tenant Issues

This program provides support to tenants facing an AGI by:

- contacting tenants in buildings affected by AGIs to provide information and advise them of the process of disputing the AGI through the LTB;
- providing information to tenants regarding the LTB process;
- assisting tenants to apply for a Tenant Support Grant through SSHA; and
- developing and conducting workshops on the RTA for Tenants who are also newcomers to Canada.

Telephone Information Program for Tenants (Tenant Hotline)

- This program provides high-quality telephone information services that are accessible to all tenants in private market rental housing in the City of Toronto.
- Telephone inquiries relate to different topics including: the RTA, LTB, repair and maintenance issues, rent increases, tenancy agreements, and discrimination.
- FMTA makes appropriate referrals to other services such as Legal Aid, Rent Bank and Housing Help Centres.

In January 2014, City Council approved an additional \$75,000 in one-time funding in the SSHA's 2014 Operating Budget for the Outreach and Organizing Program to support tenants. This funding was used for four activities:

- A pilot project on co-locating the Tenant Support Program on AGI and Other Landlord-Tenant Issues at a Housing Help Centre;
- A Tenant School project to train settlement workers on the RTA;
- Translation of SSHA's information brochure on "Services to find rental housing and avoid eviction"; and
- A consultant review of the administrative processes of the Grant Program.

COMMENTS

2015 Status Report: Applications under the Tenant Support Grant Program

There is \$50,000 in the 2015 Operating Budget for the Grants portion of the Tenant Defence Fund. Committed, but unpaid funds are accrued for payments to be made from the correct budget year. 2014 and 2015 have been particularly active years for landlord applications for Above the Guideline Rent Increases, which have resulted in higher than normal Tenant Support Grant applications.

Attachment A includes a historical overview of program spending. Attachment B includes a summary of all outstanding applications received under the Tenant Support Grant Program as of May 31, 2015.

Poverty Reduction Initiatives: Eviction Prevention

For 2015 and 2016, \$75,000 per annum has been included in the City Budget for SSHA poverty reduction initiatives to provide *"a range of tenant support to help to prevent evictions and stabilize tenancies"*.

SSHA is preparing a Housing Access Guide. \$25,000 of the 2015 funding has been allocated to printing and distribution of Guide, which will be complete by the end of the year. A project focused on supporting stable Aboriginal tenancies will use \$50,000 in 2015 and up to \$75,000 in 2016.

The 2013 Street Needs Assessment highlights the disproportionately high number of Aboriginal individuals who are homeless. The *2014-2019 Housing Stability Service Planning Framework* action 5.2 focuses on ensuring that housing services are responsive to the needs of specific client groups including Aboriginal individuals.

In order to improve the effectiveness of eviction prevention and tenant services for these client groups, a Request for Proposals (RFP) will request Aboriginal agencies to identify effective prevention strategies and support agencies that provide housing support services, thereby building the capacity of Aboriginal serving agencies to prevent evictions.

This one-time funding will also help inform SSHA's eviction prevention strategy with regard to supporting successful tenancies for Aboriginal individuals.

In order to develop the scope of work for the RFP, SSHA consulted with the Toronto Aboriginal Support Services Council (TASSC) in May 2015. The RFP is being released June 5, 2015, with the recommended project(s) projected to start August 1, 2015.

Landlord Advisory Group

The *2014-2019 Housing Stability Service Planning Framework* key action 3.4 focuses on the development of a strategy to work with private-sector landlords to create new points of entry to housing for people experiencing homelessness and to help resolve tenancy issues. The first phase of this project is to create a Landlord Advisory Group.

Initial planning has focused on the identification of stakeholders and an environmental scan of current policies and processes for working with landlords. This work will inform the creation of Terms of Reference for the Landlord Advisory Group, which will be established by the end of 2015. This will be followed by the implementation of the strategy to work with private-sector landlords in 2016-2017.

CONTACT

Mary-Anne Bédard
Director, Housing Stability Policy and Strategic Investments
Shelter, Support and Housing Administration
Tel.: 416-397-0260
E-mail: mbedard@toronto.ca

SIGNATURE

Phillip Abrahams
General Manager
Shelter, Support and Housing Administration

ATTACHMENTS

Attachment A: Tenant Defence Program Funding for Grants and for Outreach and Organizing, 2000 - May 31, 2015

Attachment B: Tenant Defence Fund Statement of Outstanding Applications and Payments as of May 31, 2015

**Attachment A: Tenant Defence Program Funding for Grants and for
Outreach and Organizing
2000 – May 31, 2015**

Year	Council Allocation	Budgeted		Expenditures		
		Outreach & Organizing	Grants	Outreach & Organizing	Grants Paid Out	Grants Committed But Not Yet Paid
2000	300,000.00	150,000.00	150,000.00	150,000.00	116,637.69	0
2001	300,000.00	150,000.00	150,000.00	150,000.00	105,129.86	0
2002	300,000.00	150,000.00	150,000.00	150,000.00	122,929.39	0
2003	325,000.00	150,000.00	175,000.00	150,000.00	77,772.60	0
2004	325,000.00	220,000.00	105,000.00	220,000.00	38,037.46	0
2005	325,000.00	200,000.00	125,000.00	200,000.00	40,957.25	0
2006	325,000.00	200,000.00	125,000.00	200,000.00	44,205.75	0
2007	325,000.00	258,000.00	67,000.00	257,512.71	26,033.00	0
2008	323,000.00	255,000.00	67,000.00	255,000.00	39,321.50	0
2009	335,100.00	260,100.00	75,000.00	260,100.00	48,000.00	0
2010	335,100.00	260,100.00	75,000.00	260,100.00	72,845.83	0
2011	270,880.00	220,880.00	50,000.00	220,880.00	29,779.00	0
2012	244,428.00	194,428.00	50,000.00	194,428.00	51,000.00	0
2013	244,428.00	194,428.00	50,000.00	194,428.00	50,000.00	1,000.00
2014	300,928.00	250,928.00	50,000.00	250,928.00	45,935.00	11,000.00
2015	227,556.00 ¹	113,416.00 ²	50,000.00	64,809.00 ³	6,000.00	25,000.00
Total 2015 Committed Grants					31,000.00	
Balance					19,000.00	

¹ Amount is based on approved funded for January 1 to July 31, 2015. Final funding amount will not be available until award of the RFP for tenant services, with the new Agreement in place for August 1, 2015.

² See above explanation.

³ FMTA is currently paid until April 30, 2015.

Attachment B: Tenant Defence Fund Statement of Outstanding Applications and Payments as of May 31, 2015

Building Address	Grant Type			Funds		OUTSTANDING REASON
	Ward	Basic	Add'l	Committed	Paid	
2013 SUMMARY						
4198 Bathurst Street	10	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
2013 Outstanding Commitments		1		\$1,000.00		
2014 SUMMARY						
10 Macey Avenue	25	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
30 Esterbooke Avenue	26	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
1770 Eglinton Avenue East	27	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
135 Tyndall Avenue	14	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
4141 Bathurst Street	10	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
21 Vaughan Road	21	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
1780 Eglinton Avenue East	34	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
25 Fisherville Road	10	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
392 Sherbourne Avenue	27	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
30 Edith Drive	16	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
1286-1294 Islington Avenue	6	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
2014 Outstanding Commitments		11		\$11,000.00		

Building Address	Grant Type		Funds		OUTSTANDING REASON	
	Ward	Basic	Add'l	Committed		Paid
2015 SUMMARY						
39 Raglan Avenue	21	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
6 Twenty-Fourth Street	6	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
200 Jameson Avenue	14	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
2020 Sheppard Avenue West	7	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
95 Havenbrook Blvd	33	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
188 Jameson Avenue	14	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
12 Rockford Avenue	10	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
1200 Kingston Road	36	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
25 Leith Hill Road	33	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
111 Raglan Avenue	21	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
6020/6030 Bathurst Street	10	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
45/55 Oakmount, 90 Mountview Ave	14	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
370 Ridelle Avenue	15	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
100 Parkway Forest Drive	33	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
166 Carlton Street	27	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation

Building Address	Grant Type			Funds		OUTSTANDING REASON
	Ward	Basic	Add'l	Committed	Paid	
1080 Kingston Road	36	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
340 The East Mall	5	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
350 The East Mall	5	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
197 Vaughan Road	21	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
80-100 Gowan Avenue	27	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
11 Eccleston Drive	34	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
135 Fenelon Drive	34	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
9 Tennis Crescent & 569 Broadview Avenue	30	1		\$1,000.00	\$ -	Order issued by the Board, release letter, itemized billing from legal representation
3905 Bathurst Street	10	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
100 Rowena Drive	34	1		\$1,000.00	\$ -	Order issued by the Board, Notice of Hearing, release letter, itemized billing from legal representation
2015 Outstanding Commitments		25		\$25,000.00	\$ -	
TOTAL Outstanding Commitments		37		\$37,000.00		