



Decision Letter

EX32.20

Tenant Issues Committee

Meeting No.	7	Contact	Dela Ting, Committee Administrator
Meeting Date	Friday, February 9, 2018	Phone	416-392-4666
Start Time	1:30 PM	E-mail	exc@toronto.ca
Location	Committee Room 2, City Hall	Chair	Councillor Josh Matlow

TD7.5	ACTION	Amended		Ward:All
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Request for Expansion of Open Data Information to include Applications for Above the Guideline Rent Increases

Committee Decision

The Tenant Issues Committee recommends to Executive Committee that:

1. City Council request the Minister of the Attorney General, the Executive Chair of Social Justice Tribunals Ontario, and the Associate Chair of the Landlord and Tenant Board to expand the type of information available on Open Data to include a dataset on applications for a rent increase above the guideline, including the fields:

- Building address
- Number of affected units in the building
- Total rent for the building
- Type of application (i.e., capital expenditure, municipal taxes, security)
- For AGIs related to capital expenditures:
 - Estimated expenditures
 - Useful life
 - Year of rent reduction
- AGI Claim (percent)
- Awarded AGI (percent)

2. City Council reaffirm its request to the Province of Ontario to amend section 126 of the Residential Tenancies Act, 2006, to:

- a. eliminate a Landlord's ability to levy an Above the Guideline Rent Increase for costs prescribed in subsection (1)1 relating to municipal taxes and charges;

- b. eliminate eligibility of capital expenditures for the purpose of an Above the Guideline Rent Increase under the categories prescribed in subsection (7) a, b and c that constitute general repair and maintenance of the property;
- c. add new subsection requiring Landlords to save 10% of rental income for a maintenance account to be accessed for capital expenditures related to the categories prescribed subsection (7) a, b and c; and
- d. provide that no rent increases be permitted related to the enactment of Parts 2.a. and b. above.

Origin

(February 9, 2018) Letter from Councillor Josh Matlow, Ward 22 - St. Paul's

Summary

Toronto's rental housing market is rapidly becoming unaffordable for many people. Ontario's Residential Tenancies Act, 2006 (RTA) regulates private market rentals. Since the RTA came into effect in 2007, City Council has requested the Province to address several areas of concern. The Rental Fairness Act, 2017, improved tenant protections under the RTA by eliminating the post-1991 exemption, expanding rent control to all private units, and by removing extraordinary increases in utilities from costs that qualify for above the guideline rent increases.

However, the RTA still allows private market landlords to apply for a rent increase above the guideline (AGI) if:

The landlord's costs for municipal taxes and/or utilities have increased by an extraordinary amount;

The landlord did extraordinary or significant renovations, repairs, replacements or new additions to the buildings or to individual units; and

The landlord's costs for security services increased, or the landlord began providing security services for the first time.

AGI applications are made at the Landlord and Tenant Board (LTB). Limited data on AGI outcomes is made publicly available by the LTB, limiting the City's ability to analyze the impact of AGIs on tenants. A clearer understanding of the scale and scope of AGIs in Toronto would allow the City to better develop programs and policies to meet the needs of residents.

Background Information

(February 9, 2018) Letter from Councillor Josh Matlow, Ward 22 - St. Paul's, on Expansion of Open Data Information to include Applications for Above the Guideline Rent Increases (<http://www.toronto.ca/legdocs/mmis/2018/td/bgrd/backgroundfile-112648.pdf>)