



## Decision Letter

# Subcommittee on the Protection of Affordable Rental Housing

<b>Meeting No.</b>	2	<b>Contact</b>	Nancy Martins, Committee Administrator
<b>Meeting Date</b>	Wednesday, November 20, 2019	<b>Phone</b>	416-397-4579
<b>Start Time</b>	7:00 PM	<b>E-mail</b>	phc@toronto.ca
<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Councillor Paula Fletcher

RH2.1	ACTION	Amended		Ward: All
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## Promoting the Security of Residential Rental Tenancies

### Subcommittee Decision

The Subcommittee on the Protection of Affordable Rental Housing recommends that:

1. The Planning and Housing Committee request the Executive Director, Housing Secretariat and the General Manager, Shelter Support and Housing Administration in consultation with the Chief Planner and Executive Director, City Planning, the Executive Director, Municipal Licensing and Standards, the Chief Building Official and Executive Director, Toronto Building and the City Solicitor to report to the Subcommittee on the Protection of Affordable Rental Housing in the first quarter of 2020 on:

- a. an approach to coordinate City processes to identify and prevent potential instances of illegitimate evictions;
- b. potential improvements to City programs, policies and processes to address evictions;
- c. potential mechanisms and data sources to track and monitor data on N12 and N13 evictions, increases in rents above the provincial rent-increase guidelines, and changes to the short-term rental stock and any other threats to the current affordable rental housing stock;
- d. the role of the City to support tenants with disputed N12 and N13 evictions; and
- e. potential mechanisms for investigating false "renovictions", Landlord's Own Use evictions, and other similar fraudulent activities conducted by landlords under section 380 (1) of the Criminal Code of Canada, and including the feasibility of requesting the Toronto Police Service Board investigate.

2. The Planning and Housing Committee request the Executive Director, Housing Secretariat and the General Manager, Shelter Support and Housing Administration to establish a 'Protection of Rental Housing Advisory Group' consisting of staff from City divisions, people

with lived-experience, tenant advocacy groups, landlords, and legal clinics to provide advice to the Executive Director, Housing Secretariat on affordable rental housing issues that impact tenants.

3. The Planning and Housing Committee request the Executive Director, Housing Secretariat and the General Manager, Shelter, Support and Housing Administration to work with the “Protection of Rental Housing Advisory Group” on the following matters:

a. the development of public educational materials and awareness campaigns, including but not limited to posting information on tenant's rights and resources available to protect those rights on apartment building notice boards, providing it to the constituency office staff of all Toronto City Councillors, Members of Provincial Parliament and Members of Parliament in the first quarter of 2020;

b. the identification of possible changes to the Residential Tenancies Act, 2006, to address illegitimate use of N12 and N13 notices; and

c. the hosting of an affordable rental housing workshop in the first quarter of 2020 to address the issue of tenant displacement and evictions, including solutions and the role of the Advisory Group going forward.

4. The Planning and Housing Committee request the Chief Building Officer and Executive Director, Toronto Building to work with other City Divisions and agencies to take immediate steps to support the security of tenure of residential tenants and seek to mitigate the loss of affordable rental housing.

5. The Planning and Housing Committee requests the Chief Planner and Executive Director, City Planning to report to the Subcommittee on the Protection of Affordable Rental Housing with:

a. A strategy to protect tenants in rental buildings with less than six units in Toronto.

b. A scan of Toronto's stock of rental buildings with less than six units, including, but not limited to:

1. Number of rental units in buildings under six units

2. Average rent in units in buildings under six units

3. Number of rental units have lost in buildings under six units over the last 10 years

4. Number of tenanted apartments converted to single family homes in the last ten years.

### **Decision Advice and Other Information**

The Subcommittee on the Protection of Affordable Rental Housing:

1. Requested that the public presentations and submissions provided on Item RH2.1 be referred to the Executive Director, Housing Secretariat and the General Manager, Shelter, Support and Housing Administration for further consideration.

## **Origin**

(November 5, 2019) Report from Executive Director, Housing Secretariat and the General Manager, Shelter, Support and Housing Administration

## **Summary**

With residential vacancy rates in the City's primary rental market at unhealthy rates and rents rising faster than wages, Toronto tenants are at a greater risk of being displaced, having to pay increasingly unaffordable rents or being forced to live in poorly maintained homes.

Due to lack of supply in the rental market, many low-income and vulnerable residents struggle to find and keep rental accommodation in Toronto. This includes groups such as people with medium, low and fixed incomes, one income households, single women-led households, visible minorities, persons with special needs, Indigenous people and people who are homeless or lack the resources to be housed. As a result of Toronto's tight housing market and the current legislation that regulates rental housing, there is a public interest in ensuring that residential tenants maintain their tenancies and that their rights are upheld.

This report reviews and makes recommendations concerning the growing public interest in "renovictions", a term that refers to instances where landlords illegitimately evict tenants to undertake renovations of properties and do not provide them with the option to return so that the homes can then be rented at a much higher price to a new tenant.

This report also reviews and makes recommendations concerning the illegitimate use of N12 notices under the Residential Tenancies Act, 2006, which permits a landlord to evict a tenant if a rental unit is needed for the landlord's own use, that of their family or a purchaser. Specifically cases have been reported where landlords or their families never move into the rental units with such units instead re-rented at much higher rates.

To address these concerns, while protecting tenants and the City's limited supply of affordable housing, the Planning and Housing Committee established a Subcommittee on the Protection of Affordable Rental Housing in May 2019.

This report provides the public with background information in advance of the November 20, 2019 meeting of the Planning and Housing Subcommittee on the Protection of Affordable Rental on the issues of "renovictions" and the illegitimate use of N12 Notices under the Residential Tenancies Act, 2006.

This report also operationalizes the Terms of Reference adopted by the Subcommittee at its meeting of July 16, 2019 and expanded by the Planning and Housing Committee on September 17, 2019.

Lastly this report recommends actions for the City to proactively identify issues impacting the security of tenure of existing tenants and report back to the Subcommittee on progress in the first quarter of 2020.

## **Background Information**

(November 5, 2019) Report from the Executive Director, Housing Secretariat and the General Manager, Shelter, Support and Housing Administration on Promoting the Security of Residential Rental Tenancies

<http://www.toronto.ca/legdocs/mmis/2019/rh/bqrd/backgroundfile-139773.pdf>

## Communications

- (November 13, 2019) E-mail from Nicole Corrado (RH.New.RH2.1.1)
- (November 13, 2019) E-mail from Ryan Ayukawa (RH.New.RH2.1.2)
- (November 13, 2019) E-mail from Cara Kaye (RH.New.RH2.1.3)
- (November 15, 2019) E-mail from Nadine Lessio (RH.New.RH2.1.4)
- (November 15, 2019) E-mail from Nadia Fordham (RH.New.RH2.1.5)
- (November 20, 2019) E-mail from D. Kang (RH.New.RH2.1.6)
- (November 20, 2019) E-mail from Debbie Read (RH.New.RH2.1.7)
- (November 20, 2019) E-mail from Renan Yildizdogan, Jeremy Edwardes and Natasha MacDonald (RH.New.RH2.1.8)
- (November 20, 2019) Letter from Councillor Josh Matlow, Ward 12, Toronto - St. Paul's (RH.New.RH2.1.9)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99225.pdf>
- (November 20, 2019) E-mail from Marva Burnett, President ACORN Canada (RH.New.RH2.1.10)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99266.pdf>
- (November 20, 2019) E-mail from Amelia Ettinger (RH.New.RH2.1.11)
- (November 20, 2019) E-mail from Pablo Escobar, Manager, Community Supports Dixon Hall Neighborhood Services (RH.New.RH2.1.12)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99268.pdf>
- (November 20, 2019) Letter from Sara Clenyg-Jones, Manager of Homeless and Outreach Services, Agincourt Community Services Association (RH.New.RH2.1.13)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99248.pdf>
- (November 20, 2019) Letter from Alex Durlak (RH.New.RH2.1.14)
- (November 20, 2019) Letter from Kira Heineck, Executive Lead, Toronto Alliance to End Homelessness (RH.New.RH2.1.15)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99269.pdf>
- (November 20, 2019) Letter from Geordie Dent, Federation of Metro Tenants' Association (RH.New.RH2.1.16)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99270.pdf>
- (November 20, 2019) Letter from Anna Portillo and Joshua Barndt (RH.New.RH2.1.17)
- (November 20, 2019) Letter from Joshua Barndt (RH.New.RH2.1.18)
- (November 20, 2019) E-mail from Thorben Weiditz, Fairbnb (RH.New.RH2.1.19)
- (November 20, 2019) Letter from Melissa Goldstein, Parkdale Neighbourhood Land Trust's Dwelling Room Preservation Policy Working Group (RH.New.RH2.1.20)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99274.pdf>
- (November 20, 2019) Letter from Alyssa Brierley, Executive Director and General Counsel, Centre for Equality Rights in Accommodation (RH.New.RH2.1.21)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99275.pdf>
- (November 20, 2019) E-mail from Pamela Mills (RH.New.RH2.1.22)
- (November 20, 2019) Letter from Magda Barrera, Advocacy Housing and Economics Policy Analyst, Centre for Tenants Ontario (RH.New.RH2.1.23)
- <http://www.toronto.ca/legdocs/mmis/2019/rh/comm/communicationfile-99277.pdf>
- (November 20, 2019) E-mail from Randy McLin (RH.New.RH2.1.24)
- (November 21, 2019) E-mail from Matthew Pencer (RH.New.RH2.1.25)
- (November 21, 2019) E-mail from Kiisti Matsuo (RH.New.RH2.1.26)

### 1a Investigation of Illegitimate Evictions

**Origin**

(November 13, 2019) Letter from the Planning and Housing Committee

**Summary**

On November 13, 2019, the Planning and Housing Committee referred the following motion by Councillor Kristyn Wong-Tam to the Subcommittee on the Protection of Affordable Rental Housing for consideration at its November 20, 2019 meeting:

"City Council request the Toronto Police Service Board to investigate false "renovictions", Landlord's Own Use evictions, and other similar fraudulent activities conducted by landlords under section 380 (1) of the Criminal Code of Canada."

**Background Information**

(November 13, 2019) Letter from the Planning and Housing Committee on Investigation of Illegitimate Evictions

(<http://www.toronto.ca/legdocs/mmis/2019/rh/bgrd/backgroundfile-139996.pdf>)