



Don Valley Community Legal Services

October 29, 2024

To: City of Toronto Planning and Housing Committee

Re: PH16.4 – Implementing a Rental Renovation Licence By-law to Address Renovictions

We are pleased to see the City of Toronto putting forward a strong and effective by-law to address renovictions that is similar to Hamilton's by-law.

Don Valley Community Legal Services is a community legal clinic funded by Legal Aid Ontario. Our catchment area includes Wards 14, 15, 16 and 19, and sections of Wards 11 and 12. We serve many diverse communities and our clients are lower-income, racialized, and primarily renters.

Our clinic has been involved in advocating for and consulting on a renovictions by-law since 2019. One of our more notable cases was the renoviction of 28-30 Langley Avenue, a rooming house in Ward 14. We worked tirelessly with Councillor Fletcher and ACORN to help the tenants fight for their homes, but at that time, it was a legal eviction. Over 20 tenants were renovicted. Our clinic has seen a 35% increase in calls regarding renovictions and demovictions, and we anticipate that increase growing to 40% by the end of this year. We cannot waste any more time.

We will not forget the tenants we have helped over the years who lost their homes. We applaud City staff and City Council for finally putting forward this by-law. This will make a difference for tenants across Toronto. We are also pleased to see that the by-law will come into effect July 31, 2025.

However, we have significant concern about a section of the by-law as it is currently written. Under Article 2: Licensing, section B, the by-law states:

B. Despite subsection A(2), an Owner or Operator may conduct repairs or renovations on a Tenant's Rental Unit without a licence where the repairs or renovations are:

(1) required to address an emergency health and safety issue; or

(2) pursuant to an order issued under section 15.7, section 15.9 or section 15.10 of the Building Code Act, 1992.



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The Hamilton by-law makes no such exemption. The language of “*emergency health and safety issue*” is far too vague and open to misuse and misinterpretation that will quickly be abused by nefarious landlords.

Under the *Residential Tenancies Act (RTA)*, a landlord is not exempt from issuing an eviction notice for renovations or repairs (an **N13**) and going through the Landlord and Tenant Board (**LTB**) eviction process when there is an emergency health and safety issue in the unit, or if they are subject to an order under the *Building Code Act*. Landlords cannot evict a tenant on an expedited basis to do the work by claiming that there is an urgent issue unless they request an urgent hearing and even then, the earliest possible date a landlord would be able to get vacant possession would be 120 days after serving the N13. The licensing requirement in the by-law therefore is not creating a new barrier to landlords trying to complete emergency work or subject to Building Code orders. Those barriers already exist under the RTA without exemption or exception.

This exemption in the by-law is therefore based on a false assumption, and does not help landlords facing urgent or ordered repairs. Landlords would still be hung up by the LTB process. All this exemption does is block tenants from accessing the benefits afforded by the by-law, creating a massive loophole. We would like to request this section be removed.

Once this loophole has been addressed, this by-law will be effective and will save people’s homes. We appreciate the efforts of everyone involved in the advocacy and development of the by-law over the years – legal clinics, tenant advocates, our clients, ACORN, FMTA, Councillor Paula Fletcher, and City staff.

We hope this by-law will directly impact the renoviction numbers we see at our legal clinic. We hope we never have to fight to save a client’s home from renoviction again.

Sincerely,

Karly Wilson, Staff Lawyer
Laura Anonen, Community Development Worker
Don Valley Community Legal Services