



FEDERATION OF
METRO TENANTS'
ASSOCIATIONS

FMTA Response to 2024.PH17.5

The Federation of Metro Tenants' Associations is grateful that the City of Toronto is addressing the very serious issue of overheating in residential buildings. With ever increasing temperatures compounded by rising humidity and the current design of most residential buildings, maximum temperature regulations are a life saving measure and it is critical that this policy is implemented in a just and equitable manner. To that end, the FMTA has the following two notes.

1. Cost of Implementation

We cannot emphasize this enough, the costs of implementing cooling in residential buildings cannot be borne by tenants. Since heat is considered a vital service, landlords may be able to include the installation and maintenance costs of cooling in Above Guideline Increases to their tenants rent. This would effectively download the cost of cooling upgrades onto the tenants themselves at a time when rent is already too high and still increasing at an alarming rate (often through AGIs). Not only that, if the installation of cooling is extensive enough landlords may try to use it as justification for mass renovations and despite the passing of recent legislation to ameliorate the renovation policy, there are still enough holes in it that vulnerable tenants will be harmed in the process. The FMTA would like to see tenant protections added to this policy to reflect these issues.

The city's studies found that the majority of housing providers are strongly against cooling measures, no doubt because they do not want to shoulder the cost either. It is at this point the FMTA would like to remind the committee that being a landlord in a speculative housing market is a gamble, and sometimes the house wins. A recent revelation by the York-South Weston Tenant Union that their landlord Dream Unlimited has a 50% profit margin on their buildings speaks to the reserve funds available to corporate landlords, and as it is the housing providers duty to maintain a livable space for their tenants the costs of cooling upgrades should be borne by them in full. If the city provides any financial incentives to housing providers it should amount to no more than the average cooling installation costs for a three story complex at the maximum. This

will protect small landlords and allow them to begin implementing cooling measures immediately while putting the onus on corporate landlords to pay their share.

2. Enforcement

Given that cooling is a life saving measure at this point, the penalties for infractions must vastly outweigh any benefits from skirting the policy to ensure the regulations are implemented swiftly and properly. As such, housing providers who fail to comply with cooling regulations must face penalties far stiffer than just fines. One precedent already in place in the Residential Tenancies Act is found in the T6 application wherein the Landlord and Tenant Board has the option of holding rent from the housing provider until outstanding maintenance requests are fulfilled. If the city applies a policy that housing providers will not receive rent from buildings that fail to meet cooling regulations after a 12 month window, corporate landlords will be incentivized to enact this policy as quickly as possible (if not for their tenants' sake, for their shareholders').

Thank you and we look forward to seeing the final report soon. Although it is scheduled for Q4 2025, it is imperative that the City of Toronto address overheating before summer of next year to avoid unneeded hardship on tenants. We hope to hear from you by Q2 2025 so that we can begin to see cooling regulations in action.

Geoff Hayworth
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