

The Tenant Support Grant Program

The Province of Ontario sets an annual guideline by which rents may be increased. In addition, the *Residential Tenancies Act, 2006* (RTA) allows landlords to raise rents above the annual rent increase guideline.

With appropriate approvals, landlords may also demolish rental housing or convert rental housing into condominiums. When this happens, tenants may appeal to the Ontario Municipal Board (OMB) to try to prevent the loss of their homes.

What is the Tenant Defence Fund?

The City of Toronto created a Tenant Defence Fund to help tenants preserve affordable rental housing. The Fund helps tenant groups through an Outreach and Organizing Team hired to provide a range of services, including:

- outreach, education and help in organizing tenant groups;
- assistance in preparing for a Board hearing or an appeal to the OMB or divisional court;
- links to community legal clinics and other services; and
- assistance in applying for a grant to cover costs.

The Fund also provides a Tenant Support Grant to help cover the costs of preparing a dispute or making an application in one of the following areas:

1. A Basic Grant of up to **\$1,000** to help cover the costs of:
 - disputing a landlord's AGI application (L5); or
 - making a tenant application about maintenance (T6) to the Landlord and Tenant Board.
2. An Additional Grant of up to **\$5,000–\$10,000** to cover additional costs, such as:
 - hiring expert advice that would significantly support the dispute of an AGI;
 - disputing a landlord's appeal of a Board Order; or
 - applying for a judicial review to divisional court.
3. An Additional Grant of up to **\$15,000** to dispute an application before the OMB to demolish rental homes or convert them to condominiums.

Applying for a Tenant Support Grant

You need to work with other tenants in your building to apply for a grant. Contact the Outreach and Organizing Team for help (see page 2). The Outreach Team can help you prepare your case and help you apply for the right kind of grant.

Complete an application form for a “Basic Tenant Support Grant: Landlord Application”, and/or a “Basic Tenant Support Grant: Tenant Application”, or an “Additional Tenant Support Grant.” You can get grant application forms from the Outreach Team or at www.toronto.ca/housing.

Each application form has three parts:

- general information about your building and the reasons for your dispute or application;
- an estimate of your expenses and the reasons for them;
- a petition of tenants supporting the dispute or application.

The Outreach Team can help you draft the reasons for your dispute or application and estimate your expenses. For the basic grant, there are limits on the amount you may be reimbursed for each expense within the total grant amount of up to \$1000:

- cost of hiring a qualified agent and/or lawyer to represent the eligible group at the Board: \$1000;
- cost of photocopying your landlord's file at the Board: \$200;
- cost of renting meeting space and/or office space: \$100; and
- cost of printing, postage and translation: \$500.

You can reference the individual application forms for a list of documents required to be submitted with the application.

Staff will contact you if your application has been approved.

Qualifying for a Grant

To qualify for a grant, a certain minimum number of tenants affected by the landlord's AGI, demolition or condo conversion application or by the maintenance issue must sign the tenants' petition:

- if there are fewer than 100 units in your complex, at least 25% of the affected units must sign the petition; and
- if there are 100 or more units, at least 25% must sign, to a maximum of 30 units.

There is also a qualifying rent. Tenants who sign the petition declare that they are renting at or below the qualifying rent for their unit type. The qualifying rents for 2018 are:

Bachelor apartment.....	\$1,172
One-bedroom apartment	\$1,382
Two-bedroom apartment	\$1,640
Three-bedroom or larger apartment .	\$1,834

The reason for the qualifying rents is to help target the grants to buildings with affordable rents. Please note there are other eligibility criteria on the grant application forms.

Additional Grants

You can ask the Outreach Team to recommend your group for an additional grant, based on the merits of your case. If they recommend an additional grant, they will send you an "Additional Tenant Support Grant" form. Complete the form and send it to the City of Toronto with copies of the following:

- a) a copy of the letter from the Outreach Team recommending your group for an additional grant;
- b) a copy of your landlord's application for an AGI, demolition or condo conversion;
- c) proof of rent for each tenant affected by the landlord's application (if not already provided for the basic grant);
- d) quotes from all eligible professionals, the services to be provided and their costs; and
- e) qualifications of the eligible professionals and proof of membership in their professional association.

Approval for the Grant

Whether you apply for a basic or additional grant, you have to submit a written request to the City of Toronto for your grant. This should be done within 90 days after you get the final decision of the Board, OMB or divisional court. Your letter should include:

- a) a copy of the Order or Decision of the Board, OMB or court (whichever applies to your case); and
- b) a list of all eligible expenditures and the corresponding invoices or receipts.

If your group is approved, you will then get a grant to cover your actual expenses up to the maximum amount for each eligible expense or service. Grants are considered on a first-come, first-served basis and only one grant per rental complex can be awarded. Grants are given only to approved tenant groups, which are responsible for paying their own agents and lawyers.

Advance Payment for Retainer Fee

If your group is approved for a grant, you may request an advance payment to retain an agent or lawyer to represent your group. The "retainer fee" amount cannot exceed 50% of the basic grant approved or \$1,000 of the additional grant approved. You must submit your request in writing and include:

- a) a Notice of Hearing or appeal related to your case; and
- b) a letter from your agent or lawyer stating they will represent your group and indicating the retainer fee.

Partial Payment

If your group is approved for an additional grant for a judicial review of a Board Order, to dispute an appeal of a Board Order, or to dispute a demolition or condo conversion, you may apply for a partial payment to cover your lawyer's or expert's costs for preparing your case before and during your hearing. The partial payment must not exceed 75% of the additional grant approved, after deducting a previously approved retainer fee. You must submit a written request including:

- a) a notice of the hearing or appeal; and
- b) a letter from your lawyer or hired expert indicating the work carried out to date and the amount of the partial payment requested.

The program does not provide partial payment for groups disputing an AGI application or a tenant application about maintenance before the Board.

For more information, contact the Tenant Defence Fund Outreach and Organizing Team at:

- Federation of Metro Tenants' Associations (FMTA) Outreach and Organizing Team
Phone: 416-413-9442
Fax: 416-921-4177

Send completed application forms to:

- City of Toronto
Shelter, Support & Housing Administration
55 John Street, Metro Hall 6th Floor
Toronto, ON M5V 3C6
Attention: Administrative Co-ordinator,
Housing Stability Services, Housing and Tenant Supports