

September 7, 2023

To: Landlords, Property Managers and Housing Co-op Representatives

Re: Access to rented premises, condominiums and co-operative housing complexes for the November 30, Councillor Ward 20, Scarborough Southwest By-Election

From September 7 through to, and including, Election Day on November 30, 2023, candidates and their representatives are allowed full access to rented premises, condominiums and co-operative housing for the purpose of canvassing and distributing election material. The legislation below sets out the following rules:

The *Municipal Elections Act, 1996*

88.1 Residential premises

No person who is in control of an apartment building, condominium building, non-profit housing cooperative or gated community may prevent a candidate or his or her representative from campaigning between 9 a.m. and 9 p.m. at the doors to the apartments, units or houses, as the case may be.

88.2(1) Landlords – residential premises

No landlord or person acting on a landlord's behalf may prohibit a tenant from displaying signs in relation to an election on the premises to which the lease relates.

88.2(2) Condominium corporations – residential premises

No condominium corporation or any of its agents may prohibit the owner or tenant of a condominium unit from displaying signs in relation to an election on the premises of his or her unit.

88.2(3) Exception – signs – residential premises

Despite subsections (1) and (2), a landlord, person, condominium corporation or agent may set reasonable conditions relating to the size or type of signs in relation to an election that may be displayed on the premises and may prohibit the display of signs in relation to an election in common areas of the building in which the premises are found.

The Residential Tenancies Act, 2006, s.28

No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material.

The Condominium Act, 1998, s. 118

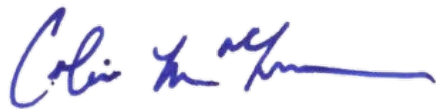
No corporation or employee or agent of a corporation shall restrict reasonable access to the property by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly or an office in a municipal government or school board if access is necessary for the purpose of canvassing or distributing election material.

The Co-operative Corporations Act, 1990, s.171.24

No non-profit housing co-operative or servant or agent of such a co-operative shall restrict reasonable access to the housing units of the co-operative by candidates, or their authorized representatives, for election to the House of Commons, the Legislative Assembly, any office in a municipal government or a school board for the purpose of canvassing or distributing election material.

Should you have any further questions on this matter, please contact my staff at 416-395-0025.

Regards,

A handwritten signature in blue ink that reads "Colin MacLean". The signature is written in a cursive style with a long horizontal flourish at the end.

Colin MacLean
Manager, Election Services