

Preventing Evictions in Toronto

A Handbook
for Renters

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toronto.ca/EvictionHelp

Acknowledgements

To the many people who have helped shape this handbook, including representatives from the City's Tenant Advisory Committee (TAC), the Advocacy Centre for Tenants Ontario (ACTO), the Canadian Centre for Housing Rights (CCHR), Osgoode Hall Law School at York University and the University Health Network Gattuso Centre for Social Medicine - we thank you for your continued feedback and engagement.

Most of all, the City extends its thanks to the renters who have generously shared their stories and ideas to help make this handbook as useful as possible for other Toronto renters who may be facing an eviction. We are incredibly grateful for your participation.

Disclaimer

The information contained in this document is for general information purposes only and does not constitute legal or other professional advice or an opinion of any kind. Individuals should contact a lawyer, paralegal or legal clinic to discuss their specific legal issues. The information included in this document is current as of its original date of publication but should not be relied upon as timely as there may be changes to the law. The City of Toronto is not liable for any damages arising out of your use or reliance on any content contained in this Handbook or on the City's website.



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Go to <https://cotsurvey.chkmkt.com/evictions>

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If You Are Facing an Eviction

The following recommendations may assist you if your landlord has indicated they are going to evict you.

Recommended Actions

Connect with eviction prevention support services early to get information, advice, and support. See Support Agencies on page 11 for more details.

Keep all communication with your landlord in writing. If your landlord calls you, ask them to communicate in writing. This can help legal workers support you and can provide evidence for a hearing if one takes place.

Attend the hearing if the Landlord and Tenant Board (LTB) notifies you that you have an eviction hearing – this is very important. Legal support is available for renters that have eviction hearings through the Tenant Duty Counsel Program. Call Legal Aid Ontario at 416-979-1446 to learn more.

Talk with your renter neighbours, if applicable, and get organized. Sometimes landlords move to evict many renters at the same time. Communicating with your neighbours can help you support one another. Some buildings and neighbourhoods have renter associations that help support renters facing eviction. The Federation of Metro Tenants' Association (FMTA) Tenant Hotline can help connect you with local tenant associations at 416-921-9494.

Actions to Avoid

You do not need to move out if your landlord asks or tells you to move out verbally, in writing, or through an eviction notice. You can only be evicted through an order for eviction issued by the LTB, generally after a hearing, which can take several months.

Avoid signing any documents or agreeing to move out until you get legal advice and support. You do not have to give in to a landlord's pressure to quickly make decisions or sign documents. Always talk with support services before you sign.

Getting Support

A variety of supports are available to help renters avoid eviction and maintain their housing, including:

- legal information and support
- financial aid
- mediation with your landlord
- support at eviction hearings
- rehousing support

All renters in Toronto who are facing eviction may be eligible for some support services free of charge. However, some services have eligibility criteria that restrict help to low-income renters.

Connect with support services early.

Evictions are stressful, but getting support early can make a difference. Support workers can help you connect with available services.

See Appendix B: Support Agencies on page 11 for more information.

Eviction Prevention Overview

The Residential Tenancies Act and the Landlord and Tenant Board

The Residential Tenancies Act (RTA) is the Ontario law that sets out the rights and responsibilities of residential landlords and tenants who rent residential properties. There are certain responsibilities or requirements related to tenancy agreements, rent increases, evictions, and repairs that are set out in the RTA. Overseen by the Province of Ontario, the City of Toronto has no role in enforcing the requirements of the RTA or in proceedings at the Landlord and Tenant Board (LTB), the tribunal that resolves disputes between residential landlords and tenants.

The LTB holds eviction hearings, where residential landlords and tenants have the opportunity to provide information relevant to the case. An LTB adjudicator leads the hearing, reviews the evidence provided, and makes a legally enforceable decision. The LTB also provides **information**² to residential landlords and tenants about their rights and responsibilities under the RTA, and disputes can be resolved through mediation at the LTB.



The protections in the RTA generally do not apply to students living in on-campus housing or housing provided by a college or university, such as a student residence. It is recommended that students, including international students, consult a legal professional to learn more. International students and newcomers can receive specialized support and information from the Centre for Immigrant and Community Services by calling 416-292-7510.

Who is Covered by the Residential Tenancies Act

The Province of Ontario's Residential Tenancies Act (RTA) sets out the rights and responsibilities of residential landlords and tenants who rent residential properties and sets out a process for enforcing them. It is important to understand if you are covered by the RTA as it provides protections from illegal evictions.

You may be covered by the RTA if ³:

- You are renting a whole apartment, an individual room, a basement apartment or a whole house.
- You are an international student, newcomer, permanent resident, undocumented migrant or citizen whose rental situation is identified above.
- You are renting a room in a multi-tenant home (rooming house), either licensed or unlicensed.

You may not be covered by the RTA if ³:

- You share a bathroom or kitchen with your landlord, rent in some types of seasonal or temporary housing, rent a home that is also a place of business or if you live in some types of roommate situations.
- You are living in an emergency shelter, hospital, nursing home (long-term care facility), prison or student residence or dormitory.

2 <https://tribunalsontario.ca/documents/ltb/Brochures/A%20Guide%20to%20the%20Residential%20Tenancies%20Act.html>

3 This list does not include all living situations. It can be difficult to know if you are covered by the RTA. Check with a legal professional and get free support from the eviction prevention services that exist in Toronto. See page 11 for organizations that can help.

Your Rights as a Renter

The rights identified in the RTA protect most residential tenants in Ontario from arbitrary eviction. These rights include:

- **Your landlord cannot evict you on their own.**

A landlord cannot evict you unless the Landlord and Tenant Board (LTB) issues an order for eviction. An order for eviction may take many months to obtain and is generally only issued after a hearing at the LTB.

- **You have the right to an eviction hearing.**

During a hearing at the LTB, you have the opportunity to explain why you should not be evicted or why your eviction should be delayed. Legal support is available to renters who have eviction hearings (see page 11 for a list of legal supports). To get an eviction hearing, your landlord must first give you a written eviction notice using the proper forms from the LTB. Eviction notices on their own do not mean that you have to leave; they are only the first step in the eviction process.

- **You can only be evicted for valid and specific reasons.**

It is not enough that your landlord might desire to evict you.

Rent Increases

Most renters in Ontario are protected from large annual increases by the rent control rules set under the RTA.

Buildings built or first occupied before November 15, 2018

Your landlord can generally only increase your rent once a year by a set percentage, as per the rent increase guidelines under the RTA.

In 2024, the maximum your landlord can increase your rent is 2.5 per cent.

Buildings built or first occupied after November 15, 2018

Your unit is exempt from the rent increase guidelines.

Your landlord can increase your rent by any amount a maximum of once per year.



There are some cases when landlords can increase the rent by more than the rent increase guideline percentage even if the rental unit is covered by rent control and built before 2018. To do so, landlords must apply to the LTB for a hearing during which renters can dispute the rent increase. Contact your closest Legal Aid Ontario legal clinic or legal representative if you think your landlord might raising your rent illegally.

Rent Support

If you are having difficulty paying your rent, income support programs may be available to you. You can call 211 to see if you are eligible for Ontario programs. If you have fallen behind on rent payments, the City of Toronto Rent Bank program may be able to assist you with paying your rental arrears. Go to toronto.ca/rentbank for more information.

Eviction Compensation

Compensation varies for different kinds of evictions. Compensation is a complicated matter, so it is recommended to call your closest Legal Aid Ontario legal clinic or legal representative.

Some landlords offer their renters higher compensation to speed up evictions or encourage renters to move out when they do not need to. These are often called ‘cash for keys’ deals. The amount of compensation included in these agreements can vary. Your landlord can offer you a cash for keys deal, but you never need to agree or sign one. The landlord may offer compensation alongside an N11 – Agreement to End the Tenancy form, which is a voluntary agreement to end a tenancy. Renters should be cautious of signing these agreements as they may bind you to agreeing that you move out by the date set out in the form. It is recommended that you connect with a legal representative before signing these types of agreements.

Renters may want to speak to a realtor about how much their rental unit would cost with or without their tenancy in place to assess a valid amount to negotiate.

Deciding Whether to Fight the Eviction or Move Out

If you are a residential tenant and are starting to have issues with your residential landlord or rental property owner, you should try to resolve it before the eviction process starts. An eviction is a formal procedure that is managed by the LTB. Every residential landlord must follow a series of steps to legally evict a residential tenant.

Deciding whether to fight an eviction or move out can be a very difficult decision, and many factors come into play as you consider your options, including:

- It can be difficult to have to find a new place at similar rent if you enter back into the rental market
- Moving out may mean having to leave your community if you can’t find another suitable unit
- The legal process can be long and difficult
- Getting compensation for moving out (making a deal with your landlord) could help

Getting legal advice and support can help you make your decision on whether to challenge an eviction. Contact the following organizations for advice on your situation:

- Legal Aid Ontario at 416-979-1446
- Federation of Metro Tenants’ Association (FMTA) Tenant Hotline at 416-921-9494
- Canadian Centre for Housing Rights (CCHR) at 416-944-0087 (toll free: 1-800-263-1139)

Multi-tenant (Rooming) Houses

Multi-tenant houses, or rooming houses, are buildings where people rent individual bedrooms and share a kitchen and/or washroom with other renters. Renters in multi-tenant houses tend to have separate rental agreements or leases with their landlord, and so are responsible for paying the rent of their room but not of other rooms in the house. In Toronto, when homes have four or more rooms rented in this way, they are called multi-tenant houses.

For many years, the City of Toronto only allowed multi-tenant houses to operate in some areas. Effective March 31, 2024, a new regulatory framework was introduced for multi-tenant houses. The framework permits multi-tenant houses across the city and sets licensing and zoning standards. Landlords who operate a multi-tenant house are required to have a City of Toronto licence. City staff work with landlords to help bring them into the licensing regulatory framework. The framework helps ensure multi-tenant houses in Toronto are safer; permit and preserve affordable housing options across the city; and provide a pathway to legalization for multi-tenant housing operators.

Important Information for Multi-tenant Housing Tenants

1. Learn whether your tenancy is covered by the Ontario RTA, as this is the law that provides renters' rights and protections from eviction (see "Who is Covered by the Residential Tenancies Act" on page 4).
2. If you rent a room in a multi-tenant house and are covered by the RTA, the information in this handbook applies to you.
3. You have the same rights and protections from evictions as other renters. Renters in licensed and unlicensed homes have the same protections from eviction under the RTA.
4. You do not need to move out if your landlord asks or tells you to move out verbally, in writing or through an eviction notice. You can only be evicted through an order for eviction issued by the Landlord and Tenant Board (LTB), generally after a hearing, which can take several months.
5. Your landlord cannot evict you on their own if the home is unlicensed.
6. To get a licence, the City may require landlords to undertake renovations to meet important building and fire safety codes. If you are covered by the RTA, the same protections apply to you if the landlord is renovating the home.
7. Landlords are responsible for ensuring safe and well-maintained multi-tenant homes. If you have maintenance issues or safety concerns in either licensed or unlicensed homes, you can report them by calling 311. The City will not close multi-tenant houses unless an immediate health and safety risk is identified.



The Eviction Process in Ontario

An eviction is a formal procedure that is managed by the Landlord and Tenant Board (LTB) of Ontario. Every landlord must follow a series of steps to legally evict a renter. This handbook refers to these steps as phases, as outlined below.

If you have not sought legal advice at this point, you should do so as soon as possible. See page 11 for organizations that can help.

Regardless of the type of eviction notice you receive from your landlord, you do not need to leave your home immediately. You do not need to leave until you receive a formal order for eviction from the LTB or you agree to move out.

There are many types of evictions recognized under the Residential Tenancies Act (RTA), including:

- ♦ Arrears of rent (meaning behind on rent) (N4)
- ♦ Landlord's own use (N12)
- ♦ Purchaser's own use (N12)
- ♦ Demolition, renovation or conversion (N13)
- ♦ Persistent late payment (N8)
- ♦ Interfering with others, damage, or overcrowding (N5)
- ♦ Illegal act or misrepresentation of income (if Rent-Geared-to-Income) (N6)
- ♦ Causing serious problems in the rental unit or residential complex (N7)

More information on these types of evictions is available at tribunalsontario.ca/ltb

Steps to Eviction

| Phase 1 Eviction Notice | Phase 2 Eviction Application | Phase 3 Eviction Hearing | Phase 4 Eviction Hearing Result |
|---|--|---|---|
| Landlord gives you a written notice called a notice to end a tenancy. | Landlord files an eviction application to evict with the LTB. You will receive a notice of hearing by mail or email. | You and your landlord attend the LTB hearing. | If evicted, the landlord receives an order for eviction which is enforced by a Sheriff. |

Appendix A: Templates

Template Letter: Right of First Refusal for Repairs or Renovations

If you receive an N13 eviction notice for repairs or renovations from your landlord and need to move out during the renovation, you have what's called the right of first refusal. This means that if you provide written notice to the landlord that you intend to move back into the rental unit, your landlord must offer your old unit back to you after renovations are complete.

Below is a template letter to help you communicate this to your landlord. This is a template only and is not providing legal advice.



This letter must be given to the landlord before you move out.

<Insert Date>

Dear <Insert Your Landlord's Name>,

On <Insert date you received your eviction notice>, I received an N13 (Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use) notice from you asking me to move out.

I have the right to move back into the unit once you have completed the repairs or renovations. Please consider this as my written notice telling you that I want to move back in. As well, I am including my address and contact information:

<Insert mailing address>

<insert phone number>

<Insert email>

In the event that I am not given the right of first refusal and a reasonable time in which to respond, I may escalate this to the Landlord and Tenant Board.

[Signature]

<Insert Your Name>

Repayment Plan for Arrears Worksheet

If you owe rent, this worksheet can help you prepare to talk to your landlord about a payment plan or to speak about one at your LTB hearing. Fill in your answers below.

This worksheet was developed by the Advocacy Centre for Tenants Ontario (ACTO).

| Information required | | Details |
|--|--|---------|
| My monthly rent is | | \$ |
| The amount of rent I owe up to today is | | \$ |
| The landlord's application fee is | | \$ |
| The non-sufficient fund (NSF) fee (\$20 plus bank fees) is | | \$ |
| The total I owe is | | \$ |
| I got behind on rent because... | | |
| I will be able to pay the rent in the future and make extra payments to pay back what I owe because... | | |
| Number of months I need to pay back what I owe | | |
| Regular month's rent I can pay on the date my rent is due each month. | | \$ |
| Amount in addition to my regular rent that I can pay every month to pay off what I owe. | | \$ |
| Dates I can pay the additional amount | | |
| Possible circumstances or other expenses that might cause me to miss a payment during this repayment time (for example, hours at work decreasing, medical expenses, back to school expenses) | | |
| If so, how can I still make my payment? Should a change during that month(s) be reflected in the repayment schedule? | | |

Appendix B: Support Agencies

Renter Rights Assistance

| Organization | Support Provided | Contact Information |
|---|---|--|
| Federation of Metro Tenants' Association (FMTA) | Helps find supports that best fit your renter circumstances. Guidance is provided about general renter rights and eviction-related options. | Tenant Hotline: 416-921-9494 https://www.torontotenants.org/ |
| Community Legal Education Ontario (CLEO) | Provides information and resources for renters being evicted. | https://www.cleo.on.ca/en/resources-and-publications/housing-law |
| Rental Housing Enforcement Unit (RHEU) | Offers assistance if your landlord violates your rights under the Residential Tenancies Act. For example, if your landlord harasses you, evicts you illegally, comes into your place without permission, or threatens to do any of the above. RHEU also enforces the provincial maintenance standards, which apply whenever there are no local property standards. | Phone: 1-888-772-9277 https://www.ontario.ca/page/solve-disagreement-your-landlord-or-tenant |
| Landlord and Tenant Board (LTB) | Provides information about its practices and procedures and the rights and responsibilities of landlords and renters under the Residential Tenancies Act (RTA) | Phone: 1-888-332-3234 tribunalsontario.ca/ltb |

Legal Assistance

| Organization | Support Provided | Contact Information |
|---|--|---|
| Canadian Centre for Housing Rights (CCHR) | Provides legal services to renters, renter groups and/or renter associations in private market rental housing. CCHR also supports the Toronto Tenant Support Program (TTSP). | Phone: 416-944-0087, 1-800-263-1139 (toll-free) https://housingrightscanada.com |
| Legal Aid Ontario | Provides legal services through clinics and lawyers. Free legal advice is provided to eligible renters. There may be a maximum income requirement you must meet in order to receive assistance from a Legal Aid Ontario legal clinic. If you earn more than their income requirement, they may be able to refer you to other agencies for legal support. | Phone: 416-979-1446, 1-800-668-8258 (toll-free) or call 311 and ask for "Legal Aid Ontario legal clinic" https://www.legalaid.on.ca/legal-clinics |

| Organization | Support Provided | Contact Information |
|---------------------------|--|--|
| Tenant Duty Counsel (TDC) | Provides free legal advice for renters who have received a notice of hearing from the Landlord and Tenant Board. Only contact TDC once your eviction hearing has been scheduled. TDC is a program of the Advocacy Centre for Tenants Ontario. | Go to https://tdc.acto.ca/ to sign up to receive a call back before your hearing. |
| Law Society of Ontario | Offers a referral service where you can request a lawyer or paralegal referral for a free consultation of up to 30 minutes to help you determine your rights and options. | Phone: 416-947-3300, 1-800-668-7380 (toll-free) www.findlegalhelp.ca |

Financial Assistance

| Organization | Support Provided | Contact Information |
|---|--|--|
| Toronto Rent Bank | Offers grants to low-income households facing eviction due to short-term financial difficulties. The program is offered by Neighbourhood Information Post and funded by the City of Toronto. | Phone: 416-397-RENT (7368) toronto.ca/rentbank |
| Eviction Prevention in the Community (EPIC) | Works with renters and their landlords to develop effective eviction prevention solutions. EPIC staff provide wrap-around services to prevent eviction. EPIC services are available by referral from your local Housing Help Centre. | Available through Housing Help Centres. Call 311 for assistance. |
| Housing Stabilization Fund (HSF) | Provides financial assistance with arrears, rent deposits, moving costs, and other supports for people receiving Ontario Works (OW), Ontario Disability Support Program (ODSP), or migrants receiving Emergency Assistance. | Referrals available through caseworkers. |
| Low-Income Energy Assistance Program (LEAP) | Assists low-income customers with their bill payments and electricity costs. LEAP is a grant program that provides emergency relief to eligible low-income households who meet the eligibility criteria. | www.oeb.ca/rates-and-your-bill/help-low-income-consumers/low-income-energy-assistance-program |
| Ontario Electricity Support Program (OESP) | Assists low-income customers with the cost of their household electricity by applying a monthly credit directly to their bills | Phone: 1-855-831-8151 https://ontarioelectricitysupport.ca/ |

Housing Assistance

| Organization | Support Provided | Contact Information |
|----------------------|--|---|
| Housing Help Centres | Help find and keep housing and avoid eviction. | Phone: 416-285-8070 or 311 https://www.toronto.ca/community-people/housing-shelter/homeless-help/housing-help/ |

Mental Health & Social Services Assistance

| Organization | Support Provided | Contact Information |
|--|---|--|
| 211 Ontario | Connects people to organizations that provide free mental health and other supports to diverse communities across Toronto. | Phone: 211 https://211central.ca/ |
| Centre for Immigrant and Community Services (CICS) | Provides many services to immigrants and newcomers, including children and youth services, employment services, settlement services, community food programs and more. | Phone: 416-292-7510 https://www.cicscanada.com |
| The Neighbourhood Group Community Services | Offers free programs and services across Toronto that address issues such as poverty, homelessness, mental health, unemployment, social isolation, substance abuse, conflict resolution, violence, youth alienation, and the settlement of newcomers. | Phone: 416-925-4363 https://tngcommunityto.org/ |

Notes:

