

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

---

**Official Report  
of Debates  
(Hansard)**

SP-29

**Journal  
des débats  
(Hansard)**

SP-29

**Standing Committee on  
Social Policy**

Protecting Tenants  
and Strengthening Community  
Housing Act, 2020

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament  
Friday 26 June 2020

**Comité permanent de  
la politique sociale**

Loi de 2020 visant la protection  
des locataires et le renforcement  
du logement communautaire

1<sup>re</sup> session  
42<sup>e</sup> législature  
Vendredi 26 juin 2020

---

Chair: Natalia Kusendova  
Clerk: Tonia Grannum

Présidente : Natalia Kusendova  
Greffière : Tonia Grannum

### **Hansard on the Internet**

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<https://www.ola.org/>

### **Index inquiries**

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

### **Le Journal des débats sur Internet**

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

### **Renseignements sur l'index**

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

---

Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et de l'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

ISSN 1710-9477

## CONTENTS

Friday 26 June 2020

Protecting Tenants and Strengthening Community Housing Act, 2020, Bill 184, Mr. Clark / Loi de 2020 visant la protection des locataires et le renforcement du logement communautaire, projet de loi 184, M. Clark .....	SP-787
Ms. Rebecca Guzzo-Hockridge; Mr. Roger Moores.....	SP-787
Ms. Teresa Almeida; Mr. Robert Kinghorn; Ms. Alexandria Leousis.....	SP-795
Ms. Donna Partridge; Ms. Sarah Smith-Eivemark; Oakwood Vaughan Community Organization.....	SP-804
Mr. Bill Worrell	
Ms. Elizabeth Ellis; Ontario Real Estate Association; Ms. Kim Grunwald.....	SP-813
Mr. Sean Morrison	
Mr. Mike Stahls	
Mr. Jason Lagerquist	
Federation of Rental-housing Providers of Ontario; Ontario Building Officials Association; Toronto ACORN.....	SP-821
Mr. Tony Irwin	
Mr. Matt Farrell	
Ms. Alejandra Ruiz Vargas	
Mr. Asquith Allen	
Ms. Devorah Kobluk; Greater Toronto Apartment Association; Ontario Non-Profit Housing Association .....	SP-829
Mr. Daryl Chong	
Ms. Marlene Coffey	
Don Valley Community Legal Services; Ms. Farida Sadruddin; Ms. Stephenie Graham .....	SP-838
Mr. Stewart Cruikshank	



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
SOCIAL POLICY**

**COMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE**

Friday 26 June 2020

Vendredi 26 juin 2020

*The committee met at 1000 in room 151 and by video conference.*

**PROTECTING TENANTS  
AND STRENGTHENING COMMUNITY  
HOUSING ACT, 2020**

**LOI DE 2020 VISANT LA PROTECTION  
DES LOCATAIRES ET LE RENFORCEMENT  
DU LOGEMENT COMMUNAUTAIRE**

Consideration of the following bill:

Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020 / Projet de loi 184, Loi modifiant la Loi de 1992 sur le code du bâtiment, la Loi de 2011 sur les services de logement et la Loi de 2006 sur la location à usage d'habitation et édictant la Loi de 2020 abrogeant la Loi sur la Société ontarienne d'hypothèques et de logement.

**The Chair (Ms. Natalia Kusendova):** Good morning, everyone. I call this meeting to order. Happy Friday.

We are meeting to conduct public hearings on Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020. Today's proceedings will be available on the Legislative Assembly's website and television channel.

We have the following members in the room: We have MPP Babikian, MPP Gill, myself, MPP Burch and MPP Morrison. We also have members participating via Zoom, and we already did the attendance check. We are joined by staff from legislative research, Hansard, interpretation and broadcast and recording.

Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before you begin. You will also be asked to unmute your own microphone each time you are given the floor. As always, all comments by members and witnesses should go through the Chair.

Are there any questions before we begin?

MS. REBECCA GUZZO-HOCKRIDGE

MR. ROGER MOORES

**The Chair (Ms. Natalia Kusendova):** Seeing none, I would like to welcome our first presenter. We're going to

start this morning with Rebecca Guzzo-Hockridge. Thank you for joining us. You have seven minutes for your presentation, and you may begin by stating your name for the record.

**Ms. Rebecca Guzzo-Hockridge:** Thank you. Good morning, committee members. My name is Rebecca Guzzo-Hockridge, and I am a resident of Hamilton, Ontario. As a member of Hamilton ACORN and secretary-treasurer of the Hamilton Mountain chapter, I have some questions and concerns about Bill 184.

I agree that it is the right of every landlord to receive rent for their units. This whole situation with COVID-19 has created so many problems on so many levels; it is unfortunate that many people have been unable to pay their rent. In the best interests of the landlords, I understand why expedition of our already backlogged Landlord and Tenant Board would be beneficial.

Many tenants aren't aware of their rights and, unfortunately, many landlords are also unaware of their responsibilities. By not hearing the tenants' side of the story, we're not helping anyone. If hearings proceed without allowing mediation to ensure that all parties understand their rights and responsibilities, this is an injustice.

Unfortunately, the number of individuals that have been unable to pay their rent has climbed, along with rising rent costs. Imagine taking a walk along the scenic Bruce Trail here in Hamilton. This year, there are dozens more camp sites and homeless camps. Many homeless people are sleeping right on the streets. We do not have the resources to deal with our current crisis. Evicting more human beings from their homes and displacing them without a supportive infrastructure will only worsen our current crisis.

Not being employed, losing hours at work or being newly employed at a lower-paying job leaves some individuals in a difficult situation. Both parties, the landlord and the tenant, should be present to mediate a fair repayment schedule. If a tenant is unable to continue to pay the mediated amount, they should be allowed to renegotiate, given that circumstances have significantly changed, such as a loss of employment or health concerns.

Housing is a basic right. Everyone deserves safe and stable housing. The average low-end rent for a one- or two-bedroom apartment is in the ballpark of about \$1,700. With the CERB benefit, this leaves the individual about \$75 weekly for personal costs. Most telephone plans are \$50. Internet is \$50 to \$100. Car insurance, gas, food—

adding up the basic needs of an unemployed or minimum wage individual, there is no room to repay rent, or even fully pay rent to begin with.

Food, rent and services are going up in price considerably; ODSP and OW payments are not. No individual on either OW or ODSP can even afford the current market rent rates. Individuals who have been working and receiving ODSP benefits, who have lost their jobs during this pandemic, are not able to afford housing. This is our grim reality. Making it easier to evict tenants who haven't been able to pay rent will inevitably cost more than any other approach.

Our shelters are already over capacity. In addition to being the secretary-treasurer for the Hamilton Mountain chapter of ACORN, I am privileged to be a member of the WHPC committee board, which serves as a board of women with lived homeless experience. We have less than 40 beds available for homeless single women in Hamilton, with an average of 300 women per month turned away from shelters. Women have died on the streets, been trafficked or have resorted to prostitution just to stay alive. The family shelter in Hamilton is currently over capacity. Who pays for the hotel rooms for the homeless families with children?

I have no doubt in my mind that as soon as a tenant leaves a unit vacant, the landlord will increase the rent. When the rent increases, then no one in a low-income bracket will be able to afford the rent. This will create what's known as a property bubble, where there is a surplus of overpriced units and not enough individuals who will have the income to afford them. That in itself will create an economic crisis for both tenants and landlords.

How long will individuals and families endure homelessness while looking for a suitable and affordable home? At this point, in order to rent while receiving OW, three or four people will have to share a one- or two-bedroom apartment. How can anyone live in a stable way and maintain their employment while sleeping on a sofa or having to share a room with another adult? Individuals who are working full-time are also having difficulties securing their own apartment without a roommate. What happens when rent costs rise even more?

Another significant issue has been harassment that tenants have endured from landlords during this crisis. Fake eviction warnings and letters have been reported by many tenants. Some have been called names, threatened and harassed. Some landlords have illegally removed property, changed locks, and others do everything in their power to make the lives of their tenants a living hell.

In these cases, such tenants have lost the reasonable enjoyment of their units. I completely understand that under ideal circumstances the tenants should have paid their rent. We're not currently enjoying ideal circumstances. In no way does this harassment or illegal action by the landlords find itself justified. Those tenants who have been harassed or threatened or otherwise disturbed in a way that compromises their reasonable enjoyment of their homes should not have to make a repayment. These tenants aren't heard in court. That is a systematic continuation of abuse and a violation of basic human rights.

In all earnestness, I need to ask the following: Are we prepared to deal with a surge in homelessness? Is there a plan to realistically raise the shelter portion of ODSP and OW recipients to reflect the reality of the current market rent? Is the government prepared to increase the unemployment insurance rates to minimum wage so that those who have lost their jobs and the working poor can afford to live? Is the government prepared to stop rental hikes so that those who aren't making \$30 an hour can afford to have a home and buy food? Are there plans to create more subsidized housing units and not just a temporary in-place subsidy that results in an eventual inability to pay their rent? Are there plans to open more beds and services for the homeless? Is our mental health system prepared to support individuals who are suffering from depression, anxiety and fear due to their loss of stability—landlords, of course, included?

I understand that we need to work out a solid plan to repay the landlords for their services. However, making it easier to evict tenants for nonpayment of rent would not put those individuals in any position to repay what they do owe. It will only create a homelessness crisis.

The solution is to educate landlords and tenants in regard to their rights and responsibilities as to promote right action in their roles. Education would prevent a backlog at the Landlord and Tenant Board because knowing their rights and responsibilities before becoming a tenant or landlord would minimize the number of offences. Requiring that landlords be educated and licensed and registered will also ensure that the taxes are paid towards government bodies for the income they receive from their rental units.

Allowing tenants to remain in their current units while patiently working on repayment while maintaining their quality of life may take time, but if we put these people on the street, they'll never be able to afford new, higher rents, find employment or make repayments. This isn't beneficial for anyone.

Whoever gave this bill such a deceptive name clearly doesn't understand what's best for our low-wage and low-income Canadians.

Thank you for listening to my concerns and hearing my questions. I hope that it's very clear why anyone who cares about the rights of their fellow Canadians, myself included, is saying no to Bill 184.

**The Chair (Ms. Natalia Kusendova):** Thank you very much for your presentation.

We are now moving to our next presenter, Roger Moores. Thank you very much for being with us. You have seven minutes, and you may begin by stating your name for the record.

**Mr. Roger Moores:** Good morning, all. My name is Roger Moores. From 2007 to 2020, I was a tenant at 245 Logan Avenue, apartment 16, in Leslieville, a neighbourhood in the east end of the old city of Toronto. 245 Logan Avenue is an old three-storey building that used to house 20 small apartments. Most of the tenants living there were like me: elderly, retired, had medical issues, had no family support, no investment funds. We were on Old Age Security. We felt marginalized. We were seniors, and some of

the people had disability income. Most of us have strong ties to the neighbourhood, where we shopped, where we had our doctors, where we received support services. Some of the tenants had been there for 30 years or more.

Our rent was reasonable, and rent control allowed us to live in a neighbourhood that all around us was gentrifying. However, when the building was sold in 2018, we became targets for the new owners who wanted to renovate us. All of the tenants received buyout letters offering a small compensation to leave and not come back. This was done without official N13 termination notices; they would come later. We also received telephone calls urging us to accept their buyout. I was one of the ones who flatly refused to negotiate. Even if I was to find another unit in the area for \$1,500 per month, the extra \$800 per month over 13 years would amount to \$124,800. They were offering me \$2,000 to move.

#### 1010

On April 3, 2019, I received a hand-delivered letter stating that I must accept their offer by April 5 or face end of tenancy on April 7. I ignored this. I knew from legal advice that they could not evict me without a building permit, and the city told me that no permits had been issued. I will not go through all the telephone calls I made to the landlord regarding workmen on-site working illegally, nor will I go through the renovation hell that went on around those of us who stayed in the building to the end.

They sent me a renovation schedule and started work on other units around me without building permits. One day, a saw blade came through my wall because of the work they were doing next to my unit. We had a city inspector attend many times to try to control the illegal work that was being done, but the workers responded by working in off-hours, even working on Christmas Day.

In April, we finally received a termination notice. The notice said we had to leave in the middle of August due to renovations. Our lawyer told us that tenants can only be evicted for renovations if a building permit is required for the work, and if the place needs to be vacant to do the work. We asked our lawyer, "How can we know if that is true for this proposal?" No building permit had been issued, and it looked like the work was mostly to replace electrical wiring. This suggested we might be able to stay during the work. The lawyer said he could not tell us for sure that we would not be evicted.

After the N13 was issued and right up to the termination date on the notice, the landlord could apply for an eviction order from the Landlord and Tenant Board. He could surprise us at a hearing with a building permit and evidence from their experts to say that vacant possession was required. We, the tenants, on the other hand, could not possibly prepare our case, because we did not have any plans or specifics re the renovations.

Faced with this uncertainty, many tenants agreed to leave. In the meantime, because of a technical difficulty with the first N13, a new one was issued, this time giving December 31, 2019, as the termination date. An eviction hearing was set for December 6, three weeks before the termination date. Two weeks before the hearing, the

landlord finally disclosed their building permit plans and evidence that showed there was asbestos in the building.

With this news, we, the tenants, essentially gave up their fight. Everyone was afraid of a possible eviction on December 31 with nowhere to go. One by one, we all agreed to leave and not come back. Our compensation will help us for a year or so with the new rents we have to pay, but will not help us with a long-term housing solution.

I now know more about renovation law than I ever thought I would. I hope I never have to go through this again. Many of our problems as tenants could have been helped if enough protections were in place. I am urging this committee to recommend changing the law to give us more protection.

The law states that tenants who are evicted for renovation must have the right of first refusal when the work is done. However, few tenants ever benefit from this. There is no requirement that the work be done in a reasonable time. Tenants can't put their lives on hold while they wait to see when the work will be done. And how do you find a place to live without committing to at least a one-year lease? Also, if the landlord ignores the law and gives the unit to someone else and as a result gets fined, former tenants are still out of luck, as has happened before in Toronto.

Here are some of the steps that I think would go a long way to protecting tenants:

(1) Require landlords to provide alternate housing to displaced tenants during the renovation process. This would encourage landlords to be efficient. It should also be part of the cost of the renovation.

(2) Require landlords to give tenants detailed renovation plans when the N13 termination notice is given. This would allow the tenants to assess whether the work really needs vacant possession. When tenants now get an N13 termination notice, they have no way of judging whether the landlord really needs vacant possession or not. A copy of the building permit plans would also normally tell them what they need to know.

(3) Give landlords 10 months to complete the work. They should be required to pay the tenant's rent after this 10-month period if their unit is still not ready.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. I'm afraid that's all the time we have this morning.

We are now moving on to our next presenter.

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Okay. We do not have our next presenter on. Therefore, we will begin our rounds of questions with the official opposition this morning. MPP Morrison.

**Ms. Suze Morrison:** Welcome, Rebecca. Thank you for being here today.

I wonder if you can share a little bit more about what you see as the public cost of homelessness in your city, in Hamilton.

**Ms. Rebecca Guzzo-Hockridge:** I'm unaware of the current cost figures that we are facing, but I am understanding that we have been allocated a significant amount for the budget to supply care for homeless individuals.

However, unfortunately, places like Mountain View have just terminated 15 beds, and we've got the Wesley Centre that has now just closed. What we're seeing is a substantial increase in homelessness, and we're not seeing an equal contribution to solving the issue as it currently stands.

**Ms. Suze Morrison:** I understand that you may not have the numbers, but just kind of in broad strokes—I can understand that you have a lot of lived experience and valuable perspective to add. What sorts of public government services and supports would someone experiencing homelessness access that come at substantial cost to the public when we allow homelessness to happen?

**Ms. Rebecca Guzzo-Hockridge:** Well, everybody knows that people who are employed contribute to the economy. Unfortunately, when one person lives as a homeless person and cannot find suitable shelter or supports, which is the case—like I said, we turn away 300 single women per month. Instead of being given the supportive assistance to get a job or continue their career or become a productive and contributing member of the economy, these people are unable to access a shower so that they can even have a job interview. Some of these people are unable to afford clean clothing, to afford food or basic human needs. These situations make it so that a person is unable to reach their full potential.

Say if I were homeless and unable to live in a shelter, which I have been in the past, my alternative was to purchase a \$30 hammock at Canadian Tire and live on the trail, as many women choose to do, instead of resorting to prostitution or trafficking in order to survive. That is another major issue. I have been homeless in Toronto as well, and I have seen women being picked up off the streets and brought into houses to be used as sexual—I don't need to go further on what happens to those women.

A lot of people end up unable to reach their full potential or contribute to the economy because they are barely clinging to life and the ability to function on a daily basis. If we had supports in place, if there were showers available, if there was job assistance available, clean clothing, lockers—even if there aren't rooms—to provide a place to put your belongings while you go to a job interview. If you're living out of a grocery cart or a giant backpack and you have nowhere to put your belongings while you go to a job interview, if your employer has no place to send the cheque, how do you function, survive every single day and get a job? The optimal situation would be for these able-bodied and willing people to be in a supportive environment where they're allowed to flourish and be able to get a job.

**Ms. Suze Morrison:** And you'd say that probably the best solution is to prevent people from entering into homelessness in the first place?

**Ms. Rebecca Guzzo-Hockridge:** That would be ideal, if we were able.

My main point is that, yes, we need to repay these landlords for the rent they're owed, but a homeless person isn't able to take care of themselves, let alone repay a landlord, so preventing homelessness by assuring that protections are in place so that people aren't displaced and

so that we don't have the need for so many support services is vital.

**1020**

**Ms. Suze Morrison:** Would you say that a government that's concerned about being responsible with taxpayer dollars should do everything in their power to prevent homelessness as much as possible?

**Ms. Rebecca Guzzo-Hockridge:** Absolutely. And this includes landlords—if landlords aren't able to pay their mortgages and they're insolvent in their property, that's not going to benefit them either. So we are not only going to have to make sure that tenants are secure in their housing, but we're going to have to make sure that protections are provided for everybody along the chain, because we all deserve that security of knowing that we've got the support of our government.

**Ms. Suze Morrison:** Absolutely. I couldn't agree more.

As New Democrats, we proposed a policy to this government for an 80% rent subsidy for tenants during COVID-19, to help tenants stay secure in their housing and help make sure landlords were able to pay the mortgage, as well. Do you think that's a good policy that this government should have adopted in light of COVID-19?

**Ms. Rebecca Guzzo-Hockridge:** I think that rental subsidies are an excellent solution as long as they can be afforded and accommodated within the government, and I'm sure you've given that quite a lot of consideration.

**Ms. Suze Morrison:** Chair, how much time do I have?

**The Chair (Ms. Natalia Kusendova):** You have no time.

**Ms. Suze Morrison:** Okay. Thank you so much.

**The Chair (Ms. Natalia Kusendova):** We are now moving on to the government side. MPP Babikian.

**Mr. Aris Babikian:** Good morning. Thank you very much for your valuable input.

This committee has been in session for three days now, and we have heard from different stakeholders from both sides of the equation: tenants, landlords—especially, small landlords.

Some 70% of the landlords in Ontario are small owners, like me or you, with mortgages to the banks, and they have to manage their units.

Also, we heard stories from the tenant side—like your stories—that they have been mistreated.

Regrettably, these things are happening on both sides, and we need to address this issue. We need to look at this issue from the general picture, and the general picture, unfortunately, is not very attractive, because this has been going on for a long time, for decades. The issue of affordable housing in Ontario is a multi-faceted problem. It's not only a landlord-and-tenant issue; it goes beyond that. There are many society-related issues and employment issues etc.

What we're trying to do in this bill is to be balanced. We're trying to find a way that we can increase available housing, so that not only do people not have to wait months, years, to get housing—but also make it more affordable. The way to make it more affordable, to try to

encourage small landlords, the 70% that I just mentioned, to be in the business—yesterday, we heard from small business landlords that they are fed up. They are leaving the business. They are selling their properties, because they have been going through so much, and it's not worth it for them. They have been on the hook for tens of thousands of dollars.

So I'm not trying to take anyone's side, but I'm trying to address the overall picture.

This bill also brings many protections for tenants. Some of the protections that we have brought in this bill—or it's mentioned in this bill, and it wasn't there—for example, the penalties that individuals or corporations will face if they mistreat their tenants. For corporations, it's from \$100,000 to \$250,000. Landlords need to make a disclosure about their previous so-called for-personal-use-purpose eviction etc. So there are many, many good protection measures in this bill.

Mr. Moores, you gave us some valuable suggestions on how to improve this bill or how to look at it. Do you have any additional input or suggestions that we can look at and discuss so that we can bring better protection for the tenants and for the landlords? We have to be cognizant that this is a problem of decades, and we are not going to solve it overnight with one bill. It will take a longer period, but this is a good first step. So your input and comments are much appreciated.

**Mr. Roger Moores:** I'm going to reply to what was asked. One other suggestion is to require landlords to give tenants at least 60 days' notice before they can move back into their renovated unit, so that tenants can give adequate notice to the landlords of their temporary housing.

On a personal note, what I think needs to be done as far as our situation—there are not enough city inspectors to come and investigate breaking of the bylaws. The number of times that I had to call 311, to the various agencies and complain about working outside permitted hours, entering my unit without proper notification, intercom not working, working on Christmas Day, poor maintenance of the building—I was given a file number, and these amounted to over 30 calls on behalf of myself and the tenants in the building. I only got responses three times from city inspectors who came out and investigated. And at no time during these at least 30 occurrences did I get any call from the landlord either acknowledging my call or offering an apology for what happened. Their lack of care and interest in the tenants and the building was absolutely unacceptable.

**The Chair (Ms. Natalia Kusendova):** I'm so sorry, but we are out of time.

We will go to MPP Blais now for three minutes.

**Mr. Stephen Blais:** Thank you for your presentations this morning.

Mr. Moores, the story that you told was very concerning, just in terms of what you've been through. I'm wondering if, in taking a look at what the government has proposed in Bill 184, you think anything they've proposed would have ended up helping you in your situation.

**Mr. Roger Moores:** I understand that you're proposing to raise the fine from \$25,000 to \$50,000 for individual landlords and \$250,000 for commercial. I don't think that's enough. As has happened in Toronto in the past year on College Street—four people were signed to an agreement saying, "We will come back at the same rate, but we will vacate when you do the renovations." When it was time for them to inquire about coming back, they found out that their four units had already been rented to someone else. The landlord was fined \$25,000 per unit—\$25,000 times four is \$100,000. That's a drop in the bucket. That means absolutely nothing to them. That would be one of the things I might suggest concerning things that might be done.

**Mr. Stephen Blais:** Rebecca, in terms of the situation in Hamilton—is there anything that's being proposed in the bill that you think will make a dent in the problems that are being faced in Hamilton at the moment?

**Ms. Rebecca Guzzo-Hockridge:** Well, I respect the protections and the efforts to protect, but the thing that I see making the biggest difference is that it will be easier to evict people for nonpayment. The difference that's going to make is—I understand, as the opposition did state, that a lot of the smaller landlords are leaving the game. But instead of being hard on people and trying to shake them down for money, I think it would be better to educate landlords as to what they're getting themselves into, so that they understand their responsibilities before they take on the role of a landlord.

1030

For example, a landlord that I know didn't know that you can't have a unit with a suspended ceiling and had to do \$50,000 in repairs to her unit in order to make it rentable, because she was unaware of the condition the unit had to be in to be a legal, fireproof unit. So educating landlords is the biggest thing that we can do to assure that they're going to stay landlords.

**The Chair (Ms. Natalia Kusendova):** Twenty seconds.

**Mr. Stephen Blais:** I don't have any other questions. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Now on to MPP Morrison.

**Ms. Suze Morrison:** I'll go back to Rebecca. You made an interesting point at the end about educating landlords. I chuckled a little bit, because I've had my own experiences. I've been evicted from places because municipal bylaw came in and a unit wasn't rentable. I've had landlords who tried to do illegal rent increases because they didn't know the rules, and I've had to educate them.

Do you have other examples of times that—perhaps this is a gap in our system, around being able to provide education to landlords, who may be well-intentioned but don't know what they're doing wrong.

**Ms. Rebecca Guzzo-Hockridge:** For example, my current landlord thinks that she can just sell the house. She doesn't understand that I am on a one-year lease, and that she can't just sell the house and then the person can just evict me. My last landlord didn't understand that it was his

responsibility to treat bedbugs with an appropriate exterminator. I had to bring it to the city. It took an extensive amount of time, because there were several units that were infested, and the landlord insisted that it was my responsibility to provide bug spray when it was indeed his responsibility. After bylaw came at him and said, “Hey, you need to do this or else we’re going to take it off your tax account,” that took so much time that I ended up just camping that summer, because I couldn’t tolerate the bedbug infestation in my apartment.

There are a lot of times where landlords don’t understand that they must repair things, that they must provide certain standards. If they knew what they were getting into, they would probably be more prepared and less surprised by these situations.

**Ms. Suze Morrison:** Yes, and that would go a long way to helping both tenants and landlords—if landlords are educated on their responsibilities to tenants, as well. It shouldn’t just fall on the tenants to know their rights.

**Ms. Rebecca Guzzo-Hockridge:** Absolutely.

**Ms. Suze Morrison:** I want to get into some specific questions about the bill. One of the things in this bill is that it would allow landlords to make illegally implemented rent increases permanent if a tenant unknowingly pays them for more than 12 months. Do you think that’s fair? Who do you think benefits from that situation?

**Ms. Rebecca Guzzo-Hockridge:** Well, I don’t think it’s fair if the tenant isn’t informed. If the tenant is informed, a year is a good amount of time to be able to disagree with it. But if the tenant is, as they usually are, uneducated as to their rights as a tenant, then this might be a way for landlords to sneakily and craftily increase rent even more, because the tenant doesn’t know.

**Ms. Suze Morrison:** Yes, we’ve had other presenters come before committee over the last few days going so far as to call it fraud. We’re basically legalizing fraud by allowing landlords to keep money that they have illegally obtained from tenants. Would you agree with that?

**Ms. Rebecca Guzzo-Hockridge:** I think it would be reasonable to use the word “fraud” in that description. Yes, I do.

**Ms. Suze Morrison:** Excellent. One of the other things that this bill does is it is going to allow landlords to fast-track evictions at the Landlord and Tenant Board and effectively waive a tenant’s right to a hearing.

Have you ever been through a hearing process at the Landlord and Tenant Board?

**Ms. Rebecca Guzzo-Hockridge:** Yes, indeed I have, and we mediated in separate rooms—where my mediator spoke to my landlord and then came to speak to me. That was in the case of a bug infestation. It was deemed that I did not have reasonable enjoyment of my unit for the period of time of about three months that he refused to treat the bug infestation. I was awarded three months of back rent and I was allowed to stay at the unit until I was able to find a suitable unit. I believe that because I was able to attend the hearing, that was a fair judgment.

**Ms. Suze Morrison:** And do you think that without having that in-person point of contact at the Landlord and

Tenant Board, you would have been able to access things like legal aid or legal information from tenant duty counsel? Did you benefit from either of those things that you maybe wouldn’t otherwise have known about or been able to access if you didn’t have that hearing to go to?

**Ms. Rebecca Guzzo-Hockridge:** If it had just been with the word of my landlord, I would have been completely oblivious. I would have just moved out and cut my losses or been homeless. It wouldn’t have been a productive situation.

I think that without the process of hearings—like I said, many of these tenants who haven’t paid rent have been threatened, coerced or had their belongings illegally removed. In the case of those tenants specifically, I believe it is their right to represent their side of the story—and if we don’t, that’s an injustice.

**Ms. Suze Morrison:** So would you say that that physical touchpoint of a hearing is an incredibly important part of our Landlord and Tenant Board system, to make sure that tenants don’t fall through the cracks and aren’t further marginalized?

**Ms. Rebecca Guzzo-Hockridge:** If we don’t hear both sides of the story, we cannot understand the truth. The truth is never on one person’s side. That’s why we have somebody who mediates or adjudicates after hearing both sides of the story. If we don’t hear both parties—the original person’s story always sounds great until the opposition comes in. Imagine if this current discussion were held just between you and I and we didn’t allow our opposition the opportunity to insert their views. Would that be fair?

**Ms. Suze Morrison:** No, I don’t think so.

Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** Thirty seconds.

**Ms. Suze Morrison:** Okay.

Overall, do you think this bill improves tenant rights or takes away tenant rights?

**Ms. Rebecca Guzzo-Hockridge:** I think this bill does nothing to improve tenant rights. And it will be detrimental even to landlords in the long run, as it will render tenants unable to repay the rent they owe.

**The Chair (Ms. Natalia Kusendova):** Now to MPP Karahalios, please.

**Mrs. Belinda C. Karahalios:** Thank you to Roger and Rebecca for Zooming in this morning and sharing your stories with us.

Rebecca, you managed to get a lot in in your six minutes. I’m going to try to address a few of those things before I get to a question, so please bear with me.

The first thing I want to touch on is the portable housing benefit. It is a special priority policy that’s targeted to survivors of domestic violence and human trafficking, and it provides rental assistance to households that qualify. It provides an option for eligible households to receive monthly financial assistance to assist with the costs of safe and affordable housing in a location of their choice, rather than waiting for a social housing, rent-geared-to-income unit to become available.

In December 2019, the federal and provincial governments announced the Canada-Ontario Housing Benefit, the COHB. That will replace and provide continuity to the portable housing benefit. It's a special priority policy program that started in April of this year, 2020.

The other thing is, you talked about mental health. Just for context, I live in Cambridge, not far from you in Hamilton. We also have a homelessness issue here as well, which is very unfortunate. I think it's an across-the-province problem; it's not just in southwestern Ontario.

You made a comment about mental health and homelessness, as well. You may already know this, but this year our government announced an overall investment of \$174 million for additional mental health and addictions funding. The funding includes providing children and youth with earlier and faster mental health and addictions help at schools and in the community, specifically for what you addressed; more housing supports for people who are homeless and face mental health and addictions issues; new mobile crisis teams that will help police officers and other first responders manage sensitive situations when assisting people with severe mental illness; and faster access to addictions treatment for all Ontarians. I wanted to bring that up today because I think it's very important that we mention that, because there are cases where we do see that link between homelessness and mental health.

I'm going to touch on human trafficking now. Like I said, I have a lot to catch up on because you gave so much information with your six minutes. Human trafficking is a huge issue in Ontario and across Canada. Just so you know, we have an anti-human-trafficking strategy, and to combat this growing problem, Ontario is investing \$307 million from 2020 to 2025 on a new anti-human-trafficking strategy. This really is the largest total investment that's dedicated to anti-human-trafficking supports. This is something that we did consultations with—myself and the member from Mississauga Centre, who is also our Chair. It's a multi-ministerial approach that we've taken: the Ministry of Children, Community and Social Services; the Solicitor General; the Attorney General; Indigenous Affairs; Education; Health; Heritage, Sport, Tourism and Culture Industries; and Transportation. Understanding that it's such a huge, huge issue, I did want to mention again—sorry for the long-windedness—some of the supports and the investments that we're putting into that.

1040

More related to the bill—thank you for your patience with me. We've heard of some experiences where a tenant was acting badly and causing serious issues for other tenants in the building, whether that's excessive noise or damaging shared areas or not cleaning up garbage or, in some cases, even harassing other tenants. We've heard that sometimes landlords are not able to resolve this on their own and, unfortunately, they may have to resort to evicting the tenant who is causing problems for everyone. We also know that sometimes the other tenants can be particularly vulnerable, as you mentioned—seniors, a person with medical issues, or a newcomer to Canada who might be experiencing a language barrier. We've heard

that landlords have challenges getting to the Landlord and Tenant Board, or the LTB, to have a hearing and solve this problem quickly, and to protect their other tenants. And everyone has to wait while the problems continue.

Would you agree that, in this case, being able to have a hearing as efficiently as possible is essential to protect those vulnerable tenants? And would you agree that a functioning Landlord and Tenant Board is essential to ensure that everyone is protected and following the rules?

**Ms. Rebecca Guzzo-Hockridge:** I have a friend who is receiving that subsidy. She has been receiving it for five years, which I believe is the limitation for her individual case. This individual is a senior and a native woman. She will be homeless in a very short period of time because she is unable to pay the rent without that benefit that you mentioned, which is important. But the \$200 that goes towards that benefit is nothing compared to the adjustment in rent price that one would experience when receiving subsidized housing.

Although I appreciate those efforts and I appreciate that you're also making efforts in other very important areas, that this work does need to continue, and I applaud your efforts—and I am really happy with that.

But what I am saying about your questions with a problem tenant—I did have that problem tenant who was re-infesting the house with bedbugs and using substances that were interfering with the enjoyment, and the landlord did have an impossible time to get that tenant out. So, I would agree that if the tenant is served, if the tenant is notified, if the tenant is able to have a reasonable chance to represent themselves in landlord-tenant court and they still haven't shown up—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Unfortunately, we are out of time.

Back to MPP Morrison.

**Ms. Suze Morrison:** I would like to address my next round of questions towards Roger. Do you think that an additional one-month's compensation for renovicting tenants is a sufficient deterrent to stop the practice of renovictions in the province of Ontario? Or do you think that renovictions are just so wildly profitable that it won't matter?

**Mr. Roger Moores:** No, I don't think that would be effective at all. In our case, the management company put a website up showing our newly renovated apartments and charging three times the amount of rent that we were paying. As far as I'm concerned—I've only had experience with one management company—I think they go on the idea of greed and speculation as their mandate.

**Ms. Suze Morrison:** We've heard from other tenants, tenant advocates and legal professionals over the last three days that the real solution to stop the practice of renovictions lies in vacancy control, so rent control. That means that a landlord can't raise the rent more than a certain percentage between tenancies. Would you agree that that would be a successful deterrent to stop landlords from the practice of renovictions?

**Mr. Roger Moores:** I'm under the impression, as far as our situation, that the landlord should not raise the rent

by more than 1.8% per year. Prior to this new management company taking over, we were all satisfied that the previous landlord was doing the right thing.

**Ms. Suze Morrison:** Yes, that's the annual guideline increase amount.

What we've heard from other tenants is that what happens in cases of renovations—you're in an apartment and you're paying, let's say, \$1,000 a month, and when you're pushed out and the landlord brings in a new tenant, they can charge \$2,000 a month for that new tenant because there's no rent control between the vacancies. Vacancy rent control means that when you turn over to a new tenant, you can't increase the rent more than a certain percentage, so that annual guideline amount would be consistent. Do you think—

**Mr. Roger Moores:** Yes, I'm aware of what the situation is. They can charge whatever they want with a new tenant.

But, yes, I think to put a cap on the percentage increase with a new tenant would be a good idea.

I was just wondering, are landlords licensed? If not, they should be.

**Ms. Suze Morrison:** It depends on the municipality. In some municipalities, they are, but not in all municipalities. So here—

**Mr. Roger Moores:** I thought the Landlord and Tenant Board covered all of Ontario. Why don't you have the same rights and obligations all the way through? That seems a little bit one-sided.

**Ms. Suze Morrison:** I couldn't agree more.

Roger, one of the other things this bill does that I'm very concerned about is that it allows illegal rent increases to become permanent. Let's say your landlord raised the rent 5% when the annual guideline amount that they're limited at is only 1.5% for that year; you don't notice, you sign the paper and you start paying, and at the end of the year, you're talking to your neighbours and you realize that rent increase was illegal, and you want to go back to the board and get your money back, but you've been paying it for more than a year. Under this bill, this government says it's okay for those landlords who have acted illegally to keep that money they've overcharged you. Do you think that's fair?

**Mr. Roger Moores:** No. First of all, tenants should be educated that there's a certain percentage increase when they sign their lease. I was notified right away that there was a 1.8% increase. That's the guideline. So enforce that regulation first, before you allow landlords to gouge tenants at 5% or 6% and let them hang onto the money and get interest on that money, while the tenant then has to go through some sort of Landlord and Tenant Board arbitration/mediation process to try to get their money back, which, in some cases, they never do. So let's enforce the rate increase guideline right off the bat. Then, you wouldn't have this problem.

**Ms. Suze Morrison:** I agree, Roger, and I hope the government members on the call take your message to heart. You sound like a pretty reasonable guy, in that

you're not trying to say that you shouldn't pay rent increases every year. You're fine with rent increases as long as they're enforced and they're standardized and they're not unfair. Would that be correct?

**Mr. Roger Moores:** I'm in business. If I don't make a profit, then I go out of business. But there's a reasonable standard of increase that has to take into account market forces, the cost of food, the cost of this, the cost of that.

And it doesn't seem to address the whole situation—this is not just rent, renters and rentees. It's a matter of looking at what the financial situation is and adjusting things accordingly, so that if there are increases, they're based on a study of other factors that go into people's living—cost of food etc.

**Ms. Suze Morrison:** Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** Ten seconds.

**Ms. Suze Morrison:** Thank you to the presenters for your time today.

**The Chair (Ms. Natalia Kusendova):** For our final round of questions, we'll go to the government members. MPP McDonell.

**Mr. Jim McDonell:** I want to thank all the presenters for coming out today.

I have a question for Roger. We've heard from a lot of people who've come in about the renovations, as they're calling them. Over my time as MPP, I have met with a lot of seniors who are having trouble paying rent. I know hydro is up. There are a lot of issues that I've seen over my years. I think hydro was up close to 30% over the Liberal reign, or more. And with falling increases in their pensions, they were having trouble.

**1050**

During the consultations on the housing supply plan, we received over 2,000 submissions, and 85% of them were from the public. One of the things we consulted on was the Residential Tenancies Act, and we heard that renovations were causing a lot of undue stress in the rental market, as landlords were looking to repair their rental properties, but tenants were worried about getting evicted for minor repairs.

A tenant has the first right of refusal—to return to a unit at the same rent following a renovation. This is so that landlords cannot use renovations as an excuse to kick out a tenant and bring someone in at a higher rent. We want landlords to follow the law and make sure that tenants have the right to say no.

The legislation proposes a few changes that will help make sure everyone is following the law and treating tenants fairly when doing renovations. The first one is increasing the amount of time a tenant has to file for an application for failure to provide the first right of refusal, from 12 months to 24 months. It would substantially increase fines for the corporation, from \$100,000 to \$250,000 for offences—that's not a lifetime; that's for each time they do this. That's a substantial fine if you look at the amount of rent that they could make.

It would also require landlords to disclose to the Landlord and Tenant Board if they have previously filed for an eviction so that they could move in and renovate the unit. That's a huge issue that we haven't thought of. It's one thing for this to happen as an isolated incident, but we're talking about large companies that have more than five—probably more—of these apartment buildings of hundreds of units. So when we're talking about large corporations, we're typically talking about a fine that is repeatable, so up to a \$250,000 fine is severe. It fills a loophole in the current legislation, where tenants in buildings with less than five units, who are getting no compensation—to give them a month's rent as compensation if they were evicted for renovations or repair.

Do you think that these are positive steps to help tenants who are being evicted due to renovations?

**Mr. Roger Moores:** Well, first of all, I think units of five and under—why aren't the fines the same or why are there no fines for that situation, as well? That doesn't make sense to me. We're talking about a landlord and a tenant.

And the first part of that question was—

**Mr. Jim McDonell:** So the question is, really—with the increase in the fines, this is a positive step. These steps were not there before. I think most of the issues we are hearing about with larger landlords, whether there is more than five—typically if there are under five units, they are smaller landlords with a home or one or two units. They are not the professional landlords we see. Sometimes renovations are needed, and there is a fine there. There was no fine previously.

**Mr. Roger Moores:** Yes, the fines should increase. But my way of looking at it is, if I sign an agreement that says I can move back in when the renovations are finished at the same rate and I find out that my unit has been rented out, which has happened in Toronto many times, why don't you address that problem first?

**Mr. Jim McDonell:** If you look at the legislation, it has done that. It's levied the time that the tenant has available to raise it with the tenant board from one year to two years. So that's part of this legislation.

If the landlord has used this tactic before, he has to disclose that. That is considered in the fines. The fines now are up to \$250,000 per incident. If he makes a practice of it, it gets very expensive, fast.

**Mr. Roger Moores:** [*Inaudible*] for a corporate registered landlord, but not an individual landlord. Why is it different?

**Mr. Jim McDonell:** I think you have to look at the circumstances. There are very few individual landlords who own large buildings. These are to catch the professional landlord companies that are there, which are corporations. When you get into a larger unit, it's generally or almost always a corporation that owns it.

**Mr. Roger Moores:** To answer your question, yes, I think the fines should be increased. But then again, as I stated, as it is now, that should be enforced more—

**The Chair (Ms. Natalia Kusendova):** I'm sorry. We are out of time.

Thank you to all of our presenters.

MS. TERESA ALMEIDA

MR. ROBERT KINGHORN

MS. ALEXANDRIA LEOUSIS

**The Chair (Ms. Natalia Kusendova):** We are now moving to our next round of presenters. First, we have with us Teresa Almeida. Welcome. Thank you for being with us. You have seven minutes, and you may begin your presentation by stating your name for the record.

**Ms. Teresa Almeida:** Thank you. My name is Teresa Almeida, and I am here to give you my perspective on the bill and our rights. I moved to Canada 20 years ago, and I have been a single mother of my two boys for over 15 years.

*Failure of sound system.*

**The Chair (Ms. Natalia Kusendova):** Ms. Almeida, we can't hear you.

**Ms. Teresa Almeida:** Oh, sorry—skipping the small luxuries such as new phones, car, gadgets and even eating out. I actually did not own a car until six months ago. Instead of renting, I decided to buy a small house for my family. And through great sacrifices over the years, I have been fortunate enough to invest in real estate, and I am now a small landlord with four properties, including my primary home, and four mortgages, which is a big responsibility.

Here I am. You see me. I am not a big investor. I am not a big landlord with bags full of money in my bedroom. I do not live in a mansion but, rather, a modest home that needs constant repairs. My older son is a tenant himself.

The risk of investing in real estate in Ontario has increased to the point where many are doubting this is something we are able to continue to do. Do not get me wrong; I am blessed to have great, responsible and generous tenants. Isn't it a matter of time, though? Isn't it just a waiting game until someone decides to destroy my hard work and I will have no recourse? Or maybe they will decide not to pay and the government will allow them to stay in my property for maybe over a year [*inaudible*] while I drown in debt, without the ability to pay four mortgages? Under the current act, they are protected due to the Landlord and Tenant Board's backlog and administration delays or clerical errors.

To the community, I should have saved enough or I should never have gotten into the business; these behaviours are something to be expected and accepted without complaint. In the current climate, you are protecting the small commercial businesses in the province, but you are also allowing movements such as "skip your rent" and rent strikes to continue to hurt small landlords.

We are a small business. At the end of the day, I am here as one of many mom-and-pop businesses. In my own experience over the years, and hearing from fellow small landlords—the tenants who do not pay for that long have mostly taken advantage of our broken system. I've worked with many tenants—from new immigrants to low-income people who have lost their jobs—and I can tell you that in their worst economic situation they have never chosen not to pay. We have worked out payment plans. I have waived

rent [*inaudible*]. I've provided paid maintenance jobs to help them out. These responsible tenants find ways to communicate with their landlords and work together to reach a win-win solution. These tenants take great pride in their homes, and it shows.

Good landlords want to keep these good tenants. Good landlords do not want to contribute to the homelessness rates in our cities. Good landlords are not heartless. We want to help those in true need—that single mother who just lost her job, that senior person living alone and unable to go out to buy his food. We want to help. We just need to be able to get rent, because our banks do not wait for us. There is no grace period for our bills. There are no adjudicators or mediation services. If we don't have the funds to cover our mortgages—no, they do not wait a year or more; they act a lot faster than this, and they usually destroy our credit ratings and ability to borrow for years to come.

While evictions are scary during a pandemic, I urge you to remember that the people who already had an eviction order or a hearing date are people who already did not pay for months prior to the pandemic and who took advantage of this situation to stiff further, without any consequences and without paying rent, despite having a job or receiving CERB.

Bill 184 increases fines for landlords; however, the bad tenants who defraud our system do not have any penalties, and landlords are expected to absorb the loss.

People who got affected by the pandemic would not get evicted, not any time soon, even with the changes with Bill 184. In fact, I believe that by allowing mediation in lieu of a hearing, it will free the adjudicators' time so that they can respond to filings by tenants who may be in great need of maintenance or repairs. Tenants who faced financial hardship can work out a repayment plan with their landlords if they haven't already.

#### 1100

There is no doubt there are bad landlords. Small landlords are being punished for the deeds of bad landlords. Big or small, we are punished for looking to have a stable form of investment for our children's and our families' future. Add the social pressure, add the lack of privacy and the unfairness of our law—I invite you to attend a hearing at the Landlord and Tenant Board. Add the mental anguish that we all go through because social media paints us as horrible, greedy landlords. Add the fact that tenants' groups can easily post invasive pictures, come to our homes, tell the world our private lives because we charge rent, because we signed a contract where we provide a service and we expect to be paid.

When you're hurting the small landlords, you're hurting small businesses. It's no different than your favourite family-owned restaurant at the corner of your street. We are the backbone of the rental industry. We cover over 50% of the existing rental market.

Equally important—you're hurting good tenants. I'll tell you why. When a landlord loses a whole year's worth of rent or thousands of dollars because of damages, that money and added risk needs to be recouped. The next tenant will pay a premium because we have to save extra

due to this added risk. It is no longer enough to just cover our mortgage and our expenses; now we have to be able to increase the rent because of the many risks associated with having to hire paralegals, months of nonpayment, renovations after damages and so on. And remember, we can't get our property back.

My hope is that Bill 184 helps to streamline the hearings for nonpayment of rent. Though this bill is not ideal and it still punishes landlords, it can be seen as a positive step for both good landlords and good tenants.

Maintenance issues are used and widely encouraged as a delay tactic at hearings. By asking the tenant to provide any relevant information prior to the hearing, it will allow the adjudicator to be prepared and focus on the items at hand.

To conclude, if there's something that you will get out of this presentation today, if you will only remember one thing, please remember: We are humans who also need protection. All we small landlords did wrong was to grab control of our lives, our finances and our retirement plans, using real estate as a vehicle. This came at great sacrifice. We need you to work with us and tenants to bring real fairness to the Landlord and Tenant Board.

Thank you for the opportunity to express my opinion.

**The Vice-Chair (Mr. Aris Babikian):** Thank you very much, Ms. Almeida.

Now we will move to our next witness, Mr. Robert Kinghorn. Please identify yourself for the record.

**Mr. Robert Kinghorn:** My name is Robert Kinghorn. I'm a 21-year tenant on Carlaw Avenue.

I think I have a unique eviction story. I've been fighting an eviction now for two years and have been served a number of N13s. On the surface, I would say my eviction looks very simple; it's a case of a landlord who wants to convert my unit to commercial. But if you peel back the layers on that, it's a very complex eviction. That's the kind of thing I'm worried about—falling through the cracks if there's a trend towards making evictions more simple in the landlord-tenant court.

For my own case, like I said, I've been a 21-year tenant on Carlaw Avenue. I'm an artist, my wife is a full-time artist, and we occupy a loft space. We had to sign a commercial lease with our landlord, but we were told that we could live here, and our loft building was marketed as "live-work" and as just "loft living."

A few years ago, the landlord started to push out the residential tenants in this building by hitting them with enormous rent increases of 20%, 30%, 40%. For myself, after 19 years, I was told that I would have to pay a 55% increase if I wanted to continue to live here. We tried to rally our building together and organize and go to landlord-tenant court and apply for official residential status. In the end, four of us did go to landlord-tenant court. We were awarded residential status, but shortly thereafter our landlord filed to have the units converted back to commercial, and that's where we're at now.

We've been served a number of N13s. We have successfully defended our ability to stay in our space, mostly because of administrative errors by our landlord. We've

been told that the third time's the charm, and he says he'll get us out next time.

From my perspective, my only fault here is being a long-term, good tenant. I've never missed a rent payment. I have never been short on the rent. Nevertheless, I feel quite persecuted.

There are about 24 residential tenants living in the building, but only three of us have official residential status. In addition to that, I've paid commercial rent increases every year that I've been here. The way the Landlord and Tenant Board works—when you receive residential status, it becomes retroactive to the beginning of your tenancy. According to that, I have overpaid—above-board increases—to the tune of over \$65,000. Obviously, I can't recoup those funds.

I would be concerned about Bill 184 making people not able—if they pay an illegal increase for one year, that becomes a legal increase. To me, in particular, that seems very unfair. If you're not familiar with the system, if you're an immigrant and English is not your first language, this could easily be taken advantage of by a landlord.

My eviction case has been incredibly stressful, dominating so much of my free time, my creativity and my ability to earn a living as a full-time artist. For my wife and I, it's a real struggle to stay in the city. When I moved into my unit, I was paying \$1,200 a month, and now my rent is over \$2,300 a month. And yet, we were able to persevere and hang in there.

I just would like the city to acknowledge that artists are important.

*Interruption.*

**Mr. Robert Kinghorn:** And the vacancy rate—my apologies.

Even with the stressful eviction situation—I still think it's critical that everyone have their day in court and have due process. I would be out on the street now if evictions were fast-tracked—in regard to fighting simple evictions.

That's all I have to say.

**The Vice-Chair (Mr. Aris Babikian):** Thank you, Mr. Kinghorn.

Now I would like to invite our next presenter, Alexandria Leousis. Please state your name for the record.

**Ms. Alexandria Leousis:** Good morning, committee. My name is Alexandria Leousis. I am a 27-year-old Greek-Canadian artist and Toronto resident. I was raised in ward 4 by my single, working-class mother, and I currently still reside in this ward, in the Parkdale community. I have a bachelor's degree in sociology, with a concentration in criminology, law, and social policy. I currently work three jobs: one as a career, one as an artist and one as an arts educator. I work about 80 to 100 hours a week. Last year, I made just under \$50,000, which will be relevant later.

I've never spoken in front of a standing committee before, and I was under the impression I had a bit more time, but I just wanted to speak on this bill today. I took the day off work, and I wanted to provide a little perspective, much like Robert's.

I currently live in a building that was recently purchased by Starlight Investments via DMS Property Management. Since the purchase, they have only made minor improvements, but the cost of our two-bedroom apartment is currently marketed at around \$2,400 a month, which is \$650 a month above what we pay. We've lived here for just under two years.

To give you perspective, I live with a roommate who works two jobs, and as I said, I work three, and at the new price, we couldn't afford to live here anymore. The new management applied for AGIs immediately, before their intended changes were made. The COVID-19 pandemic hit a month later, and a large portion of my building can no longer work. Some people may resume work this week, and some have lost their jobs permanently.

**1110**

I think it's easy to brush this off as an isolated incident, but DMS Property alone operates in 16 municipalities across Ontario, many of them municipalities that you guys represent. In our Parkdale organization, we have heard of other horror stories of tenants being illegally evicted, harassed or treated unfairly—much like Robert's, actually. My roommate and I both experienced this type of landlord at two other buildings within the last five years. In fact, we are quite familiar with the Landlord and Tenant Board and their processes at this point.

This is not just a few buildings or a few landlords; it is becoming quite the norm in large cities. Bill 184 will just make it easier for landlords to get away with this behaviour and for tenants to be displaced. I understand after hearing Teresa that there's a big difference between big corporate landlords and small landlords, and perhaps there need to be big distinctions in legislation between the two, but we cannot pass a bill like this that puts so many tenants at harm under the guise of protecting landlords in general.

It's no surprise that our new management landlords are hoping to evict long-term renters so that they can make the apartments look shiny and raise the rent on the unit. I can definitely tell you that a new backsplash in the kitchen and dark varnish on my floors won't make any changes to my life.

Parking has increased by \$25 a month, with no improvements to the garage, and our neighbourhood is now being marketed to people who are interested in being close to Liberty Village. We have a new security system, in the form of a guard who has been stationed at a folding table, with a printer-type sign, at the entrance of our building. He was asleep two weeks ago when someone was robbed outside the building. I'm guessing that this kind of increased security is what counts for AGI applications, and that's why this has been thrown together so quickly.

I want to make it clear that I'm not here to complain about my building, my living situation or failure to pay rent. I'm currently up-to-date with my rent payments, as I've been an essential service worker through this whole pandemic, making sure that essential packages have gone to Toronto residents. I'm just here speaking on behalf of my tenant committee—those who couldn't afford to take

the day off work, those who never saw this bill coming during a pandemic, those who are terrified that they won't have a place to live once eviction restrictions are lifted. I am here for them today. I am here for the working-class people that Timbercreek evicted from West Lodge. I'm here for the tenants who were distributing free food to their neighbours and got the police called on them by the landlord. I'm here for my neighbour, who is a long-term renter, who's being harassed by our landlord over a noise complaint due to her disabled child having to stay home from school. These people deserve better.

I live in a building where neighbours look out for each other, where emails are sent by the masses when one tenant has an issue, where people know your name, where people say hi and exchange pleasantries in the elevator. I live in a building with people who have lived here for decades, where children play outside and families gather on the grass. I live in a community where people support local businesses, where neighbours organize to fight for affordable housing and give out free groceries during a pandemic.

With all of this goodness and with all of this happiness in our neighbourhood, we are still all very scared of a time when we won't be able to live here any more. I'm not sure that any of you live in this situation. If you do, I'm assuming that you will fight with me against this bill. I'm simply here today to provide perspective for those who don't understand.

According to the cost index report, at the start of 2020, the average salary needed to live in downtown Toronto as a renter reached \$55,000 a year. That does not include school loans, debt, transit or a car, or things like haircuts and clothing. For renters, living in a typical Toronto apartment will cost around \$2,300 per month, which was also echoed by Robert earlier. Although that number is ever-increasing, public transit is an average of \$260, while driving, with gas, parking and maintenance, starts at around \$300. Without mentioning any extra breakdown of costs, you can start to see how losing your job in a pandemic and receiving CERB may not cover the costs of living any more. You can see how, even with working 80 to 100 hours a week, as I do, making under \$50,000 a year, as I do, doesn't cut it in this city.

I stand before you today very aware of my privileges as a queer, able-bodied white woman, and since most of you have at least as much privilege as I do, I thought it was necessary to break down a few more facts. I'd also like to note that I'm really concerned that there are not enough Black or Indigenous people on this committee, because this bill is going to disproportionately affect racialized communities, specifically Black and Indigenous communities.

This bill will increase homelessness in our city. We know this because the 2016 census showed that 20.8% of peoples of colour in Canada are low-income, compared to 12.2% of non-racialized people. We know this because racialized women earn 58 cents, and racialized men earn 76 cents, for every dollar a white man earned in Ontario in 2015. We know this because most recent immigrants were

spending more than 50% of their income on housing, and 15% spent 75% or more of their income on housing.

**The Vice-Chair (Mr. Aris Babikian):** Thank you. Ms. Leousis, unfortunately your time is up.

Now we will go to our first round of questioning. We will start with the government side. MPP Gill, you have six minutes.

**Mr. Parm Gill:** I want to thank our presenters for taking the time and appearing before the committee. This is obviously important work. I think we need to hear from as many Ontario landlords, tenants and other stakeholders to make sure that the piece of legislation that's before us is the best piece of legislation that we can make it to be.

I'm going to ask my questions to Teresa. Teresa, you described yourself as a small landlord. Would you be able to share with the committee how many units we are talking about?

**Ms. Teresa Almeida:** Sure. It would be a total of eight units, not counting my personal home. My personal home is also a legal duplex. I live in one unit with my son, and I also rent out the basement.

**Mr. Parm Gill:** And where are eight of these units located, roughly?

**Ms. Teresa Almeida:** Two properties are in Toronto, one in Oshawa and one in Peterborough. The one in Peterborough has four units.

**Mr. Parm Gill:** Thank you. I appreciate that. I think it gives us an understanding in terms of what we're dealing with—and I agree with the point that you made. You're obviously no different than a small business owner that is out there, especially during these challenging times, trying to make ends meet. Over the last couple of days, we've had a number of small landlords appear before the committee who also feel somewhat frustrated. Some even talked about getting out of the business and selling their units altogether, with the frustration that they're also facing.

That's not to say that the frustration is only on the landlord's side. I think we can all agree that there are lots of good landlords and there are lots of good tenants, but there are also bad landlords, unfortunately, and there are also bad tenants.

Our intention is to turn this piece of legislation into legislation that is fair for both sides.

I'm wondering if you can share with the committee some of the key challenges that you feel are confronting small landlords in Ontario and some of the items in this bill, Bill 184, that might address some of those.

**Ms. Teresa Almeida:** To be honest, the main challenge that I believe that we are facing is the long waits at the Landlord and Tenant Board. When I mentioned during my presentation that I was inviting you to go—I really do.

I've gone a couple of times just for research, just to learn, because I want to be a better landlord, and I felt crushed. The way the landlords are treated is unbelievable. If we look at the stats, I believe over 70% or over 80% of applications at the Landlord and Tenant Board are for nonpayment of rent. And remember, even before the pandemic we were having waits anywhere from—if you

were in a lucky town, you were waiting two months. If you were in Toronto or the Durham region, you may be waiting six months. That's six months of nonpayment of rent.

You go to the hearing, you wait the entire day, you have to take a day off from work; that goes for both the tenant and the landlord. Then you can get your application thrown out because you made a spelling mistake, because you wrote one day too soon or one day too late. Any mistake is punishable for the landlord. And then we start all over again.

I've helped tenants who are going through really tough times because their apartments are terrible or because the landlords are bad. It's such a frustration, because they have to wait a long time to get heard, as well.

**1120**

By streamlining the nonpayment process, we're giving that room for other issues to be heard. We're giving room for the tenants to be heard more, to be able to fight illegal evictions, to be able to come and have their time at the Landlord and Tenant Board. That is what I'm hoping. I have really big hopes that Bill 184 can help us with this by having that moment of mediation before and relieving the backlog that we have at the Landlord and Tenant Board. We don't ask for much. If we were to pick, as small landlords, even one thing that can help us, it will be that—help us get bad tenants out so that we can put good tenants in. We don't want to sell. I don't want to get rid of my properties. I love taking care of my properties.

When I said that my tenants are generous—they really are. When there was a pandemic, my tenant gave me their bottles of Lysol because we talked and I mentioned that I hadn't gotten any because everything was gone. So they're really great tenants. I don't want to ever get rid of my properties. But if I don't get paid, if I'm facing bankruptcy, I will have to, just like many landlords have had to do.

**Mr. Parm Gill:** How much time do we have, Mr. Chair?

**The Vice-Chair (Mr. Aris Babikian):** Ten seconds.

**Mr. Parm Gill:** Thank you, Teresa, for taking the time. I appreciate it.

**The Chair (Mr. Aris Babikian):** Now we will go to the opposition side. You have six minutes. MPP Morrison.

**Ms. Suze Morrison:** I'm going to start with Alexandria. Thank you for being here today and for sharing your concerns with us. I'm so sorry to hear that you live in a Starlight building. We've heard a lot of concerns about them. I do think it's important to make the distinction between what sound like delightful small landlords like Teresa and the reality that we're facing, particularly in markets like downtown Toronto, where we have these mega multi-billion dollar corporations that are absolutely abusing our system to force tenants out. Starlight and Akelius are some of the worst players in this field. Akelius is currently under investigation by the UN for human rights abuses internationally, and Starlight recently acquired \$2 billion worth of additional properties, and they own 27,000 units of housing across Canada. So when we look at the scale of these large landlords, when they're able to abuse the system, we see that the effects on tenants can be massive.

Can you share a little bit more about what it's like to live in a Starlight-owned building?

**Ms. Alexandria Leouis:** Starlight just acquired our building this year, before the pandemic. It was announced around February. Like I mentioned, they have really slapped together the changes and raised the rent almost immediately. I know that a lot of tenants in my building on the tenants' committee who have lived here for 30, 40 years are quite concerned because they've seen on the website what the new units look like. It's quite literally our unit but, as I mentioned, it has dark varnish on the floor and a new backsplash in the kitchen, and it costs almost \$700 more per month.

I want to also mention that most of my building is working-class people. These are people who deliver packages, do garbage disposal, work in kitchens as servers. Everybody, almost, who has been working through the pandemic has been fighting alongside the tenants who cannot pay, because they recognize that there's paint going up on the walls—when we see the building being painted, we get nervous because that means we have to start paying more rent. That doesn't help our life. New white paint on the walls doesn't help much.

We see things like landlords coming into our unit without notice to make changes and then saying that they couldn't reach us, or coming in while both of us are sleeping, because we work until 4 in the morning. Things like that start to get really scary when you're a tenant because you know that they come with the inevitable changes of increased rent.

I mentioned the security guard at the folding table with the handwritten sign, who was asleep when there was a robbery outside of our building a couple of weeks ago. Those are things that I guess count for "increased security" in the AGI applications. There has been a list of changes that they're intending to make, but we have not seen most of them, if any, and the rent has already been raised, including with AGI applications and with people who are coming into new units—of all the intended changes, there might have been two. I think that they're checking fire alarms this week, and they cleaned out the air ducts.

**Ms. Suze Morrison:** So would you say that the entire business model of these large multi-billion dollar landlords relies on exploiting every single abuse in our landlord-tenant system as possible—that that's the business model; not providing good housing?

**Ms. Alexandria Leouis:** Absolutely. We are under the impression that their model is to make money, and it doesn't matter how we feel about it or if we're comfortable. Some people have been living here for 40 years. In 40 years, they've seen three changes of landlords. This is their home. They've raised children in this home. Some people's children now live here again. And then when they see a change to a landlord who doesn't care about them and just wants to make money, how do you think that feels? This is your home.

So yes, we are all very concerned. We have had a couple of issues in our units that we've brought to the new landlords and have quite honestly been—it has been a

gruelling process, very disrespectful in some cases, and everything has gone wrong since they bought the building.

**Ms. Suze Morrison:** Would you say that the real financial incentive in this business model is the fact that, when a tenancy turns over, a landlord can slap a coat of paint on the wall and all of a sudden charge \$400, \$500, \$600 or \$700 more a month for a new unit because there's no rent control between vacancies?

**Ms. Alexandria Leouis:** Absolutely. Like I said, the tenant upstairs is dealing with a noise complaint from someone who lives across from us. Because of the pandemic, her child, who's disabled, has had to stay home and has had quite a few tantrums, so there's one noise complaint. Now the building is trying to get her to move to a new unit and sign a new contract, so she has to pay increased rent, instead of threatening to evict her. There are hundreds of units in this building, so that's just one case. So yes, I would agree with your point.

**Ms. Suze Morrison:** We heard from Teresa, a small landlord, who sounds like a great landlord. Honestly, I wish had her for one.

Do you think it's fair that these big landlords are allowed to abuse our system to such an extent that it's actually the small landlords like Teresa who end up suffering from the bad reputation—

**The Vice-Chair (Mr. Aris Babikian):** MPP Morrison, unfortunately your time is up.

**Ms. Suze Morrison:** Thank you. Sorry.

**The Vice-Chair (Mr. Aris Babikian):** Now we move to the independent member. MPP Blais, you have three minutes.

**Mr. Stephen Blais:** Everyone, thank you for your presentations this morning.

Alexandria, you touched very briefly in your comments on the anxiety that people are feeling as a result of COVID-19 and what might happen once the eviction restrictions are removed. I'm wondering if you can expand upon that a little bit.

**Ms. Alexandria Leouis:** I think the anxiety in our building is at an all-time high. We actually formed this tenant committee right after Starlight bought the building. We had heard comments about Starlight, and we were very concerned that some stuff in this building might start happening, so we formed the tenant committee. So I've been able to hear from multiple tenants in my building.

I'm a 27-year-old with really no responsibilities other than paying my rent and my loans, but I can't imagine having a family. I can't imagine what it would be like to have a dependant or someone depending on me to pay the other half of the rent. That anxiety alone, the anxiety here that we have in our apartment about perhaps the landlords coming in when we're not home; about, as I said, the security not really doing anything and that increasing rent—that anxiety affects everything. It affects your day-to-day job. It affects your future plans, your dreams, all those kind of things that we should all be allowed to have. When you are focused on the day-to-day of having to pay rent or being scared that you're going to be kicked out of your building, you can't really think of much else. You

can't really think of any of the other day-to-day things that you have to do, never mind the future.

**1130**

**Mr. Stephen Blais:** Would you say that it was a surprise that the government chose to continue to move forward with this bill before having a rent supplement program or a solution to what will happen once the evictions freeze is over?

**Ms. Alexandria Leouis:** Absolutely. I actually found out about the bill—I subscribe to a councillor's newsletter because of my motions to wanting to defund the police. I've been subscribed to her newsletter and she asked people to speak, and I so I took the day off work to do that. I was shocked that this bill is moving so quickly, and that I noticed but nobody else in my building noticed, nobody else in our community knew this was happening. So you're only hearing from me today, but I am one of hundreds of thousands of people that are going through this issue.

**Mr. Stephen Blais:** Robert, could you give us some thoughts on that, as well?

**Mr. Robert Kinghorn:** As I mentioned, the anxiety is just overwhelming. I would probably be in eviction court right now if not for the pandemic, so I'm very happy about the ban on evictions right now, but the anxiety is gearing up now. Are evictions going to start happening as soon as the emergency order is lifted?

The economy is tanking. I'm seeing people in my neighbourhood sleeping in their cars. I'm seeing the tents going up in parks—

**The Vice-Chair (Mr. Aris Babikian):** Thank you, sir. Your time is up.

Now we will go to our next round of questioning, and we will start with the opposition this time. Ms. Morrison.

**Ms. Suze Morrison:** I'll go to Robert this time. Thank you so much for sharing your story.

One of the things that this bill does is, it makes it possible for landlords who have illegally raised rents on their tenants—if the tenant unknowingly pays that rent for more than a year, they get to keep that illegally raised increase. It really struck me when you said that you had paid \$65,000 in overpaid rent increases over the term of your tenancy, which seems outrageous.

Do you think it's fair that landlords should be able to keep those kinds of profits from their tenants that were obtained fraudulently?

**Mr. Robert Kinghorn:** Absolutely not. It's actually higher than \$65,000. Because of the Landlord and Tenant Board, I got some accounting statements from our landlord. I switched units 16 years ago, from one apartment to another, so over 16 years, I've paid \$65,000 in overages. And in an attempt to get me to leave, they imposed a 20% over-holding charge, which is illegal but is still on my statement. It's really outrageous.

**Ms. Suze Morrison:** Wow. I'm so sorry to hear that.

I have to say to both the tenants on the call that I don't want to live in a city that artists can't afford to live in. I think that you contribute a lot to the value of our communities and the fabric of our neighbourhoods, and

it's really disappointing to see how hard it is for tenants, especially artists, to get by in this city.

One of the other things that this bill does is, it allows for tenants to be fast-tracked through evictions and effectively waives their right to a hearing. Do you think that's a good idea, in the context of COVID-19, when we're going to be facing mass potential evictions for folks who, through no fault of their own, have lost their income?

**Mr. Robert Kinghorn:** I can't imagine a worse idea, to be honest. I've been in court four times, and it is a difficult process. For me, even, to navigate—our landlord, for example, has in-house legal counsel. They have a legal team. It's a multi-million dollar corporation. I am one guy and I'm struggling to pay a paralegal now—and even at that, I want my day in court. I think it's important for everyone to have the opportunity to get up and say what they want to say. To take that right away from people is just wrong, especially now.

**Ms. Suze Morrison:** Absolutely. Would you say that the financial incentive to your landlord to kick you out of your unit, as a long-time tenant who has always paid your rent on time—is that financial incentive because there's no vacancy rent control in this province and your landlord can jack up the rent for the next person several thousand dollars?

**Mr. Robert Kinghorn:** That's exactly right. Even if the unit is vacant, the price of the unit fluctuates to the market. Now that the pandemic is happening, vacancies in my building will likely go down. Rents will probably go down a bit, to try to fill empty units. I'm in a multi-use building that has residential units and commercial units. The businesses are failing like crazy in my building, so there are a lot of vacancies, and certainly the landlord is favouring tech firms now, over—this used to be an arts building, and now it's more health tech and that sort of thing.

**Ms. Suze Morrison:** As New Democrats, we had proposed a policy to the government to offer residential tenants an 80% rent subsidy if they've lost their income as a result of COVID-19, to make sure that tenants could still pay their rents and that landlords were still getting rent, as well, to make sure that they were protected. Do you think that's a good policy that you would like to see the Conservative government adopt?

**Mr. Robert Kinghorn:** Absolutely, yes. It would be a great idea, for sure.

**Ms. Suze Morrison:** I'm going to pop over quickly to Teresa. Do you think that idea of a rent subsidy is something that would help you, as a small landlord, to make sure that your tenants who have lost their income are still able to pay the rent?

**Ms. Teresa Almeida:** Definitely. That is something that many small landlords requested via social media. If they implemented that, and definitely if they were even able to open the Landlord and Tenant Board—because there may not be as many evictions as Ontario is facing. Money or subsidies going directly to the landlord will ensure that we can continue to provide the service that is needed.

**Ms. Suze Morrison:** We've heard from tenants on this same panel today who are really struggling with some of the worst actors, in terms of landlords in the system.

Do you think it's fair that you are treated the same way as some of these big, bad landlords in the system, or do you think that we need better protections for small landlords, as well?

**Ms. Teresa Almeida:** I do believe we need more protections. To be honest, at some point I had to stop doing anything on social media because it was really hurting me mentally—even though it's not my tenants and I know it is not directed at me. The fact that landlords are called every word in the book is terrible. Sometimes I tell my friends. Not all of them know I'm a landlord, and then I tell them, and in the past, I've even been asked, "Oh, so I guess you're a slumlord?" And this is coming from a friend, because the media is putting down—

**The Vice-Chair (Mr. Aris Babikian):** Thank you, Ms. Almeida, for your time.

Now we will go to the government side.

**Mrs. Robin Martin:** Thank you to all the witnesses for coming. We're always learning more, as we go along here, from everybody's experiences. Of course, we've all been tenants at one point in our lives, if we're not currently still; some of us are. Most of us haven't had the experience of being landlords. /But I've certainly been to the landlord and tenant tribunal, Ms. Almeida, working with friends of mine who had tenancy issues and were there—including my own mother.

I do want to say, as well, that of course we value artists. Even Conservatives value artists. Today I am sporting local artisanal fashion from one of my local artists who had a street sale last summer, when you could do things like that, of her jewellery. So we do support artists, and we want to see artists be able to thrive in this city as well.

And we want to make this city more affordable. All of our policies are geared toward making sure we get more rental housing built so that there is more competition for rental housing, and also, in part, through this act, to try to make a balance between landlords and tenants at the Landlord and Tenant Board so it is fair to everybody. We can't afford to lose the good landlords like Ms. Almeida, or we'll only have the big ones left, and some of them obviously have some questions about some of their practices. We want to keep good landlords in the system, and we want to see properties rented.

My riding, Eglinton–Lawrence, is in the middle of the city, and there are so many empty properties here because most landlords I've spoken with have told me it's not worth renting out those properties. That is a big problem.

Since our government has come to office, my understanding is that the vacancy rate in Toronto has increased and rents have gone down 5.7%. That's according to Urbanation. It was that source I found just while I was preparing here for that.

So there is some hope for prices to go down, and really that's where our policies are directed—that, and trying to make everybody obey the law at the Landlord and Tenant Board so things go well. And we're open, certainly, to good ideas about how we can make the process go better.

1140

We have a number of changes in the legislation that's in front of us, Bill 184, with a view to trying to operate more efficiently at the Landlord and Tenant Board and to resolve the disputes in a timely manner. I know Ms. Almeida said this is important to her, and I think it is important to landlords, and I dare say it's probably important to tenants, as well, who don't want to waste their time going to the tribunal when they don't have to.

I know you touched on a couple of things, Ms. Almeida, but for example—the statement may have mentioned this—we have that parties are required to provide advance notice of other issues before an eviction hearing for non-payment of rent. Of course, this is geared at making sure the hearing proceeds and doesn't get adjourned and rescheduled months later, because dates are hard to come by. I'm a lawyer, and this idea of advance notice is really a principle of fundamental justice—that you know, when you go somewhere, what issues you're going to be addressing.

Ms. Almeida, could you please talk about how that is important for you, as a landlord, and how you think that will help everybody?

**Ms. Teresa Almeida:** I think it's really key. We already face up to six months' wait, and this is pre-COVID-19 time. Knowing in advance what the adjudicator is going to have to deal with—everybody can prepare better. Even the adjudicator will not have to take a recess to find out what to do with the specific situations—or at least, he will be able to order the landlord to take care of these items. And sometimes it happens that we don't know. Sometimes it's just not bad-faith; we just don't know, or we just don't know how bad it can be. So if we know in advance, then we can take care of the items at hand.

Especially on social media, there are a lot of tenant groups, and they actively encourage tenants to use maintenance issues as a last recourse, just to delay a hearing. When I've been to the Landlord and Tenant Board just as a witness, some of the forms, some of the applications, take the entire day—that is unbelievable—and then they get postponed, and they have to reschedule. So the tenant took a whole day's worth of work. Many other tenants who are awaiting their time in court and who deserve their time in court are not getting it because it was all taken by delays after delays. And then the landlord continues to pile up debt, because they're not getting paid.

So it's definitely something that we need to be able to streamline—and it's not a matter of evicting. Remember, we're not evicting that single mom who is delayed for one week. We're not evicting that senior person who maybe got the cheque late. We're trying to get our property back from the people who are taking months and months and not wanting to work out a payment plan with the landlord. We are always open to work with the tenants and try to recoup our costs. Ultimately, as a business—

**The Vice-Chair (Mr. Aris Babikian):** Thank you, Ms. Almeida. The time is up now.

We will go to our third and last round of questioning, and we'll start with the opposition. MPP Morrison, go ahead.

**Ms. Suze Morrison:** I'll go back to Ms. Almeida. One of the things that I think we've heard from the tenants is that they're facing a lot of issues with the big, bad landlords that unfortunately give your profession a bad name, who aren't like you, who will evict those single moms who are a day late and a dollar short and don't have that kind of compassion.

My question to you is, would a solution to the backlogs that you've experienced at the board perhaps be better addressed through properly funding the Landlord and Tenant Board and ensuring we have enough adjudicators so that cases can be heard quickly? I know we've seen an issue with a lack of adjudicator appointments at the Landlord and Tenant Board that is causing significant delays, and I know I've personally called on the minister to appoint adjudicators so that hearings can actually get their day in court. Do you think a better solution is to properly fund and staff the Landlord and Tenant Board so that hearings can happen quickly, rather than stripping away protections from tenants who are dealing with the Akeliuses and the Starlights of the world? Would that be an acceptable outcome to you, as a small landlord?

**Ms. Teresa Almeida:** It would be very helpful, but I don't think it will address the issue, and I'll tell you why. I double-checked the stats while I was waiting—and it's actually over 90% of applications due to nonpayment. You will have to hire a whole bunch of adjudicators. It's just not fiscally possible sometimes to have that amount of people.

What I'm hoping, and we will see with time, is that if we get to mediate it, if we get to work with the tenants, before we even get to that point—again, even for the big, bad landlords, and they are out there, then get them to mediate and get them to give these tenants an opportunity. That's what mediation is about. It's really not about getting that person out on the first day of nonpayment of rent.

**Ms. Suze Morrison:** Do you think that if we had higher accountability standards for these giant corporate landlords, it would give your profession as a whole a better name—if we were able to hold those bad actors more accountable?

**Ms. Teresa Almeida:** I think it will help to have a little bit of differentiation between the small landlords and what the big, million-dollar corporations are. Even small landlords can be corporations, as well. Sometimes we just have to do it, because it's more of a tax thing or a liability way of protecting ourselves a little bit more, not because we are big. I think it will have to have some differentiation. But ultimately, rent needs to be paid.

**Ms. Suze Morrison:** I want to go back to Alexandria. You said earlier in your remarks that this legislation will disproportionately impact racialized folks, specifically Black and Indigenous people, people living in poverty, people with disabilities. Do you care to elaborate a little more on that?

**Ms. Alexandria Leouis:** Yes, I was cut off while giving my statistics. I'm sure as MPPs, you all know them. We are a bunch of almost all white people talking about a bill that will disproportionately affect Black and

Indigenous communities, and it would be great if they were here to give some input on those issues from the tenant side of things—also, people who have been sick during the COVID-19 pandemic; people who have had to stay home to take care of those who are sick; the elderly; the people with autoimmune diseases who can't leave their house during this pandemic, those people who aren't able to go to their jobs.

**Ms. Suze Morrison:** I also want to touch on the piece that you mentioned around the affordability crisis that we're seeing in our housing. It strikes me as really unfortunate that you have to work almost 100 hours a week and three jobs to be able to afford a two-bedroom apartment in Parkdale, in Toronto. I pulled up the stats in between sessions here, and the minimum wage would have to be \$33.70 for someone to be able to afford the average price of a two-bedroom apartment in Toronto. Do you think it's fair, that it would take someone more than double the minimum wage to be able to afford the price of an apartment in Toronto?

**Ms. Alexandria Leouis:** No. I'm very transparent. I make \$25 an hour, as an average, across all three of my jobs. My roommate makes less than that. And we're still struggling to afford this two-bedroom apartment. I have a lot of privilege as a person with a university degree, who has been actively chasing jobs, who is able to do that, who hasn't been sick through COVID-19. So yes, I think that's very, very unfair. And to be honest, 80 to 100 hours a week doesn't even cut it.

**Ms. Suze Morrison:** Do you think a government that's actually for the people they represent should be focused on making housing affordable for people in this province and not on maximizing profits for international corporations like Akelius and Starlight?

**Ms. Alexandria Leouis:** Yes. Housing is a basic human right. If I'm worried, if I have all the anxiety about trying to figure out where I'm going to live, I cannot contribute to the city we're trying to build up—and that is everyone.

**Ms. Suze Morrison:** Would you like to see this government raise the minimum wage?

**Ms. Alexandria Leouis:** Yes, I would.

**Ms. Suze Morrison:** Do you have anything else you'd like to add about actions you'd like to see this government take to better protect tenants and those who are vulnerable in our communities?

**Ms. Alexandria Leouis:** Honestly, housing is a start, but defunding the police by 10% on Monday, June 29, would also be a great thing.

1150

**The Vice-Chair (Mr. Aris Babikian):** Thank you, Ms. Leouis. Your time is up.

Now we will go to the government side. MPP Hogarth.

**Ms. Christine Hogarth:** Thank you to everybody who has spent some time today and took some time off work to share their perspective on this legislation that is extremely important moving forward.

I know Ms. Martin has chatted a little bit and discussed some things around this bill. The reason why we have this bill is to make renting easier and fairer for both the tenants

and the landlords. Some of our proposed changes to the Ontario rental rules will make it easier to be a landlord, while enhancing protections for tenants, to make life more affordable. As you've mentioned, we do need to make life a little more affordable for all. People need affordable housing, and that's a part of supply and demand. That's why we want to make sure there are more rental units on the market.

We've heard from tenants who have been unfairly evicted—here, even today—from their homes. Really, your apartment, your rental spot is your home. That's why we want to make sure that people know we're increasing the fines—part of this legislation is increasing the fines and raising compensation and tightening the rules to encourage everyone to follow the law.

MPP Martin started asking Teresa a question with regard to the mediation process, and you didn't get to finish. I want to hear your thoughts because you're the first landlord I've had the opportunity to question. Bill 184 is proposing to allow alternative dispute resolutions, such as mediation, before the Landlord and Tenant Board hearing. One question she asked is, do you believe this will reduce the need for hearings and to resolve disputes? And do you have any advice on how to better inform parties of options to help make sure mediation is effective for both the tenants and the landlord? It really needs to be a win-win for both.

**Ms. Teresa Almeida:** I definitely agree there needs to be a win-win for both, because we do not want the lack of knowledge or the lack of education to be the reason why a good tenant gets kicked out just to make more money.

One of the things that I have noticed and that I think will help is to also keep up with the times—the Landlord and Tenant Board doesn't really use email as communication, and it relies a lot on mail. Mail can be lost. Sometimes tenants have to stay somewhere else, and they don't get the information needed on time.

A bit more education across the board is also important. I've noticed that even small landlords that have acted incorrectly have done so out of ignorance and not out of bad-faith. I belong to a couple of landlord groups, and we try to help each other and point out what the law says and how we need to act, so that they don't become another bad landlord that tenants complain about.

In terms of the mediation, I think, just as somebody was touching base on having enough adjudicators, we need to be prepared for having the capacity to attend to all the mediation requests, because there will be a lot. We have quite a few months of backlog, and honestly, sometimes it's just not fast enough.

**Ms. Christine Hogarth:** I appreciate that. Just so you know, we are adding more adjudicators to that board to ensure that we have—as we know, there is a backlog. I believe the number is 17 or 18, but I stand corrected if that number is incorrect. So we are adding more people to that board because we do believe that will make a difference. Thank you very much for your comments.

I have a question for Alexandria. You talked about our vulnerable citizens, and I appreciate that you mentioned this. We talk a lot about the residential tenancy aspects of

this legislation, but there are a lot of good things this legislation is doing for community housing, and it doesn't get talked about a lot. I think that you may have an opinion on that that I believe the committee should hear.

As you may know, the government is investing almost \$1 billion this year to repair and grow community housing in Ontario. On top of this, our minister, Minister Clark—the province was actually the first province to sign an agreement under the National Housing Strategy with the federal government. The agreement is for \$1.4 billion, to provide direct portable rent benefits to low-income Ontarians to use anywhere, and it has already helped 1,200 families since April.

This legislation we're discussing today would help maintain community housing supply by providing a mechanism for housing providers who are at the end of their obligations to continue to provide community housing with a new framework. We heard yesterday from our co-ops on this, and they were very supportive.

This new approach would be designed to incent housing providers to continue to serve low-income and moderate-income households who need community housing.

These moves and investments being made in this legislation by this government for community housing—is that a good decision?

**Ms. Alexandria Leousis:** I think you'd need to ask somebody who's in community housing, first and foremost. I don't want to speak on anything that I haven't experienced first-hand.

I can tell you that there are more than 1,000 families in my current building who are low-income and probably can't get into community housing.

So although those efforts might be great, you might need to ask someone who is in community housing and who needs community housing.

Right now, I'm speaking on behalf of the people who are not in community housing but are low-income and are dealing with our current situation, which is Starlight.

It sounds like a great initiative to me, but, again, I don't have any experience in community housing.

**Ms. Christine Hogarth:** We just want to make sure that we are looking after everyone. Our most vulnerable population is extremely important, and that's why we made these initiatives at the start.

**The Vice-Chair (Mr. Aris Babikian):** Thank you, MPP Hogarth. The time is up.

Thank you very much to all three presenters.

We have concluded our second hour of hearings, and now it is time to take a recess until 1 o'clock. Thank you very much to all of you, and we will see you at 1 o'clock.

*The committee recessed from 1157 to 1300.*

MS. DONNA PARTRIDGE

MS. SARAH SMITH-EIVEMARK

OAKWOOD VAUGHAN COMMUNITY  
ORGANIZATION

**The Chair (Ms. Natalia Kusendova):** Good afternoon. This committee is now in session. Welcome back to

our public hearings on Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020.

We will dive right in with our—

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Okay, we will say hello to MPP Tabuns. Please tell us where you're calling from today.

**Mr. Peter Tabuns:** Hi there, Chair. Peter Tabuns, Toronto–Danforth riding, calling from Toronto.

**The Chair (Ms. Natalia Kusendova):** It's lovely to see you.

We have with us our first presenter, Donna Partridge. Welcome. Thank you for joining us. You have seven minutes for your presentation, and you may begin by stating your name for the record.

**Ms. Donna Partridge:** My name is Donna Partridge, and I'm the chair of the homeowners' association at Meneset on the Lake. With me today is Karl Armstrong, the vice-chair of our HOA.

Meneset is a small adult-lifestyle community just north of Goderich, Ontario. There are just under 400 seniors living at Meneset, and the HOA represents approximately 300 of these residents. We are a land-lease community owned and operated by Parkbridge Lifestyle Communities, a large for-profit corporation that owns the vast majority of similar communities in Ontario.

Communities such as ours are very attractive to seniors. They provide security, affordable housing and the opportunity for social interaction. Over the years, we have found that living in such a community owned by a large corporation such as Parkbridge very challenging. We find the suggested changes to the Residential Tenancies Act outlined in Bill 184, particularly sections 165 to 167, very disturbing and potentially very harmful to both our financial future and current living conditions. We are especially concerned regarding the ability of the landlord to separate a "maintenance fee" from the rent portion of the lease without any accountability or transparency. We feel that this will lead to a placing of financial burden on a vulnerable population.

Annually, Parkbridge earns in excess of \$1.3 million from the rents at Meneset. Where does the \$1.3 million go? We know where it does not go. It does not go into community enhancements, it does not invest it in infrastructure, and it is not used to enhance staffing or preventive maintenance. There is no required accountability or transparency from the landlord to the tenants.

In 2019, Parkbridge created a new, separate maintenance fee for all new leases at a time when residents at Meneset were vocally upset about the lack of regular maintenance. Flower beds were not attended, grass was not cut, compost and yard debris stations had become an eyesore and roads were deteriorating. Monthly requests for maintenance improvements were met with promises but little work.

Schedule D of the newly established lease agreement states that tenants are also required to pay the maintenance

workers' wages, along with a 15% surcharge for administration and supervisory fees. Likewise, water has suddenly become an additional fee of \$75 a month for new tenants, although water is collected by the landlord at no cost. We are not on a municipal system. This leaves new homeowners paying well beyond the lawful \$50 increase in lease payments and paying costs that are above what the landlord incurs. Where is the accountability to the tenants?

Concerns regarding Bill 184 in our situation include:

- that routine maintenance will continue to be neglected until repairs become necessary or major, awarding the landlords double payment by the tenants: first, from the proposed monthly fee payments and, secondly, when the amount received is charged for final repairs;

- that separate maintenance fees charges can be added without regard for rent controls, creating unmanageable costs for the tenants—in this case, vulnerable seniors; and

- that the landlord has little accountability to the tenants, with no incentive to be efficient in operating costs. Will it use the 15% administration fee just to generate costs fees for itself?

Parkbridge as a corporation is continually seeking to enhance their profit margin while decreasing services to our senior population. The above-guideline-increase system has kept some of this in check. In the past 10 years, we have had four AGI applications from Parkbridge to the Landlord and Tenant Board. One application was completely withdrawn, as the documents were flawed and contained so many errors that it could not be processed by the LTB. In each of the other three applications, we were able to successfully negotiate a reduction in the amount requested in the applications.

We were able to demonstrate and prove to the Landlord and Tenant Board that Parkbridge was attempting to charge us, for example, for tree planting when the trees had died within weeks of planting; damage to a transformer that had been caused by lightning, covered by insurance but then charged to us; and we were also charged for permits when the fees had been returned to Parkbridge but left within the application. We have also been charged for bundling of projects that were totally unrelated but were included to meet time frame guidelines.

It is clear to us that oversight is fundamental to protect our limited resources and ensure that there is no opportunity for financial abuse. The AGI process and the LTB hearings ensure that seniors have access to proper representation before an impartial body. It ensures transparency and accountability. The AGI process provides us with due process and ensures that our legal rights are upheld. For-profit corporations with a vast monopoly over housing that impacts on seniors can and will lead to elder abuse and financial hardship for a vulnerable population if left unchecked. We believe strongly that the proposed amendments to the RTA with regard to land-lease communities does just this.

In summary, we ask that the maintenance fee remain within the amount paid for rent, that annual increases be kept in keeping with the cost-of-living percentages published by the government, and that the AGI process

remain in place. We ask that Bill 184 reconsider tenants' rights in order to protect and strengthen land-lease communities, which are so vulnerable, for our senior population. We hope that you hear this and will take appropriate action.

We appreciate this opportunity. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Next we have Sarah Smith-Eivemark. Welcome. You have seven minutes. You may begin by stating your name.

**Ms. Sarah Smith-Eivemark:** My name is Sarah Smith-Eivemark. I am here today to express my objection to Bill 184, the Protecting Tenants and Strengthening Community Housing Act. Thank you to the procedural services assistant, Bairavy, for guiding me through this process. I am grateful for her kindness and for the opportunity to speak with you all today.

I am an arts industry professional who was born in Toronto in the late 1980s. I spent the first five years of my life in the Oak Street Housing Co-operative between Dundas and Gerrard at River Street. My family moved away from the city when I was five, but I returned to Toronto in 2012 to pursue a career in the book publishing industry.

In the past eight years, I have moved around and across the city six times. Each move was the result of an exhausting and stressful search for affordable rent and, ideally, a landlord I could trust. The first apartment I lived in was a one-bedroom that I shared in sublet with a friend; I slept on the couch. The second apartment was a basement I shared with a stranger who needed a roommate, and if that sounds like the beginning of a horror film, you're not far off. My third apartment was at the YWCA Toronto Elm Centre. I was earning what they graciously called a "modest income" at the time, meaning I qualified for one of their rental units.

About a year later, I finally landed a job in publishing that paid me over \$40,000 a year. In jubilation, I rented an apartment in Parkdale with a best friend. I loved the two years we spent in that apartment, but we did have issues with the company we were renting from, Akelius, who during our tenancy faced and lost a lawsuit from our neighbours for removing access to a superintendent in the building. In hindsight, access to a superintendent would have really helped efficiently solve a lot of the issues we experienced while we were there.

Fast-forwarding ahead, I now have my own apartment, a one-bedroom in the Parkdale–High Park district. I live in a house that has been split into four units. I'm on the ground floor, with access to a lot of sunlight. My rent is under \$1,500 a month, and I'm close to transit and parks. I call it my "unicorn apartment," and I was absurdly lucky in finding it. I have made it my home over the past two years and I have a good relationship with my landlord. I have a new job in publishing that technically allows me to afford this apartment—so long as nothing goes wrong in my life, as I have learned.

A lot has gone wrong in my life lately; I'm sure many of you can relate. However, I'm wildly lucky to still have

my job, and while it has never been harder, I have never been more grateful for access to a steady income. It feels like a lifeline. I'm terrified about what will happen should it disappear, which it might, as I have really learned over the past few months nothing is guaranteed. I live paycheque to paycheque, and while I am finally on my way to financial independence, it will take years to achieve, and until then, I expect to remain a renter, beholden to tenancy laws and concerned about affordable housing.

### 1310

The last thing I will share about myself before getting into my concerns about this bill is that despite my respect for my landlord, I will be renovicted at some point in the next six to nine months. My landlord had started the process in the fall of 2019, promising me and my neighbours at least four months' notice before we would have to leave the house. I know my rights, I have done the research, and I know that my landlord is being generous. His generosity still results in me losing my home at some point in a precarious near future where I may no longer have a job and I'll continue to lack a financial safety net.

Here's the thing, though: While I dread the thought of re-entering Toronto's rental market, where it feels increasingly impossible to live unless you're earning a six-figure salary, and where landlords are increasingly corporations, I know that should the worst happen, I'll be okay. I have family and friends that would take me in. I won't be homeless, and that is privilege. There are people, families and communities who will be that much more at risk should this bill be passed.

As a publishing professional whose expertise is words and their meaning, I feel very confident in saying that the title of this bill is factually incorrect. Some might even call it misleading or a lie. You are not protecting tenants when you take away tools that they could use to protect their housing. Bill 184 takes away a tenant's right to defend themselves at eviction hearings by raising new issues, such as that of disrepair. A tenant might not know that they have the option of raising such issues, let alone how to raise the issue, and an eviction hearing might be their last chance to do so.

Bill 184 also makes illegal rent increases legal by expecting every tenant to know, let alone have the time and resources, to file an application to fight the increase within one year. If the law expects every tenant to be an expert in housing laws and regulations, or to have access to the people and resources that can help guide them through the process of fighting an eviction, then the law is on the side of corporations and landlords rather than the tenants that Premier Ford is falsely claiming to protect.

Bill 184 also takes away a tenant's right to a hearing following a repayment agreement that the tenant fails to uphold—a hearing that would stand between them and eviction. Perhaps a disaster happened in the tenant's life, a sudden, unexpected financial burden that prevented their repayment on the originally planned schedule. Bill 184 completely lacks empathy and humanity by allowing landlords to proceed straight to an eviction order without allowing the tenant a fair hearing, once again valuing profits over people.

Last, but certainly not least, Bill 184 allows landlords to withhold information from their tenants about utility costs. If I need to move into a suite-metered unit and the landlord is allowed to withhold information about electricity consumption, why on earth would I trust that landlord? That is quite literally asking me to pay for something without telling me what it costs.

There is no protection of tenants in Bill 184. There is no strengthening of community housing. Rather, it is landlords who are protected, and it is their ability to make a profit that is strengthened. People will be hurt by Bill 184, especially those in vulnerable populations. At a time when it has never been so clear how much financial inequality there is in our province, let alone how much systemic racism informs Ontario's housing system, Bill 184 is, to me, offensive, insensitive and cruel. I hope this committee will do the right thing and strike it down.

Thank you for allowing me to speak today and for taking the time to listen.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Next we have Bill Worrell, who is the chair of the Oakwood Vaughan Community Organization. Welcome. Thank you for joining us. You have seven minutes, and you may begin by stating your name.

**Mr. Bill Worrell:** My name is Bill Worrell, and I'm speaking today about Bill 184 on behalf of the Oakwood Vaughan Community Organization, or OVCO. Our Toronto community is in the areas of Eglinton West, Dufferin, Oakwood and Vaughan Road. We are home to Little Jamaica. We have a signed-up list of 130 supporters and members. We are widely recognized as a voice of residents in our community. We have organized a series of community events of 100 to 150 residents each on issues such as the need for community services and a community hub, community recreation, affordable housing and local economic development. We are recognized by, and collaborate with, many local agencies and all three levels of government.

Within Toronto, our community has a higher-than-average percentage of tenants, and low-income tenants in particular. Many are living on limited incomes, and many tenants are racialized. Affordable housing is a priority issue in our community.

Our membership strongly opposes this bill, especially since it is being introduced in a period of economic crisis and pandemic. Our community has been dealing with a growing affordable housing crisis for several years. Large corporate landlords are buying up rental buildings, and some are proceeding to harass and illegally evict tenants. We know and have been involved with tenants who are being renovicted, whereby perfectly good tenants are falsely threatened with eviction with the sole purpose of introducing large rent increases. Often this unjust treatment and/or illegal eviction succeeds, because tenants do not know their rights or are afraid to assert their rights.

In our community, many tenants are newcomers who may not have English as their first language or do not know Canadian law. This ongoing process is creating an ever-increasing shortage of affordable housing in our

community and causes huge upheavals for tenants. This bill will make it even more difficult for tenants to defend themselves in these very challenging economic times.

It has been conservatively reported that about 10% of tenants in Ontario were unable to make rent in April. It is safe to say that it is reflected on our community and that this percentage has been growing since April. To keep up after COVID-19, tenants will need to pay their current rent, plus—sorry, I skipped a sentence here—and some tenants are making arrangements, so they will need to keep up these instalments or be evicted.

All predictions at this point are that the economy will be in recession this year, or at least that recovery will be very slow. It is the tenants who need support now, the most vulnerable group in this very unequal relationship with the landlords. Why, at this time, is the government proposing this bill exactly when tenants are more vulnerable than ever?

It is true that Ontario ordered a temporary freeze on evictions during this COVID-19 period of time. However, we know that there are already tenants who are unable to pay their rent and will need time and support to re-establish their economic stability. Some have negotiated repayment plans with their landlords. This bill will make it even more difficult for tenants to defend themselves in these very challenging economic times by speeding up the eviction process if a tenant misses one payment of a repayment plan for arrears. Immediate eviction can be implemented without a hearing. It does not matter why they missed an instalment. It does not matter if the tenant can repay the instalment in short order. Our experience tells us that, for some landlords, any opportunity to evict will be used to their advantage.

In addition, the bill allows for an illegal rent increase to become legal if the tenant doesn't file an application to fight the increase within a year. This is unacceptable. All illegal rent increases are illegal, period; end of story. This bill should not allow for the landlord to act illegally at the expense of a vulnerable tenant in a Toronto housing market that is becoming unaffordable for an increasing number of residents.

Not long ago, on March 26, Premier Ford said, "If you can't pay rent, and you're absolutely in crisis, then you don't have to pay rent," and that if anyone had to choose between putting food on their table or paying rent, "The government of Ontario will make sure that no one gets evicted. We're going to make sure to take care of those people."

We know that landlords in our community are threatening tenants with eviction notices during this emergency period, despite the suspension of eviction hearings and orders. Where is the government now? We know that there are many tenants right now who are struggling financially. Many are not working, through no fault of their own. So my question to you is: What will the government do to follow up on the promises of the Premier?

We have other very serious concerns with Bill 184. For example, the landlord-and-tenant act at this time states that if a landlord has been neglectful with regard to repairs and

maintenance, it would render an otherwise valid eviction void. This bill would make it harder for tenants to introduce these concerns at an eviction hearing. Many of our tenants are already dealing with backlogs of repairs and cleanliness issues, especially COVID-19 cleanliness issues and harassment by staff.

On another point, if a tenant is required to pay utility costs, why should landlords be allowed to withhold information about how those costs are calculated? Bill 184 actually encourages bad landlords to continue their negative practices.

In closing, if Bill 184 passes, there will be many people and families, including parents and children, who are made homeless as a result of this bill. Many of our tenants are seniors who have lived in this community for decades, for whom eviction is a huge upheaval at a time in their lives when there's an ongoing need for stability, especially in these stressful times of uncertainty and pandemic. This will happen because the Ontario government decided to support bad landlords in these dire economic times and thereby accelerate the process of skyrocketing housing costs in our community and across the city. Instead, the government could and should be supporting those more vulnerable in our city.

**1320**

This bill has no place in the province's response to COVID-19. OVCO urges you to reject this piece of legislation.

We thank you very much for your time and for listening to our deputation.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We will begin our questions this afternoon with the official opposition. MPP Tabuns.

**Mr. Peter Tabuns:** I want to start by thanking all the presenters this afternoon. I really appreciated what you had to say.

Ms. Smith-Eivemark, I'm very happy to see you here. I managed the Oak Street co-op in the 1980s, and there were an awful lot of families moving in at the time. It's just nice to see the people grow up who were living there when I was running the place.

You spoke very well about the problems that we face with this bill. It certainly concerns me that you're in a situation with being renocted. Has your landlord said that you will be able to return to the units at your current rent when the work is finished in your building?

**Ms. Sarah Smith-Eivemark:** Yes, he has. The issue there, though—and we did talk about this. We had a very candid conversation about it, which is why I do respect him as a landlord. He cannot promise how long the renovations will take. He predicts that they will last anywhere between eight months to over a year, and, of course, that leaves me in flux. It doesn't really make sense for me to just hang out while those renovations are happening, and so it sort of forces me to find a new place to live, regardless.

**Mr. Peter Tabuns:** Yes, and I think that's a problem all kinds of people face. Where are you going to get a temporary place that you can afford for eight months, a year? Once you've moved, usually, you're just simply out.

You've spoken here about the removal of protections both in terms of the ability to present evidence without having given prior notice and a lack of [*inaudible*] hearings if there's a problem with payment on an agreed repayment plan. Could you talk about why those issues pose such substantial problems for tenants?

**Ms. Sarah Smith-Eivemark:** I think it's because a lot of the tenants who would be in a situation where they are on some sort of repayment schedule are likely from a low-income family or situation, and so they don't have access to savings that allow them to securely keep up with payments, which, again, is why they're on a repayment schedule in the first place. Often, when you are in a low-income situation, the smallest of incidents, such as a blown tire on a car, can completely upset your lifestyle. It can impact your ability to buy groceries, and it forces you to make really tough decisions between, "Do I pay rent, or do I put food on the table for my family?"

**Mr. Peter Tabuns:** I appreciate those comments. I may well be back to you.

Ms. Partridge, thank you very much for your comments.

I'm not familiar with land-lease communities. I'm sorry; I just haven't encountered them very often in my life. Why on earth would anyone propose to take away the maintenance fees that are currently incorporated in the cost of those land leases?

**Ms. Donna Partridge:** To go back to the first part of your question: A land-lease community is a community where most of the homes are module. Some are stick-built, but most are module homes. They're very popular in rural Ontario. We are on the shore of Lake Huron, so it's a pretty spot. We're a full community. There are three communities such as ours right in a five-kilometre stretch north of Goderich. They're very popular, especially with seniors, for all of the reasons I've stated.

The maintenance has always been included in the rent, so our rent includes water and sewage, rent and some of the out buildings and use of a hall and that kind of thing. What they are proposing is that the maintenance be added to the rent and water be added to the rent—things that have already been included in the rent.

In the RTA, we know very clearly that the landlord can only increase the rent \$50 each time a property changes hands, a home is sold, and in keeping with the guideline increase established by the government every year for the cost of living. Capital projects come back to us as a cost, and those capital projects go through the AGI process at the Landlord and Tenant Board.

Clearly, the amount of rent earned is not sufficient, in terms of profit. But what we're seeing is very much a substantial lack of maintenance, a deterioration in all aspects of this community, and now an additional cost for maintenance. Also, the cost of maintenance that is put on top of the rent would not be subject to cost-of-living increases, and there would be no reason or no method for the landlord to have to account to the tenant for how these costs are spent. So we have no idea how much it costs, and they won't tell us.

**Mr. Peter Tabuns:** So they could squeeze you as much as they wanted. There would be no limit. For instance, if they wanted to clear everyone out and redevelop the property, they could just crank up the maintenance costs to a point that people couldn't afford it and they would be driven out. Do I understand that correctly?

**Ms. Donna Partridge:** That's right. Also, because of our population, we are all on fixed incomes. Everyone here is a senior. We're retired people. We have finite resources. These increases above and beyond the cost of living and the AGIs would definitely put many of our residents in jeopardy of losing their home and losing the security and stability of their home environment. Their options would very much be limited. A large portion of our community is also senior females living alone, and so they're especially vulnerable to this kind of financial—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are now moving on to the government members. MPP Babikian, go ahead.

**Mr. Aris Babikian:** Thank you to our witnesses for presenting some of the difficulties that you have been facing. It is really disturbing to hear some of the stories that you cited.

Similarly, we heard the stories from landlords—small landlords, that is, because not every landlord in Ontario is Starlight or Akelius. We have 70% of the landlords in Ontario as small business landlords. They also struggle, and we heard so many heart-wrenching stories over there, too.

So the issue is, how do we balance this act? Because there are one or two bad actors doesn't mean that we have to wash everyone with the same thought or label them or put them in the same categories.

This bill's intention is to increase the rental units available in Ontario. For a long time, we have seen that the city of Toronto was at a dead end. There were no available units, and no one wanted to create available units for community housing or affordable rent. We are trying to change that, because once that changes, it will help you and other tenants. It will bring down the rent prices and it will put the bad actors in a more accountable position. In this bill, there are so many positive steps to punish those bad actors; for example, increasing the fine from \$100,000 to \$250,000 for corporations etc.

A couple of you mentioned the issue of knowing the rights. I understand that many people might have difficulty navigating their plight through the system—but that's not only for the tenant. We heard yesterday and today from many landlords of their own frustration with that aspect. That is something we probably have to address separately from this bill. How do we inform, educate, communicate the process in a better way for both sides of the equation?

**1330**

I have to clarify something: This bill is not in response to COVID-19, as it was mentioned. The process started a long time ago. We had public consultations. We received 2,000 submissions. Some 85% of them were from the public, like you. This whole process started before the bill was even drafted and submitted before March 12. We do

not need to mix this bill with the COVID-19 issue. I understand that COVID-19 came and aggravated the situation. In my family, I also suffer from that. My sister and my brother-in-law, both of them, are out of work for four months now. They are going through difficult times. COVID-19 is a special circumstance.

This bill addresses longer-term issues related to our housing crisis. The housing crisis has been there for so many decades, and now we're trying to fix it. We're trying to move from where we were. At least this is a positive step that we are doing. Our government has already provided \$1 billion this year for co-op communities, for repairs, and repairs of housing. Minister Clark also signed a deal with the federal government that we will provide \$1.4 billion in direct portable rent benefits to low-income Ontarians to use anywhere, and it's already helping 1,200 people.

This legislation will help maintain community housing supply by providing the mechanism of housing providers who are at the end of their obligations to continue to provide community housing within a new framework. We have seen and heard from some small landlords. They are saying, "We are fed up. We are getting out of the land rental business," because it's not worth the hassle that they go through.

When it comes to alternative dispute resolution, this bill will protect the rights of any tenant who wants to challenge the eviction in a legal manner at the LTB. And this—

**The Chair (Ms. Natalia Kusendova):** I'm so sorry, but we are out of time.

Now we will move on to MPP Blais.

**Mr. Stephen Blais:** Thank you, everyone, for taking some time to speak with us this afternoon.

Sarah, we've just heard six minutes from the government as to all the great things they think this bill will do. I'm wondering if you might share some thoughts on how the bill might improve your particular situation or protect you as a tenant.

**Ms. Sarah Smith-Eivemark:** I don't see how it does at all, actually. Listening to the government, it was said that this bill will be to lower rents. I don't see that, so if you could please explain how that would happen, that would be appreciated.

You also talked about how we educate both tenants and landlords about their rights. You could start in the schooling system. I certainly didn't learn anything through my education, and it was all through circumstance that I collected the knowledge that I do have—circumstances being crises, and then having to solve them.

It was also mentioned that this bill isn't in response to COVID-19. Sure, the timeline might have been pre-COVID-19, but it is being passed during COVID-19, so I think it is wildly irresponsible to try to separate the two, because it is impacting people who are affected right now by COVID-19.

You also mentioned that the housing crisis has existed for decades and that you're trying to fix it. Well, I don't see how passing legislation that puts at-risk communities even more at risk is the right step to take here.

And you said that this mechanism is to enable small business landlords to provide housing, but it comes at the cost of pushing out current tenants and unhousing them. So you're not actually solving an issue; you're just prioritizing profit once again over people.

**Mr. Stephen Blais:** I really appreciate your thoughts on that. Thank you.

You mentioned COVID-19, and I agree; I think trying to fast-track this through while we're dealing with the emergency without giving any consideration to what's going on is a problem. If you had been unable to pay your rent these last number of months and then, say, in September were asked to catch up on three or four months or face eviction, is that something you would be able to do based on your current situation? How would this bill and the fast-tracking of evictions affect your thought process on that?

**Ms. Sarah Smith-Eivemark:** I'm not allowed to swear here, so I'll just say it would be pretty bad. I wouldn't be able to pay at all. I live on a cheque-by-cheque basis, so every single month it's a precarious budget-balancing act.

**Mr. Stephen Blais:** I appreciate that. Thank you very much.

Ms. Partridge, you mentioned that they've recently changed the water billing system in your community. How have they justified charging you for water if they're collecting it from some source that's not the municipal water system?

**Ms. Donna Partridge:** They haven't been able to. We have asked for documentation—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. I'm so sorry, but we are out of time.

We are going back to the official opposition. MPP Morrison.

**Ms. Suze Morrison:** I'd like to address my question to Sarah. Can you speak a little bit about if you think the Landlord and Tenant Board is easy or accessible to navigate for tenants?

**Ms. Sarah Smith-Eivemark:** It's not. I had my best friend, who is also a lawyer, the aforementioned roommate from Parkdale, look over my notes before I presented here today to make sure I wasn't going to make a fool out of myself. One of the things we talked about was how impenetrable legislative language is, and that's by design. It's meant to keep non-experts out.

Again, I consider myself an expert with words, and here I am trying to make heads or tails of this law. It's obtuse, really, and then expecting vulnerable populations, many of whom are perhaps new to Canada and English isn't their first language, to be able to navigate, to be able to read this law, which I, a native English-language speaker, could barely make heads or tails out of—you've immediately placed a barrier from the get-go.

**Ms. Suze Morrison:** Do you think that the changes in this bill, coupled with the recent 30% cut to legal aid, will make it even harder for tenants who require assistance to navigate the Landlord and Tenant Board and the availability of things like tenant duty counsel at the Landlord and Tenant Board?

**Ms. Sarah Smith-Eivemark:** I'm not an expert on the cut to legal aid, but I can say cutting legal aid would make it harder.

**Ms. Suze Morrison:** I know in Parkdale you guys have recently had a devastating cut to your Parkdale legal clinic, as well.

**Ms. Sarah Smith-Eivemark:** Yes.

**Ms. Suze Morrison:** Are they still in the basement of the church there?

**Ms. Sarah Smith-Eivemark:** I think so. The last time I actually went to them was when I was dealing with an Akelius issue, so it was a few years ago at this point, but they were kind and generous and so helpful. The fact that their funding is being cut is quite infuriating to hear.

**Ms. Suze Morrison:** We've heard quite a lot about Akelius and Starlight over the last few days of hearings as some of the worst actors in our housing system. Do you have any thoughts that you'd like to share about your experience with Akelius specifically?

**Ms. Sarah Smith-Eivemark:** Well, just like any other corporation, they're trying to grow. They started in Europe—Sweden, I believe—and now they are slowly gentrifying vulnerable communities. They are buying up property in places like Parkdale. I love Parkdale, but there's a lot of homelessness there. There are a lot of people who have mental health issues, and they lack resources and safe spaces to go to. To have a corporation come in and slowly start pushing them out is really scary. I recognize that I was part of that. I was excited to be able to afford a real apartment with a roommate, but as we moved in, it became increasingly clear that Akelius was trying to push out current tenants.

**Ms. Suze Morrison:** What would you say is the business model of landlords like Akelius? Do you think they maximize their profits by exploiting the landlord-and-tenant rules that we have in Ontario and by trying to force out tenants?

**Ms. Sarah Smith-Eivemark:** I can't speak to the details of Akelius's master plan, but I will say their growth rate feels a bit insidious. It is "start small, push out those that you can and then grow."

1340

**Ms. Suze Morrison:** Do you think it's the responsibility of a provincial government to protect tenants renting from these predatory landlords that are these large, multi-billion dollar international corporations, that maybe don't have the best interests of our communities here in Ontario at heart?

**Ms. Sarah Smith-Eivemark:** It should absolutely be a part of the province's job. If it's not going to be taken care of by the province, then they should be empowering municipal governments to do that as well, and then they should be lobbying the federal government.

**Ms. Suze Morrison:** Do you see anything in this bill today that protects tenants from large, predatory landlords like Akelius, that are currently under investigation by the UN for their human rights abuses?

**Ms. Sarah Smith-Eivemark:** No. Again, I am not a legislative law expert; it took me a long time to read this

bill and understand it. What I do understand is that corporations are being prioritized over people, and that is quite scary to me.

**Ms. Suze Morrison:** I absolutely agree with you, and I share that concern.

One of the things we've heard over the last few days is that the incentive to force tenants out is, when a tenancy turns over, the landlord can jack up the rent in a unit much higher than long-standing tenants', which has led to a gross inflation of our rental housing market.

Would you agree that the proper solution to these types of malicious evictions is vacancy rent control?

**Ms. Sarah Smith-Eivemark:** That sounds like a better solution than what this bill proposes.

**Ms. Suze Morrison:** And are you aware, as a tenant, that last year the Conservative government further diminished the limited rent control protections we have in Ontario to exclude any apartment built after 2018?

**Ms. Sarah Smith-Eivemark:** Yes, I am.

**Ms. Suze Morrison:** Do you think that move makes it harder or easier for tenants to find safe and affordable housing?

**Ms. Sarah Smith-Eivemark:** It absolutely makes it harder.

**Ms. Suze Morrison:** Do you have anything else that you'd like the Conservative government to know about what types of actions you need to see your rights as a tenant further protected?

**Ms. Sarah Smith-Eivemark:** Actions speak louder than words, and this bill—again, the title is just incorrect. You're saying one thing, but you're doing something entirely opposite. I think Doug Ford's government is trusting that people won't look into this. I for one have never been more aware of how easy it has been in the past for me to just trust that the government is taking—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are out of time.

Back to the government members. MPP Karahalios.

**Mrs. Belinda C. Karahalios:** Thank you to everyone today for Zooming in and sharing your stories with us.

We're talking a lot about the legislation, as we should. We did post an easy-to-read document outlining the changes on the ontario.ca website, because I know sometimes legislation cannot be that much fun to read. I will list off some of the benefits that this bill has for tenants.

We haven't really had a lot of landlords come in to talk about it. In my role as MPP, a lot of the job is constituency work, dealing with the people who are living in our respective ridings. I have had a lot of not just tenants, but also landlords come in. Usually, they're not these big conglomerate businesses that are making tons of money; it's usually a small family that decided, "Hey, let's try to make some additional money on the side to save for our retirement," so they buy a home, and they're renting out. I don't believe that you guys are speaking about small landlords, and I do want to make that clarification here, because the stories that I've heard, for example, of tenants leaving the water running indefinitely, creating these huge water bills or creating immense amounts of damage and

not leaving—it's quite sad. Of course, I hear from the tenant side as well, and you shared your stories. I've heard ones that are similar to that.

Let me get back into parts of the bill that actually do benefit the tenant.

**Ms. Sarah Smith-Eivemark:** the bill requires landlords to disclose to the board if they've evicted someone for renovations or their own use before. Do you agree that that is a positive part of the bill?

**Ms. Sarah Smith-Eivemark:** Sure.

**Mrs. Belinda C. Karahalios:** The bill also implements compensation for renovictions where before there actually wasn't any compensation. Would you agree that that's a positive, as well?

**Ms. Sarah Smith-Eivemark:** I don't know that I would use the word "positive," but I do think transparency is important.

**Mrs. Belinda C. Karahalios:** The bill also increases the amount of time a tenant can file an application if the landlord doesn't give them the chance to move back into their unit, from one year to two years. What are your thoughts on that?

**Ms. Sarah Smith-Eivemark:** I'm still concerned about the rights taken away from tenants in this bill.

**Mrs. Belinda C. Karahalios:** What about increasing fines to corporations from \$100,000 to \$250,000, and for individuals—that small family, for example—from \$25,000 to \$50,000?

**Ms. Sarah Smith-Eivemark:** I can't speak to that. I'm not a landlord. I'm sorry.

**Mrs. Belinda C. Karahalios:** Not a problem.

We did do a housing supply action plan consultation. Are you aware of that?

**Ms. Sarah Smith-Eivemark:** No.

**Mrs. Belinda C. Karahalios:** Well, it was over 2,000 people, I believe, who were consulted; I hope I haven't got that number wrong.

I just want to talk a little bit about protecting vulnerable tenants. We've heard of some experiences where a tenant was acting poorly and causing serious issues for other tenants in the building—making excessive noise, damaging shared areas, possibly not cleaning up garbage or maybe even harassing other tenants. We have heard that sometimes landlords are not able to resolve this on their own, and unfortunately they may have to resort to evicting the tenant who is causing problems for everyone.

We also know that sometimes the other tenants can be particularly vulnerable, as you mentioned—like seniors, a person with a medical issue, a newcomer to Canada who might have some language barriers. We have heard that landlords have challenges getting to the Landlord and Tenant Board to have a hearing and to solve the problem quickly and, of course, to protect their other tenants, because that's also important. Everyone has to wait, usually while the problems continue.

Would you agree that in this case being able to have a hearing as efficiently as possible is essential to protect those vulnerable tenants? And would you agree that a

functioning Landlord and Tenant Board is essential to ensure that everyone is protected and following the rules?

**Ms. Sarah Smith-Eivemark:** I do agree that those measures that you have just discussed are important, but I think the problem that we're dancing around right now is, there are always going to be exceptions to the rule, and this bill still hurts tenants. Even though yes, you're right, there are going to be those bad actors and those bad tenants who make things harder for everyone else, that doesn't mean you get to discount the vulnerable tenants who will be negatively impacted by this bill.

**Mrs. Belinda C. Karahalios:** Chair, how much more time do I have?

**The Chair (Ms. Natalia Kusendova):** One minute.

**Mrs. Belinda C. Karahalios:** Thank you. And thank you, Sarah, for answering all the questions.

The Residential Tenancies Act establishes the legal framework, as we know, that allows for the process to adjudicate and resolve disputes between landlords and tenants, and the LTB is the tribunal with the authority to adjudicate disputes—you said you're very familiar with that. They do have discretion to set their own processes and procedures, so the two should work together to set the rules and ensure that the rules are followed.

This legislation would introduce new tools to enable the LTB to do its job. One example is that our legislation would clarify that the LTB can consider, as I mentioned, past landlord patterns of providing no-fault eviction notices, where a landlord evicts a tenant for personal use or to do extensive renovations—as someone mentioned already; Sarah, it may have been you—and it gives the LTB more powers to identify landlords who are not following the rules. It also creates a new section that would require landlords to file their affidavit for no-fault eviction when they file their application to the board.

I'm running out of time, I realize.

Would we agree that effective implementation of any law is essential? Sorry; we would agree on that. But do you agree that the legislation that creates—

**The Chair (Ms. Natalia Kusendova):** I'm so sorry; we are out of time. Back to MPP Morrison.

**Ms. Suze Morrison:** Back to Sarah: The previous member who spoke mentioned the increased fines for things like renovictions. Do you think one month's compensation is enough to deter the financial incentive for landlords to evict tenants?

**Ms. Sarah Smith-Eivemark:** Again, I'm not a landlord so I can't speak to that. But I would imagine that compensating landlords who are losing income right now because their tenants can't afford to pay rent would be a small measure of help, yes.

**Ms. Suze Morrison:** Oh, sorry; that wasn't what I meant.

**Ms. Sarah Smith-Eivemark:** Okay.

**Ms. Suze Morrison:** That's okay. Are you familiar with the practice of renovictions in Ontario?

**Ms. Sarah Smith-Eivemark:** Yes, intimately.

1350

**Ms. Suze Morrison:** What the previous member was trying to get at was that the bill increases the fines for

landlords who are found to have in bad-faith renovicted someone—by paying the tenant one month’s rent. Do you think that paying a tenant one month’s rent is enough of a financial disincentive to stop the practice of renovations in Ontario?

**Ms. Sarah Smith-Eivemark:** No, and the thing about that law, too, is there are exceptions to the rule. That doesn’t apply to someone in my situation, for example, because we don’t have enough tenants in the building that I live in.

**Ms. Suze Morrison:** I’m going to go over to Bill Worrell and ask you the same question. Again, if you’re familiar with the practice of renovations, a hugely financially incentivized system to get out tenants and to jack up the rent for the next person in—do you think that one month’s rent compensation to a tenant is a strong-enough financial deterrent to stop the practice of renovations in the province of Ontario?

**Mr. Bill Worrell:** Not at all, for a couple of reasons. Number one, once you’re evicted, you’re not coming back. Let’s be real here; you have to get on with your life. And number two is, quite often in my personal experience working with some people in a building near my house, rents are often doubled. To pay a month or two months or even six months is no big financial loss if you’re doubling the rents. So no, I don’t think it’s a disincentive at all.

**Ms. Suze Morrison:** So the landlords make up the compensation within a few months in the increased rents that they could pay.

**Mr. Bill Worrell:** Right.

**Ms. Suze Morrison:** Do you think that if we had vacancy rent control in the province of Ontario that would prevent landlords from substantially raising rents between tenancies, that that would be the best solution to address the practice of renovations in Ontario?

**Mr. Bill Worrell:** I’m not an expert, but it sounds pretty good to me.

**Ms. Suze Morrison:** Are there other policies that you would look for, as a tenant, to see tenant rights further enshrined in the province of Ontario to really address the bad actors in the system, the folks like the Akeliuses and the Starlights of the world?

**Mr. Bill Worrell:** The problem with this law is not so much that there are good landlords and bad landlords; it’s that this law benefits bad landlords. If the Ontario government wants to support good landlords, that’s a whole different debate.

Back to your question: Clearly, inaccessibility of legal aid, lack of knowledge about your rights—these are all big, big issues for tenants, particularly for whom English is not a first language, who were not born in Canada, which is many, many tenants in my community. I would say, a huge increase in support for legal aid and funded public education campaigns around rights of tenants in this housing crisis time.

**Ms. Suze Morrison:** Do you think it’s wise of this government to be proceeding with a bill that will make it easier to fast-track evictions during a global pandemic?

**Mr. Bill Worrell:** Absolutely not. Not only are we in an economic crisis, as I mentioned earlier, but there are health issues to being evicted too. It’s medically known that under stress, you are more susceptible to things like viruses and other diseases. This is not a good time to be cleaning up the house and helping landlords get back on track or whatever the language is. This is a time to support folks who are the most vulnerable in our city.

**Ms. Suze Morrison:** You may not be aware, but when we extended the summer sitting for this House, there was an agreement in place here at the Legislature that we would only be proceeding with COVID-19-related business at this time. And without notice, quite surprisingly, the government brought this bill forward and are proceeding to try to fast-track it through the House here with things like time allocation motions to speed it up, which is why we have such a short amount of time on committee.

Do you have anything else that you’d like to say about this bill or how the government has proceeded to try to fast-track it through the Legislature?

**Mr. Bill Worrell:** I just think that on a personal level, all of us can relate to this: We are preoccupied with day-to-day existence. How do I get to work? Am I going to work? How do I have enough money for groceries? I find it underhanded to bring in legislation like this when the news is totally dominated by what is the latest directive from the health authorities; what is happening across the country; what’s happening in the United States. That’s what people are worried about now, and to bring in this legislation, with hardly any publicity, I find to be unacceptable.

**Ms. Suze Morrison:** Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** Ten seconds.

**Ms. Suze Morrison:** Okay. Thank you so much for being here.

**The Chair (Ms. Natalia Kusendova):** For our final round of questions, we’ll go back to the government members. MPP McDonell.

**Mr. Jim McDonell:** I just have a few clarifications for the previous speaker.

We had an agreement with the NDP; that’s right. But they broke it. The delays they put in forced us into the summer sittings. Really, the people of Ontario don’t expect their MPPs, their government to sit at home all summer while they’re having one of the biggest economic downturns and catastrophes in our country’s lifetime. So I think it’s important that we’re there.

Yes, we’re putting through these—this bill was introduced before. I think when I hear a lot of the complaints coming through, these were existing loopholes that needed to be closed. We’re doing that.

First of all, when I hear about the reduction or the removal of rent control—those are only on new homes that hadn’t been built yet. We had seen a strict reduction in the number of rental units being built in Ontario over the last 15 years, and we needed to address that because the rental prices were getting out of control. Since we made the

changes, removed some of the restrictions and worked with the municipalities on development charges, we've seen the largest increase we've seen in 20 years in rental starts. So that will benefit the market. Those units are not on the market yet. They will be, hopefully within a few years. It takes many years to build some of these high-rises. They will provide extra supply. I think that's a benefit for all, because that will help reduce the costs—the loopholes.

For social housing, we have invested over \$1 billion. That money is portable. It can be applied to private apartments, as well as social housing. Just in Toronto alone, we're going to see 1,200 families on that plan by the end of the year. That's all rent subsidies that will help people stay where they are.

I wanted to ask Ms. Partridge about some of these land-lease issues. I was a mayor of a former township, and we had two of those in our area; one was over 100 residents. The first one lobbied to get on municipal water, because they didn't like some of the requirements of the MOE and the cost of doing that. They saw their rates shoot up drastically, because when the municipality took it over, they had to fall under different plans than a private system would be involved. Their costs were about three or four times what the municipal base rate was. We had a larger one that was lobbying, as well, to come aboard, because they didn't like the fees that the landlord was charging. We highlighted that we knew some of the issues that would need to be done to if they came to the municipal side. Their costs would be—first of all, we were expecting well over \$10 million or \$15 million to be spent to bring their systems in line and recommended that, if you want to see these problems really highlighted, have them taken over by the municipality and be enforced by the public rules. The new regulations that come through on the private water and sewer regulations are huge.

I believe, in these land-lease situations, people own their buildings. Nobody wants to see their investment go to zero because nobody can afford to do the maintenance and you're forcing these administrators into bankruptcy. It's a huge issue. So yes, these things have to be done. They are expensive. There are a lot of regulations that came out after Walkerton that were changed, and changed by the former government, the former Harris government. But they're expensive.

I think that may address some of the issues with the land lease. Nobody wants to live in an area that it's embarrassing, they're having—and costs have gone up. These are realistic costs. The Landlord and Tenant Board is there to make sure that the costs are fair and appropriate. But to say that the water is coming from the lake—

**Ms. Donna Partridge:** I'd like to answer, please, before we run out of time. We—

**Mr. Jim McDonell:** The whole thing takes [*inaudible*] was coming from the lake, so there was no cost for the water, but that's just the cost of the administration.

So you had a comment?

**Ms. Donna Partridge:** Yes. Our water does come from wells. The possibility for municipal water does not exist

here because of our location, but through the AGI process, we have paid for the wells, the pumps, the waterlines, the testing system. We have paid for all of that. If we were on municipal water, that would not be the case. That's part of our concern—that the infrastructure within the system itself, we have paid for. We are currently being asked to pay for the septic system.

1400

**Mr. Jim McDonell:** Okay, but you have paid for it. The point was that so did the residents I'm talking about; they had paid for it, as well, but the cost to keep the maintenance and to go ahead with it—and I say it came over to the municipal government; we were only looking at the costs of trying to bring it to the Ministry of the Environment standards for public units. I'm just saying that the costs are huge, and they didn't like the costs that they saw, but if it had been a public system, it would have been two times the cost at least.

My point really was that the cost of this—it may be coming out of the wells. One of the circumstances was coming out a private well. The other was coming out of the St. Lawrence River. They are huge, and you're not paying for the water, but the administration and the testing that are involved—

**The Chair (Ms. Natalia Kusendova):** We are out of time. Thank you very much to all of our presenters.

MS. ELIZABETH ELLIS

ONTARIO REAL ESTATE ASSOCIATION

MS. KIM GRUNWALD

**The Chair (Ms. Natalia Kusendova):** We are now moving on to our next set of presenters, beginning with Elizabeth Ellis. Welcome. Thank you for joining us. You have seven minutes, and you may begin by stating your name.

**Ms. Elizabeth Ellis:** My name is Elizabeth Ellis. I am a tenant in Hamilton and a member of ACORN. I'm speaking today to share my concerns about Bill 184, urging the government to focus on a real solution to the housing crisis in Ontario.

As a tenant, I am a person with first-hand experience. I got renovicted by a company called Malleum. They bought my building and didn't do any repairs—no bedbug treatments, no repairs in apartments. They came knocking on my door all the time, texting me and asking me to take a buyout. On a bad day, I took that buyout: \$2,000. But by taking that buyout—I was on OW at the time, because I had a heart condition. OW clawed that back. I had no income because I took that \$2,000 for four months.

Now I'm fast-forwarding to COVID-19. I have lost my hours of PSW, as I'm working now and I'm not eligible for the federal benefit. I'm being forced back on OW and I get \$800 a month. I'm struggling to pay my rent. My landlord's coming and asking. My rent is \$1,000. In the best of times, tenants all over Ontario are struggling with high rents and low income. COVID-19 makes it worse—but trust me; it wasn't good before.

Bill 184 doesn't make sense. In a public health crisis, there's no right time for Bill 184. When it comes to renovations, there is nothing in Bill 184 that takes the initiative from landlords to use a variety of tactics to send people out of their homes, to give them N13 notices. What Ontario needs is vacancy control, so the landlords can't increase the rent and do whatever they want to do to push out tenants.

Other concerns for Bill 184 are, allowing an illegal rent increase to remain if a tenant does not challenge it within one year—we hear from ACORN members all the time that landlords are doing these tactics. They're throwing people out, and then, with the bill, they'll make you pay up the rest of the year for being thrown out on the street.

Lastly, an ACORN member has raised, since the hearings started, the possibility of tenants getting evicted without a hearing. Access to justice is hard enough; there should be no chance of a tenant getting evicted without a hearing. We have a hearing—and lots of the government trying to balance the bill for the needs of landlords and tenants. There are bad landlords and bad tenants. There are good landlords and good tenants. To me, there is no such thing as a bad tenant. Everyone needs a home.

I am a bad tenant because I've lost work because of COVID-19? Why should that make me a bad tenant? I'm struggling to make rent. So many people are out on the street because they could not pay the rent, and if this Bill 184 is passed, there's going to be more homeless.

Along with ACORN members across Ontario, we urge the government to reconsider this bill and focus on vacancy decontrol, a rent freeze and eviction prevention.

Thank you for the opportunity to speak.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are now going to move on to the Ontario Real Estate Association. We have Sean Morrison, the president; Mike Stahls, the chair of the government relations committee; as well as Jason Lagerquist. Welcome. You have seven minutes, and you may begin by stating your name.

**Mr. Sean Morrison:** Good afternoon. My name is Sean Morrison. I'm the president of the Ontario Real Estate Association. With me today, as you said, is Mike Stahls, who is the provincial director for northeastern Ontario and chair of our government relations committee, as well as the head of our government relations at OREA, Jason Lagerquist.

OREA represents over 80,000 real estate brokers and salespeople in the province of Ontario, as well as the 38 real estate associations. It's a pleasure to be here today representing OREA to discuss Bill 184, the Protecting Tenants and Strengthening Community Housing Act.

We all know that real estate is an important pillar of Ontario's economy, but even Ontario's thriving housing market is not exempt from the effects of COVID-19. Our members have been working tirelessly at strengthening their businesses to adapt to new challenges in the face of the changing real estate market.

Many of our members represent Ontarians who are both landlords and tenants. During this time and moving

forward, OREA recognizes the importance of strong communication between realtors and clients, and landlords and tenants. Right now, landlords and tenants are feeling increasingly strained. In any given month in Ontario, the Federation of Rental-housing Providers of Ontario reports that 99% of rents are typically paid to landlords. In April 2020, only 90% of rents were paid to Ontario landlords.

Mom-and-pop landlords as well as their tenants are looking to feel supported by their government, and we feel that Bill 184 strikes the right balance between ensuring that tenants' rights are recognized and strengthened, while also supporting landlords in maintaining and growing their investment.

Ontario realtors believe that home ownership is a fundamental Canadian value that fosters strong and vibrant communities. We also value a system that recognizes the unique relationship between landlords and tenants. Bill 184 aims to support this relationship by implementing provisions that address tenants' needs for quality housing and reliability in their living arrangements, while also ensuring that tenants are being held financially accountable.

The bill also encourages a greater rental supply by protecting landlords and their investments and strengthening the rental housing environment across the province. Landlords across Ontario have worked hard in order to invest back into their community by purchasing a rental property. Many landlords depend on their investment as their sole income for their retirement. When tenants withhold rent or other payments, many landlords feel trapped, as they must rely on a lengthy process of taking their tenants to Small Claims Court to recover any costs. This process is stressful, time-consuming and costly for both landlords and tenants.

Ultimately, we recognize that this relationship between landlords and tenants needs to be based on mutual respect and trust. OREA views Bill 184 as a step in the right direction in revising the current landlord-tenant legal framework.

Bill 184 includes provisions that will include investment in Ontario's housing market, provide greater housing choice and quality for renters, and increase the number of rentals on the market. Bill 184 recognizes that landlords and tenants should all be afforded fair and balanced treatment under the law. By streamlining some of the outdated and time-consuming administrative requirements for landlords in Ontario, it will be less of a burden for landlords to rent out their properties.

Landlords will no longer need to go through the lengthy process of taking their tenants to Small Claims Court on issues regarding utilities and post-termination compensation. These issues can now be resolved via alternative methods such as mediation. Allowing these alternative methods of dispute resolution would alleviate some of the administrative burden on both landlords and tenants when it comes to preparing for a full hearing. Mediation, where appropriate, would also encourage landlords and tenants to make better use of their time and resources, while still coming up with a fair resolution.

The bill also brings about a number of positive changes on behalf of tenants. OREA does not support bad-faith evictions and is pleased to see that the bill addresses this issue. Landlords will be required to tell the LTB whether they have previously served any notice of termination using the N12 notice. By requiring this admission, the LTB will be able to better identify those landlords who show a pattern of serving eviction notices for personal use and who may be breaking the law.

#### 1410

Bill 184 also increases fines to corporations and landlords who have committed illegal evictions, as it will require landlords to compensate tenants who have been evicted for reasons beyond their control. This will discourage landlords from breaching the rules set out in the Residential Tenancies Act as well as discourage landlords from acting in bad-faith.

Bill 184 will require that tenants can only raise a new issue at the LTB if the tenant provides advance written notice to the landlord that they will be raising the issue or explaining to the LTB why the requirements could not be met. OREA supports this new section because it will allow landlords to properly prepare in advance for any issues being raised by the tenant, to prevent trial by ambush, where the landlord is unprepared to present evidence or a witness to refute the tenant's claim.

Mike, would you like to continue?

**Mr. Mike Stahls:** Thanks, Sean.

Quite honestly, much has changed since the introduction of Bill 184 and where we find ourselves today. The COVID-19 pandemic has shown us just how important it is that Ontarians have a place to call home. We supported the decision to temporarily prevent the LTB from enforcing eviction notices during a state of emergency, as no one should be evicted from their home during a global health pandemic. But as we enter into the fourth month of the state of emergency, we need to have a real conversation about how mom-and-pop landlords are feeling increasingly strained. Many tenants are continuing to face significant financial hardships and are being forced to decide between paying rent and paying for other necessities. Similarly, landlords are facing significant pressure and still need to make all their monthly payments on their rental properties, as well.

We're pleased to see the government introduce the Canada Emergency Commercial Rent Assistance program. The program supports small businesses while ensuring that commercial landlords are provided with financial support. We feel that it should also include support to mom-and-pop landlords in the residential sector. We strongly believe a time-limited direct support payment to—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are out of time.

Kim Grunwald is with us now. Welcome. You have seven minutes, and you may begin by stating your name.

**Ms. Kim Grunwald:** My name is Kim Grunwald, and I live at 1420 Kingston Road in Scarborough. I'm a tenant in an older building that one of the properties have taken

over and gone into renoviction. Unfortunately, I can't put my face because I'm afraid of repercussions that will occur if I do. I can put my name to it, but my face—I'll probably have repercussions through Akelius if I do. So that's why I'm not showing my face at this time.

I've lived in the unit for 10 years. It was taken over by a foreign company whose main focus is to buy up older buildings, force tenants out that have been in lower-priced units, and they renovate them as soon as anybody moves out. As soon as they do that, it causes problems with—I will tell you exactly what happens: They cut off services. They cut off heat. They cut off water. You get numerous messages about when they're going to enter your unit.

The only way, if you have any problems with the landlord, is going to the Landlord and Tenant Board. They took me, actually, to the Landlord and Tenant Board due to a small calculation error of \$45, and I was put through turmoil and pain and agony for months, thinking that I'm going to lose my apartment over \$45. I've lived here for 10 years. I've had to put up with loss of service, noise, dust, people walking in and out, males exposing genitals, workers coming into my unit.

If you put this Bill 184 through—this is the only repercussion that tenants have, as some kind of stability, because you're dealing with companies that have big lawyers. I'm on disability. I have an affordable housing benefit through the Ontario government because I was assaulted.

Now they're trying to take me to court—and I went to court with them, and the only thing that made it that I won and kept my apartment was not having this, where I could say to the Landlord and Tenant Board, "Look what I've been going through for seven years of renoviction and noise." They don't upkeep the apartments that are older. They don't care about them. There's dust in the house and mould issues. These are the things that I could bring up with the Landlord and Tenant Board that I won my case, and it was a clerical error for only \$45. I was put through turmoil waiting and preparing to go to court.

It affected me very, very badly, because I'm scared to come to my house, and the only thing that I could do is go to the Landlord and Tenant Board as a tenant and prove that these people are harassing me, causing—the heat off, the water off with no notice. They just do whatever they feel like. There's no posting for the construction. Every time they have a new unit, they don't post the building permits. They cut off my water. They cut off my cable for three days. I asked the landlord for compensation and they didn't give it to me, so I had to pay.

The only way that I could get any repercussions is through the Landlord and Tenant Board, and it was very, very painful going there. I was scared. And once you go to the Landlord and Tenant Board—there's a blacklist that everybody knows about. I would never be able to get another unit anywhere since I've gone to the Landlord and Tenant Board. The only thing that I could do was fight there about how they've done renovictions, the dust and dirt. This is continuing as soon as any anybody moves out.

I didn't make a speech—this is exactly how it has affected me personally. I don't know if this will help, but

if you do this and make this Bill 184—it's easier for the landlords just to go and turn over, which is exactly what they want. They don't want tenants to stay around anymore. They want people to come, get a lease, turn it over and then increase the rent.

Thank you very much for listening. There were a few more points that I wanted to—

**The Chair (Ms. Natalia Kusendova):** One minute remaining.

**Ms. Kim Grunwald:** Thank you. I just wanted to know if anybody on the committee are renters, and if they know anybody who rents and who's gone through renoviction.

There are six major players who own most of the buildings in Toronto, and they all have the same idea: to make them look like condos, get the older people out and have no consideration toward tenants who have lived there for a long period of time. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you very much, Ms. Grunwald.

We will begin our rounds of questions with the government members. MPP Gill.

**Mr. Parm Gill:** Once again, I want to thank our witnesses for taking the time and appearing before the committee as part of this important piece of legislation that we're looking at.

1420

Before I get into my question—and my question is going to be to the Ontario Real Estate Association—I did want to take this opportunity and try to set the record straight. I know the opposition members have asked questions—I think maybe what they need to do is familiarize themselves with the actual content of the bill, Bill 184. To imply that, for illegal renovictions, the penalty is one month's rent is completely wrong and irresponsible. As a matter of fact, illegal renoviction fines range from \$50,000 for a small landlord—less than five units—and for large corporations the fine is actually \$250,000. One to three months' rent is actually for legal renovictions.

We've heard today and we've heard a couple of times yesterday the opposition members also implying that we're breaking the agreement, supposedly, that we had in the Legislature and we're ramming this bill through committee during COVID-19. Yes, there was an agreement in place. I would like to encourage the opposition members to go through Hansard and read through the content, because our government House leader outlined very clearly what the agreement was and who was responsible for breaking it. It was actually the NDP, unfortunately.

Maybe the NDP in Ontario would like to follow in the footsteps of their federal counterparts, who actually helped the Liberals shut our federal Parliament down and go home for the summer. But we were elected in Ontario here to serve the people of Ontario. They expect us to work on their behalf, which we will continue to do day and night, every single day. That's what we're here to do, and we will continue to do that.

I just wanted to set the record straight, and I would again strongly encourage the opposition members to please familiarize themselves with the content of Bill 184.

As I mentioned, my question is going to be to our representative from the Ontario Real Estate Association.

By removing all landlord-and-tenant disputes to the Landlord and Tenant Board rather than Small Claims Court, would this change actually make it easier to help landlords?

**Mr. Sean Morrison:** If I understood the question correctly, you're asking if the bill eliminates the need for going to the Landlord and Tenant Board—would this make it easier for landlords overall?

**Mr. Parm Gill:** Rather than having to go to Small Claims Court.

**Mr. Sean Morrison:** Yes, certainly, especially with mom-and-pop landlords, the people who buy a rental property to rent out to people as an investment vehicle for their retirement.

Often, waiting four, five or six months to go to court to get that money back and be able to re-rent their unit can be catastrophic to their cash flow. I've had a lot of clients of my own who have ended up in that situation and had to sell the rental unit, thereby taking that unit off the market. So there's one less rental in the marketplace because they couldn't afford to wait that long for things to run through the LTB.

**Mr. Parm Gill:** As a matter of fact, we've had a number of small landlords appear before the committee over the last two and a half days and we've heard from a number of them how frustrating the system is. Some of them even suggested that they're looking to get out of the business altogether. As soon as the property becomes vacant, they're going to put it up for sale and get rid of it.

We all know the affordable housing crisis that we're facing right across this province. In every part of Ontario, there is a shortage of affordable housing. A lot of these small landlords are trying to do what they can to help with the housing crisis, and it would be very unfortunate to see them get out of the business and those units not be part of the inventory.

We've heard that complex rules and processes discourage landlords from providing rental housing in Ontario. How do you think Bill 184 will actually help make it easier for, say, small landlords who want to get into the market?

**Mr. Sean Morrison:** Mike, did you want to take that question, or Jason?

**The Vice-Chair (Mr. Aris Babikian):** You have 22 seconds.

**Mr. Mike Stahls:** Right now, a lot of people don't get into it because they see the nightmares that happen with the red tape. I think reducing some of that, both for tenants and landlords, so that they can get their issues dealt with quicker is good for everybody. I think that helps take some of that—

**The Vice-Chair (Mr. Aris Babikian):** Thank you. The time is up.

Now we will go to the opposition. MPP Morrison, you have the floor.

**Ms. Suze Morrison:** I want to start by apologizing to members of the panel on behalf of my colleague opposite, who doesn't seem to understand that these committee

hearings are for hearing from the public. Under normal circumstances in committee hearings, we'd have a whole hour to spend per deputant or a whole 20 minutes each to spend with deputants—there are different formats for this. Instead, this government has chosen to compress the committee model so that you're only getting a few minutes to make remarks and a few minutes each as a panel to go through Q&A. Overwhelmingly, we've seen that the strategy of this government this week has been to lecture deputants rather than to ask them questions, so I'm very, very sorry for that.

That said, I'm going to immediately go to the tenants to give you an opportunity to speak.

We'll go back to Ms. Grunwald from Scarborough.

We've heard over and over again this week about the track record of human rights offences on behalf of Akelius, one of the worst actors in our housing system right now, who make it part of their business model to evict tenants so that they can turn over the units and raise the price.

Would you say that a solution to ending the practice of renovations would be to improve rent control measures in the province of Ontario?

**Ms. Kim Grunwald:** There has to be some type of regulation. Akelius is the worst, and they even have a college where they learn these practices. These practices are put over and learned by other management companies. I don't know where a tenant can survive and how they proceed. You have no accountability, as a tenant. You're buying a product; you've had satisfaction with the product before this Akelius landlord has taken over; and then, all of a sudden, they want to make it look like a condo. They want to put five appliances in a 1940s building that has old plumbing; they're putting in a washer and a dryer, a dishwasher. These old buildings cannot handle the supply and the demand that are put on that, and it affects all the other portions of the building. I do think there needs to be something done about this.

**Ms. Suze Morrison:** Would you say, as a tenant, in your experience, the Landlord and Tenant Board is accessible and easy to navigate?

**Ms. Kim Grunwald:** It's easy if you know what you're talking about. I've gone through tenant school. I've learned myself. I've read the whole act. Unless you're knowledgeable, I do believe it's difficult and very scary. You're losing your house, under nothing that you've done, under an accounting error, and you have no repercussions unless—I had nothing unless I could go and put to them about the frustrations that I have gone through every time. The Landlord and Tenant Board was the only one that said I could stay in my unit. Otherwise, they would renovict me for \$45, where there was a transfer and an accounting error.

**Ms. Suze Morrison:** That sounds so frustrating and like the system is not working for you at all.

In your interactions with the Landlord and Tenant Board, have you been able to access things like legal aid supports or tenant duty counsel?

**Ms. Kim Grunwald:** That's a joke. The legal aid that's in the Landlord and Tenant Board gives you 15 minutes, and it's more for the landlords.

They don't give you any information. They just put it to you how the case is going to work. They don't give you any idea that you can ask them for any dollar amounts. They just tell you how the procedure is going to work.

**1430**

As far as duty counsel, I had a very hard time getting anyone helping me through duty counsel. Nobody got back to me. The only thing that helped me was, I think it was, CERA, which helps people with disabilities.

**Ms. Suze Morrison:** I'm very familiar with them. They do a lot of really great work.

**Ms. Kim Grunwald:** Yes.

**Ms. Suze Morrison:** Would you say that tenants would benefit from increased supports and funding for legal aid, particularly at the Landlord and Tenant Board, to help them navigate that? If that was a better-resourced program, would that have helped you—if you'd had more time with legal aid and if they'd had more ability to dedicate time to your case?

**Ms. Kim Grunwald:** I do believe that that would be helpful. I don't know if it's necessary; I do believe that the average citizen can navigate. But you're dealing with multi-million dollar corporations that have lawyers out of their pocket, and I'm a little tenant. It was only because I went to tenant school, and I was knowledgeable and I was scared and did my homework, that I navigated this through myself. But I do believe that with anybody else, they would be evicted.

**Ms. Suze Morrison:** Do you think that folks who don't speak English as their first language, who are newcomers, who are not familiar with our system, or folks who are vulnerable in our community in any way—

**The Vice-Chair (Mr. Aris Babikian):** Thank you, MPP Morrison. The time is up.

Now we will move to the independent member, MPP Blais. You have three minutes.

**Mr. Stephen Blais:** My questions are for Sean or Mike from OREA.

Gentlemen, there's a provision in the bill that would normalize improper rent increases if they're paid for 12 consecutive months. I'm wondering if this is a provision that your association lobbied for.

**Mr. Sean Morrison:** I will pass that over to Jason, our head of government relations, as he's the one who would be heading up our lobbying efforts.

**Mr. Jason Lagerquist:** No, it's not something that we lobbied for specifically.

**Mr. Stephen Blais:** Would this be a provision that, if removed from the act, would have some kind of negative consequence for your association or for your members?

**Mr. Jason Lagerquist:** Sean, do you want to speak to that?

**Mr. Sean Morrison:** Sure, Jason.

No, I don't see, as we didn't lobby for this as part of it—we want to ensure that protections are in place for both landlords and tenants through this. While I sympathize

with where Kim is on her status right there, I think that's exactly why we need increased fines on landlords as part of this bill—to ensure that if they're improperly evicting, hey're taken care of.

But as to your specific question: No, it would not.

**Mr. Stephen Blais:** I appreciate that. Thank you.

In terms of the fines: We've heard different points of view on that over the last number of days, as you can imagine. What is the typical number of fines that landlords are given in any year in Ontario? Do you track that?

**Mr. Sean Morrison:** No, we do not track that as part of our data.

**Mr. Stephen Blais:** Is it a common practice to receive a fine?

**Mr. Sean Morrison:** I honestly couldn't answer that question. I could definitely get back to you on that in the future, though. That's not something that I have readily available to me today.

**Mr. Stephen Blais:** Okay. I do appreciate that.

There has also been a lot of discussion about alternative dispute resolution mechanisms and their value. The concern has been, though, about the ability to do evictions without going back to the board if a payment agreement is violated after it has been made. I'm wondering what the value of that is for your members.

**Mr. Sean Morrison:** More specifically for mom-and-pop landlords, I think having that express dispute mechanism would have helped, even in the situation that Kim was describing earlier—her having to wait for months to get there and the anguish that caused her as part of this. I think if we had that express dispute resolution, then, essentially, that would allow mediation to occur, instead of waiting to go to Small Claims Court and having a judgment against—

**The Vice-Chair (Mr. Aris Babikian):** Thank you very much. The time is up.

Now we will move to our second round of discussion and questioning. We will go with MPP Burch from the opposition.

**Mr. Jeff Burch:** I have a question for Kim.

Kim, about 80% or 90% of the deputations we've heard through this process have been from tenants. We've heard a lot of concerns about this bill, which does not remove the incentive for landlords to use unethical tactics to squeeze out tenants so they can rack up the rent whenever they want. It doesn't stop harassment and intimidation of tenants. It doesn't stop above-guideline increases and evictions. It could actually increase the number of evictions.

I'm wondering if you believe that the government spent enough time consulting with tenants and tenants' associations, as well as landlords, before they put this bill together?

**Ms. Kim Grunwald:** Absolutely not. I've never seen any government say anything about how to help tenants. I've gone through my local MP. He hasn't helped. I've asked people through the licence and standard board. They haven't helped. I've asked for people through the smoking bylaw—the bylaw officers. They haven't helped. So I really don't think the government is helping a tenant who has a frustrating situation.

**Mr. Jeff Burch:** We've heard the suggestion that we should be back to business as normal. As far as I know, we're still under an emergency order, and we're supposed to be doing things to help people in Ontario who are trying to deal with this pandemic, which is making a mess of our economy and making things very difficult for people.

Would you agree that we should be spending our time as legislators doing things that will help people get through this situation?

**Ms. Kim Grunwald:** Well, there's obviously a problem. We're in a time that's unprecedented. The best thing that I could suggest and help for people is—it's very sneaky for you guys to try to put this through. It hasn't gotten any media coverage. I haven't seen it on TV. If this was a normal time, I do believe there would be more people in the council chamber and I do think there would be a protest. Unfortunately, it's hard for anybody to think of anything else other than this pandemic.

**Mr. Jeff Burch:** We know that even before the pandemic, there was an affordable housing crisis. Even if we accept what some of the government members have suggested—that we should be just be back to business as usual—do you think we should be going a step further and doing things that will make it even more difficult for tenants and make it easier for people to be evicted during a pandemic? Or do you think that it would be wise and reasonable to slow down and reconsider a bill like this, that makes it more difficult for tenants in Ontario?

**Ms. Kim Grunwald:** I do think that you should put this on hold until enough people have learned about it. I didn't hear about this until last week. It's kind of sneaky that Mr. Ford tried to put this through during a pandemic. I think his brother would be rolling around in his grave if he actually knew what he was doing. I knew his brother. I don't know where Mr. Ford got into hurting tenants. I know he lives in a big house, and I'm sure he has people who own rental properties and have their little meetings and say, "Oh, this tenant is a bad tenant, and this tenant is not paying." But that's the case of all businesses. You never know what you're going to get when you're in a business. You can open up a business and have nobody come, and then you're going to have to fold. Or you can have a rental property, and you might get a bad tenant, but you might get a good tenant. I think that's a gamble that everybody who goes into business is taking. Hopefully you get a good tenant, and hopefully you get a good landlord.

1440

I did have a good landlord until Akelius took over and bought the building. I have no repercussions—I can't move anywhere, and I'm sure I've been blacklisted because Akelius has a list that they put all of their tenants on. It's one that's very readily available through a lot of the people who have seminars for rental units.

I'm going to put a little point that I heard, which is that there is one seminar—I can't quote exactly what they said, but they were speaking and they were owners of a building. They actually told people that they're going to see what—she said she was joking, but just like Donald

Trump, you say something with a joke. She said, “If the tenants aren’t paying the rent, we’ll go and beat them on the head with a stick.” This is through one of those MLS Web seminars through somebody in Toronto—I can get back to you on that. But I was very hurt and disturbed.

**The Vice-Chair (Mr. Aris Babikian):** Now we have to move to the government side. MPP Hogarth, you have six minutes.

**Ms. Christine Hogarth:** Thank you, Elizabeth Ellis, Kim Grunwald and the four team members from the Ontario Real Estate Association, for joining us today and sharing your perspective on Bill 184.

Just to share some background on this legislation: We actually consulted on this legislation and received over 2,000 responses back. People were eligible to respond back with email surveys, and we also did consultations around the entire province just to make sure that we had ideas from everybody. I understand that ACORN was involved, and I know that the Ontario Real Estate Association submitted a proposal. So this is not the only opportunity for people to speak or share their point of view. I think our consultation started in the winter of 2018. It allowed everybody, no matter where you live, no matter what your background is—if you’re a renter or a homeowner—to participate in the process.

Our process today in having this Zoom hearing, this committee hearing—I’m quite surprised that the NDP didn’t think it was a great format, because it does allow people of all abilities to participate in a format, and you don’t have to come down to Queen’s Park. You can be in the comfort of your home and participate—and we certainly do appreciate you coming here today. I get to be in my home and you get to be in your home. It allows for everyone to participate in this process. This is something that’s done federally, as well.

So I just want to give a little bit of background. I think this is a great process that we continue to make sure government is working.

I see Elizabeth smiling there. You get to have your say in front of this team, but you don’t have to have that intimidation of sitting in that room, because sometimes that’s not fun for anyone.

Just a comment—and I know it was Mike Stahls from OREA. You had been cut off twice today. Earlier in your deputation, you were expanding on some of the parts of the legislation that you wanted to chat a little bit about. I was wondering if you wanted to finish your deputation.

Then, so we can get as much time in as we can, I’ll ask you your question at the same time. Finish off your comments about the complex rules and processes discouraging landlords from providing rental housing in Ontario. How do you think Bill 184 can help make that easier for landlords?

**Mr. Mike Stahls:** Yes, I did get cut off. What I was talking about originally is how many tenants are hurting financially due to COVID-19. Of course, that then filters down, and now many landlords, especially the smaller ones, are hurting as a result of that.

Currently, we’ve seen rent subsidy programs implemented in BC, PEI, New York and Arizona. We know that the Federation of Rental-housing Providers has also put

forward a program to help tenants and landlords with a subsidy paid directly to the landlord from the government to help subsidize the rents of tenants who are falling behind.

We would really like to welcome an amendment to Bill 184 that would include a provision to provide financial relief to residential landlords, as we’re coming out of this pandemic and so many are struggling. The stat was, I think, given earlier: About 10% of tenants weren’t able to pay rent through this. That’s a lot of people in the scheme of things, and that’s hurting a lot of people. We don’t want to see homes sold and taken out of the rental market as a result of them hurting financially, and we don’t want to see a large amount of evictions happening as we come out of COVID-19, because of financial reasons that are specific to the COVID-19 issue we’ve had for three months now.

We want to help all parties to keep tenants in their apartments and to keep landlords being able to pay the bills that they have, because those bills don’t change, no matter what.

**Ms. Christine Hogarth:** One thing we want is to make sure we have a piece of legislation that’s good for tenants and good for landlords. We have a lot of very good tenants, and we have a lot of very good landlords. And then we have some landlords who are just not doing their part, and then we have some tenants who aren’t doing their part. We’ve had a couple of deputations from some small landlords today and yesterday, who explained some of the situations that have happened to them over the time. And then, we’ve had tenants with some horrible stories, as well. So we want to make sure we find that right balance for both, because we need rental apartments. Not everybody can afford a home. As you said, we all deserve a place to call home. It doesn’t matter your income level; we all deserve to have that place to call home.

I just want to share something with Kim. Kim, your story really touched my heart. We’ve increased fines for offences under this act through this legislation. Some of the behaviours that you described in your statement are not okay. It’s currently an offence, and it will continue to be an offence. It’s not acceptable, so I don’t want you to think that this legislation will take those rights away from you. We cannot have things like you’re sharing with us. That’s why we’re here—to make sure that our tenants are protected when we move forward.

Just some thoughts on the Landlord and Tenant Board: We know that it has faced some serious delays over the last decade, and I know the Minister of Municipal Affairs and Housing and the Attorney General have been working to address some of those delays. I think where we can all agree is that since June 2018, we’ve added 18 new appointments—and I think it’s 17 reappointments to the Landlord and Tenant Board. I see MPP Martin nodding. But we do need some more changes to modernize it, as well.

Part of this legislation is proposing to promote mediation settlements through the Landlord and Tenant Board when an issue can be resolved without going through the full hearing process, but even though—

**The Chair (Ms. Natalia Kusendova):** Thank you so much. I’m afraid you’re out of time.

Back to MPP Morrison.

**Ms. Suze Morrison:** I think we'll go to Elizabeth next. One of the things that this bill does is, it allows a landlord who has given their tenants illegal rent increases—rent increases that are not allowed by the current legislation—and if the tenant doesn't realize that those increases are illegal and pays them for a year, this bill says, "That's okay. It's a get-out-of-jail-free card. You can keep those illegal rent increases." There is no recourse for that tenant after one year. Do you think that's fair? And who does that benefit?

**Ms. Elizabeth Ellis:** It's not fair, and it doesn't benefit the tenant. It benefits the landlord. The tenant has put in all the money. Maybe it's not that the tenant doesn't want to pay; it's maybe that they lost their job and are behind because they don't have income coming in. I believe it benefits the landlord.

**Ms. Suze Morrison:** Excellent, because these were illegal rent increases to begin with. They should never have been allowed; correct?

**Ms. Elizabeth Ellis:** No, they shouldn't. The landlords are doing these tactics all around, and they're thinking if they bully or talk down to people, just because—the other person who began today—I'm bad with names; I apologize—said that people should learn about Bill 184. Bill 184 is very complicated to read. I'm an intelligent person, and I had a difficult time trying to understand Bill 184, so just imagine somebody who maybe doesn't have that kind of education.

1450

**Ms. Suze Morrison:** Absolutely.

**Ms. Elizabeth Ellis:** They're going to get jacked up and pushed out of their home because the landlord wants to increase the rent.

**Ms. Suze Morrison:** Yes.

I'm going to go over to OREA now. Thanks for being here with us today. Whoever wants to field the question, I'm happy to hear from you. Again, the same question is on this specific measure to allow for illegally obtained rent increases to become legal and binding after one year. Is this a measure that you support as an organization?

**Mr. Sean Morrison:** Thank you very much for the question.

As far as I'm aware, no, we haven't supported that as part of any legislation. We believe that there should be mediation that takes place in between, to allow—

**Ms. Suze Morrison:** But not the illegal rent increases?

**Mr. Sean Morrison:** —mediation on anything in general, as part of this bill, that would expedite the process of this for all parties involved. As we said, we don't support bad-faith evictions, and we don't support bad-faith in general. What we're looking for here is a fair and balanced process, and we feel that the majority of this bill does strike that.

**Ms. Suze Morrison:** So would you support an amendment to have this particular clause removed from this bill?

**Mr. Sean Morrison:** We would have to look at any amendment that was there, certainly, to see what it said.

But, in theory, we would definitely have a good look at that, for sure.

**Ms. Suze Morrison:** From my perspective—I don't know if you agree; I don't want to put words in your mouth—this clause only seems to benefit bad actors in the system, and that would only stand to give the profession of landlords a bad reputation in the sector, to allow for fraudulently obtained rent increases to become legal and permanent. I know that you probably have a lot of landlords that you represent or are connected to in your sector who don't want to see those bad actors getting away with illegal activity. Would you agree?

**Mr. Sean Morrison:** Well, I think that we have both landlords and tenants in our sector who we work with on a regular basis, and we would look for that fair and balanced approach to the bill as a whole.

**Ms. Suze Morrison:** Excellent. And is there anything that's not in the bill currently that you would hope to see moving forward—to see the government look at for additional measures that you would like to see in your sector?

**Mr. Sean Morrison:** For that, I will pass it over to Jason, as he was the one who had the most consultation on this.

Jason?

**Mr. Jason Lagerquist:** Thanks, Sean.

As my colleague Mike was saying a few moments ago, I think one of the things that we're looking to see is that some sort of program be established to support smaller landlords who are facing challenging financial times as a result of the pandemic. We see that as being time-limited, but we recognize that the pandemic has created a lot of financial hardships, and there are a lot of instances where tenants have been unable to pay their rent.

We had supported the government's direction around temporarily halting evictions, because it's just not right for anyone to be evicted during a global health pandemic. But I think we also hope that the committee and the government recognize that this has created a real financial strain on these smaller landlords, who are still having to make mortgage payments with the bank every month. We're hoping that some sort of program could be established to support those people.

**Ms. Suze Morrison:** I couldn't agree with you more on that front. We've been careful to make the point of wanting to address concerns that we're hearing from tenants with some of the worst actors in the system—the Akeliuses and the Starlights of the world—but recognizing that there is a unique experience of smaller landlords, as well, and that the two need to be treated separately.

I will say that as New Democrats, we have put forward to the government a proposal that would offer an 80% rent subsidy—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are, unfortunately, out of time.

Back to the government for the last round: MPP Martin.

**Mrs. Robin Martin:** Thank you again to all the witnesses for coming.

I just want to start by saying that what happened to you, Kim, is absolutely not okay, as my colleague has said. The

whole point of the legislation is to try to get both sides, landlords and tenants, to follow the law.

I know you don't think this government has done anything for you, but I did hear you say that you are a recipient of the portable housing benefit from the government. That is a new innovation our government was the first to sign on for, with the federal government jointly, to provide low-income households with money which they can use not just in community housing but anywhere. Already, 1,600 recipients have gotten that, with the program just being very recently launched in April, and we're hoping more will be able to take advantage of that. So we are trying to help. We understand that your landlord obviously was acting in ways that were inconsistent with the law.

Elizabeth, you mentioned that you also don't think that you're a bad tenant just because you lost your job and can't pay your rent; it's not your fault. That's true. It doesn't make you a bad tenant because you lost your job and can't pay your rent. From the landlord's point of view, it just means that they have to somehow be able to provide funds to keep themselves going, as well. If it's a small landlord, as we were just saying, they may have bills to pay, like their mortgage and stuff like that. We're certainly not trying to paint people as good or bad. What we'd really like is only to have good landlords and only good tenants and have people be able to work together.

You mentioned an illegal rent increase, Elizabeth, as one of the things you're concerned about. Throughout these committee hearings, we've been hearing a lot about it, and there's a lot of confusion about it. The opposition keeps saying that we're going to legalize illegal rent increases, but that is simply not true. We're actually making a very minor change to bring the rules that have been in place since 1998 into alignment. Right now, a tenant can apply to the Landlord and Tenant Board if they receive a rent increase that was either above the guideline or without proper notice, such as using a wrong form, for example. Currently, and since 1998, the tenant can only go back 12 months, so even if you've been paying that much for 30 years, you can only apply to the Landlord and Tenant Board for whatever the landlord collected in the last 12 months. On the other hand, if a tenant is at an eviction hearing, they can say that the amount of rent the landlord is claiming that they owe is incorrect because either it was above the guideline or they weren't properly notified. Well, today, again, the landlord can go back only 12 months. That's the rule, and it has been that way since 1998. But if they weren't given proper notice—this is the only thing we're changing—the tenant can go back as far as they want, many, many years ago. So the change we're making is simply to put the same 12-month cap on the improper notice period that I just described.

My question is—and I would put this to OREA—doesn't it seem like we are just simply closing a mistake in the legislation and ensuring that time limits are consistent across these very similar scenarios, for four different scenarios? We're just trying to make things work better at the tribunal. Mr. Stahls or Mr. Morrison?

**Mr. Sean Morrison:** Thank you very much for the question.

From our read, that is how we would look at it—as bringing it into consistency. And then having that mediation process as part of the bill also allows that to not even advance to the tribunal level; if need be, it can be settled through mediation.

**Mrs. Robin Martin:** There has been a lot of talk about us allowing evictions without landlord and tenant hearings. Nothing in this act takes away the right of any tenant to be heard at the Landlord and Tenant Board. Every tenant is entitled to a hearing at the Landlord and Tenant Board.

There is the possibility that you can have a negotiated agreement that you've entered into with your landlord, and if the landlord takes that agreement and, instead of going to a hearing, files the agreement with the board, the board can then issue a consent order, which gives effect to the agreement, but it's one people have entered into together. But if the tenant doesn't like it when the landlord then applies for an ex parte eviction, if the tenant wants to explain what happened, then the tenant can go to the board with a notice to set aside that ex parte eviction notice and explain what happened and why they missed the payment or whatever.

**1500**

Nothing takes away the right of the tenant—I want to assure both Kim and Elizabeth of that—to have a hearing and to have their say and to explain. It seemed to me that, Kim, you were very concerned that you would not have any right to explain, and you thought that the Landlord and Tenant Board was the only reason you got a decision in your favour. I want to assure you that's not being taken away here. All we're doing is trying to make the process more efficient so that if people do want to have an agreement together, they can do that.

Kim, do you think that's a good idea?

**Ms. Kim Grunwald:** That agreement was already in the legislation and it already works at the Landlord and Tenant Board. I went through mediation. I didn't go through the court. I wanted to talk to my landlord, but I wanted to get my points across, also. Mediation is always there. It is always there for anybody if you don't want to go into the courthouse. It's an option given to you and it's written on your letter—

**The Chair (Ms. Natalia Kusendova):** Thank you. I'm so sorry; we are out of time.

Thank you very much for all of your contributions today.

FEDERATION OF RENTAL-HOUSING  
PROVIDERS OF ONTARIO  
ONTARIO BUILDING OFFICIALS  
ASSOCIATION  
TORONTO ACORN

**The Chair (Ms. Natalia Kusendova):** We are now moving on to our next set of presenters. First, we have Tony Irwin, the president and chief executive officer from

the Federation of Rental-housing Providers of Ontario, joined by Asquith Allen, who is the director of policy and regulatory affairs. Welcome. You have seven minutes, and you may begin by stating your name for the record.

**Mr. Tony Irwin:** My name is Tony Irwin. I am the president and CEO of the Federation of Rental-housing Providers of Ontario. I'm joined today by my colleague Asquith Allen, our director of policy and regulatory affairs. FRPO, as we are more commonly known, has been the leading voice of Ontario's rental-housing industry for over 30 years. We are the largest association in the province, representing those who own, manage, supply, build and finance residential rental units. We represent 2,200 members who own or manage over 350,000 units across the province of Ontario.

Today, I am pleased to have the opportunity to provide comments on behalf of our industry as this committee considers Bill 184. My remarks are confined to section 4, which amends the Residential Tenancies Act. As a package, FRPO supports the proposed changes to the RTA in Bill 184. Our association strives to promote positive relations between rental-housing providers and our residents. We support the additional tenant protections included in the bill and believe they are an important part of promoting a healthy rental-housing environment.

For example, the abuse of the personal-use eviction provision is something we have all heard about. As you have heard this week, there have been cases of owners telling residents to vacate so that they can move into the unit, but then the unit is immediately put back on the market for rent at a higher price. This is illegal and should not be happening. Bill 184 creates an ability for the Landlord and Tenant Board to track abuse of this provision.

Renovictions are something else we have heard about. If a rental-housing provider has to ask a resident to vacate a unit for repairs or renovation, they are required, under the Residential Tenancies Act, to give the resident the opportunity to move back into the unit once it's completed at a rent equal to the amount they may have paid had they not vacated. Bill 184 enables the Landlord and Tenant Board to impose stronger penalties if this law is not adhered to. The bill also generally increases the maximum fine for offences under the RTA from \$100,000 to \$250,000 for corporations.

This legislation significantly increases tenant protections to ensure residents are protected from those operators who skirt the law. This is a good thing for the industry. Many of our members go out of their way to ensure that residents have a comfortable experience living in their buildings, and FRPO as an association supports measures which protect the rights of rental-housing residents.

There are also measures in Bill 184 which serve to streamline processes involved in addressing conflicts between parties and ensure the process is fair for all. For example, provisions in this bill provide more tools to investigators at the LTB so they can better identify false or misleading information, clarify the admissibility of electronic documents in cases and reduce duplication of documents required in the process.

The bill also serves to increase communication and improve relations between landlords and tenants. This includes measures that seek to avoid more formal legal challenges at Small Claims Court and encourages negotiated settlements.

But let me be clear: The Landlord and Tenant Board still maintains full authority over these negotiated matters. There has been a lot of confusion around section 206 in Bill 184. Some are of the view that this means residents will be evicted without any oversight or consideration by the Landlord and Tenant Board because they signed the agreement. This is simply not true. The changes make it easier for negotiated settlements to occur, but if there is a breach, the rental housing provider still has to go to the Landlord and Tenant Board and seek an eviction order.

The LTB is not there to rubber-stamp the negotiated settlement. The LTB will review the application and needs to be satisfied with the matter, and could ask for further evidence, call for a hearing, or take other steps deemed necessary. Even if the LTB uses an eviction order without a hearing, the document received by the resident clearly informs the resident of his or her right to a hearing, with information on how to stay in order and suspend its enforcement. If a resident chooses to do so, the eviction order is essentially frozen. The LTB has jurisdiction and will retain jurisdiction over these matters, and I can assure you they are not a rubber stamp for rental housing providers.

We, as an association, support due process for our residents and the right to have a fair hearing. It is important for the committee to appreciate that point. The government has struck the right balance of protections for our residents and fairness in process to foster a healthier rental housing and rental environment for Ontario through Bill 184. This bill will help open the lines of communication between residents and rental owners, while addressing operators who act in bad-faith, and protect what matters most to renters: stability in their housing.

Thank you. I'll be pleased to take your questions.

**The Chair (Ms. Natalia Kusendova):** Thank you very much.

Next, from the Ontario Building Officials Association, we have Matt Farrell, immediate past president, and Aubrey LeBlanc, chief administrative officer. Welcome. You have seven minutes, and you may begin by stating your name.

**Mr. Matt Farrell:** Good afternoon. My name is Matt Farrell, and I'm the immediate past president of the Ontario Building Officials Association. I'm also the manager of building and planning for the township of Huron-Kinloss. With me today is our chief administrative officer, Aubrey LeBlanc.

I am pleased to be here today on behalf of the Ontario Building Officials Association, or the OBOA, to share our thoughts on Bill 184, the Protecting Tenants and Strengthening Community Housing Act, 2020. For those of you who may not be familiar with the OBOA, our goal is to promote public safety, effective building code enforcement and high standards of practice for chief building

officials, building inspectors, permit technicians and planning examiners across Ontario. For more than 60 years, the OBOA has been an industry leader in providing training, certification and up-to-date information for our over-2,200 members in the industry, regulatory administration and building code knowledge.

I appreciate having the opportunity to speak to the aspect of the bill that has received little attention but has the potential to have tremendous impact on building officials, municipalities and the construction sector across the province: the creation of an administrative authority to deliver delegated building code services. The OBOA has long called for changes to the building code that would improve the services that provinces provide to municipalities and building officials, which, in turn, would improve the services we deliver to the construction industry. We were thrilled when the province launched a public consultation campaign last fall to explore this issue.

In November 2019, we released *The OBOA Solution*, which includes proposals that would give all Ontarians the confidence of knowing that the buildings that they live, work and play in are safe. The OBOA Solution also expressed our concerns that the creation of an administrative authority could add another layer of bureaucracy to an already complex system. We know the goal of this government is to enhance the health and safety protections, but we also know that additional red tape can often be created as an unintended consequence.

In our opinion, making the building code more user-friendly and maintaining public trust in the system, especially when a high level of growth is on the horizon, should be the higher priority for this government. Some of the recommendations for achieving this goal include re-establishing the province as an authoritative role interpreting the building code; introducing regulatory changes that would allow municipalities to adopt a digital-first approach; and a new regulatory model with government sector partners, such as the OBOA.

We have proposed that the OBOA is given further administrative responsibility through legislative changes, enabling our organization to certify all building officials and provide services to its members across the sector and other sector professionals. This province needs highly skilled and knowledgeable building officials overseeing the construction of buildings throughout Ontario.

For the last three years, our Certified Building Code Official designation has ensured that our members have met that high bar by including education, comprehension and experience in the requirements, way beyond today's minimal testing program. The province needs to ensure that these building officials maintain their knowledge and keep up-to-date with complex and ever-changing building code standards. The OBOA's Continuing Professional Development Program has been in place for over 25 years. For the last few years, our members have accumulated 130,000 hours of additional professional training.

1510

The province wants to ensure that there are enough building officials in the workforce to ensure that construction is in compliance with Ontario's high standards. We

started addressing this current shortage four years ago by launching our guardian campaign to identify and recruit the ideal candidate to the profession. We have also developed a program with George Brown College that creates a clear education pathway to the profession. Women already represent 20% of our field, but we are working to recruit more women, because we know we can do better.

The province also wants municipalities to deliver more modern and efficient services to support the construction industry. In an eight-week time frame, 95% of municipalities were able to adapt their building department procedures to ensure the continuity of services when the office doors were kept closed. Many of the building departments are providing online digital approval services, so that applicants can make submissions from their home. Some inspections are being performed virtually through the use of communication tools, such as how I am communicating with you now.

During the peak of the COVID-19 crisis, our members, as well as our industry partners, looked to the OBOA for guidance in interpreting what building activities were considered essential by the province. This helped to ensure that the construction of care facilities and continually needed housing would be completed in time for those in desperate need.

These are just a few examples of what the OBOA and other sector agencies have been able to accomplish in the past two weeks, even just the past few months. We know there is more work to be done, and quickly, if we are to be part of helping the construction industry lead in the recovery of Ontario's economy.

While we support this legislation moving forward, we believe that thoughtful consideration needs to be given to the creation of a due administrative authority. How long will it take to create, how much will it cost and who's going to pay?

Thank you for your time. I look forward to your questions.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Next we have Alejandra Ruiz Vargas from Toronto ACORN. Welcome. You have seven minutes, and you may begin by stating your name for the record.

**Ms. Alejandra Ruiz Vargas:** My name is Alejandra Ruiz Vargas, and I am the chair of the East York chapter of ACORN. ACORN is an independent national organization of the low-income and moderate-income, with more than 130,000 members across Canada. We have 20 neighbourhoods in nine cities, mostly tenants. We are working right now on affordable housing issues, Internet for all, child care that needs to be affordable, fair banking and EI reform.

Some 30% of Ontarians are tenants. Some 50% of Ontarians aged 25 to 34 are tenants. Some 71% of households with income below \$20,000 are tenants. In the last four years, there has been a 50% increase in the number of no-fault eviction applications in Toronto, from 1,387 to 2,084. No-fault evictions are the ones that are called renovations, demovictions and the ones for the

landlord's personal use. All in all, the Ontario Landlord and Tenant Board recorded a sharp rise in applications for no-fault evictions of 77%.

We, the tenants, have been hit hard for over 20 years—no repairs, no professional pest control, lack of respect, to mention some things in our buildings. And in the last four years, we tenants have been hit hard again, with high rents, a lack of real rent control, renovations, demovictions, AGIs and the awful vacancy decontrol. And if this is not enough, many of us are in debt and extremely concerned and scared for the future.

Today we are here because Bill 184 seems like another rocket prepared to hit hard. ACORN members are really concerned about what Bill 184 is going to do to us. Bill 184 is a ticket for tenants to go to eviction land. Why do a law like this in the middle of a pandemic?

We saw the Premier actually very concerned—he seemed genuine when he was on the news and he said, “Look, people, if you need to pay rent or buy food, please buy food.” We were so happy. We said, “Well, finally our Premier is getting us.” But, now, this Bill 184 is something that is disruptive, and we urge our government to not choose Bill 184.

This bill is an open door for disaster. We're going from ugly to awful. It's time, for once, to do what is right for tenants, because, really and truly, since 2018, rent control was taken from us. So now, we need a good bill, a good decision for us. Don't go for Bill 184. We cannot live anymore with the scales so inclined to the multi-billionaire landlord business. Some 30% of Ontarians are tenants, so please, say no to Bill 184.

What Ontario needs right now is recovery. What Ontario needs right now is employment. What Ontario needs right now is reconstruction. What Ontario needs right now is restoration. What Ontario needs is no more laws, no more privatization, no more deprivation, no more decay, no more sacrifice for Ontario's tenants. Thank you.

**The Chair (Ms. Natalia Kusendova):** We will begin our round of questions with the official opposition. MPP Burch.

**Mr. Jeff Burch:** I have a few questions for the Ontario Building Officials Association. As our party's municipal affairs critic, I was interested in hearing your presentation. You ended by mentioning a new administrative authority. I'd be interested to give you some time, to hear about that—how you think it would be beneficial and whether that's something that you think should be included in this legislation.

**Mr. Matt Farrell:** Just to be clear, we do support the change in the building code coming forward that would allow for the creation of the administrative authority because it enables the government to not only enter into an agreement with possibly a new administrative authority, but something that's existing as well.

With me today is our CAO, Aubrey LeBlanc, who has quite a bit of experience in working with administrative authorities. He has been guiding our opinions on what the creation of a new administrative authority would mean in terms of cost and timing—those types of factors. What we

have seen from his experience and other administrative authorities in the province is that's a fairly costly and timely exercise. We're just encouraging the government to look at what's out there, what's existing in the space right now and see if there isn't a way to fix some of the issues that are occurring in terms of service delivery with those agencies.

**Mr. Jeff Burch:** You talked about your relationship with the construction industry. Can you expand on that and maybe some of the challenges? Is there anything that you think should be in this legislation with respect to your relationship with the construction industry? And you mentioned the recovery period, where I assume that we could see some infrastructure and stimulus, possibly, in the future. Can you comment on that?

**Mr. Matt Farrell:** I don't want to speak for all municipalities or jurisdictions, but I don't think we want to be seen as a barrier for the province getting back on its feet. We want to work collaboratively with all sectors of the construction industry to ensure that these projects are being undertaken in a timely manner, but in a safe and healthy manner as well. That's something, I believe, that all levels of government are concerned with.

**1520**

What we have been doing over the last few months is having some pretty direct conversations with our industry partners on how we can achieve this. I think any solution that could happen in this space takes a collaborative effort in doing so.

**Mr. Jeff Burch:** Is there anything that is not in this legislation that you would like to see or that you would like to suggest for both the government and opposition to consider as the bill is considered?

**Mr. Matt Farrell:** We understand that this is more enabling legislation to allow things to occur. Most of the real changes would come in regulatory changes, so that's where we're going to be working with the government and opposition and all parties, to make sure that those changes are permitted through regulation.

In terms of any additional things to the act—we've had fairly candid conversations with the government at this time, and we believe that everything is in place right now that we need.

**The Chair (Ms. Natalia Kusendova):** We will now move on to the government side. MPP Babikian.

**Mr. Aris Babikian:** Thank you very much to all of you for taking the time from your Friday afternoon to be with us and give us your input to help us move forward with this bill.

My question is to the Federation of Rental-housing Providers of Ontario. We have heard concerns from lots of groups at these hearings about the potential for evictions related to the economic instability of tenants who have lost their jobs and/or their income as a result of the COVID-19 emergency. What do your members think about landlords and tenants working together on repayment agreements?

**Mr. Tony Irwin:** Thank you for your question.

We have said on numerous occasions that we have encouraged our members to work with their residents, to

be flexible and to come up with creative options, whether that be payment plans or any manner of arrangements that can be made. I know that the Premier and Minister of Housing have echoed that sentiment, and that's something that we believe very strongly in.

We are very sympathetic to residents who have been economically impacted. These have been unprecedented times for everyone. Residents, rental housing providers—we all are going through something we've never experienced before. We all need to work together, and that does mean being compassionate, being sympathetic, and finding ways to work together, including offering payment plans or deferred rent payments, in order to allow for residents to get back on their feet. That is something that we are still doing every day and I expect we'll be doing for some time.

**Mr. Aris Babikian:** Can you tell us about some of the arrangements or accommodations that landlords have put in place to support tenants during these times? If these practices are working, should there be incentives in the RTA to encourage this?

**Mr. Tony Irwin:** I think there are a couple of different parts to this question. In terms of what landlords have been doing to assist residents, I think the most common thing that has been happening is—we have been encouraging our members to reach out to their residents and encouraging residents to do the same. This is a two-way street and communication needs to happen from both sides—to say, “What is their circumstance?” If you're a resident, what are you able to do as far as making a rent payment, and what arrangement could be arrived at to defer some of the payment, to provide a payment plan? That is something that, as I said, has been ongoing.

Our members are doing other things, of course: all the enhanced cleaning protocols, working around the clock to ensure the safety of their residents—all the things that have been reported and I think everyone is well aware of.

Bill 184 speaks to broader issues. Of course, the legislation was introduced before the pandemic. It is looking to, in my view, really improve the relationship between landlord and tenant, improve communication between both sides, and do things to hopefully alleviate some of the backlog at the board.

We know that there is an issue with a backlog of cases, so are there mechanisms through alternate dispute resolution, mediation or simply allowing a landlord and tenant to come to their own agreement on a payment plan that would alleviate some of the backlog and burden that currently exists before the Landlord and Tenant Board? That's what the legislation is doing, and we think that's positive, both for landlords and tenants.

**Mr. Aris Babikian:** If a landlord has already tried to negotiate a payment plan with the tenant, is that something the board should consider when deciding whether to grant an eviction?

**Mr. Tony Irwin:** For sure, I think it's something that should be considered, but there are all sorts of relevant facts, presumably, that need to be considered. I think that

is one, but there may well be other mitigating circumstances from the viewpoint of a resident that also need to be considered. So I think we have a system in place, a forum for disputes to be resolved at the Landlord and Tenant Board. I am, of course, not an adjudicator but I would presume that they would consider both sides and, yes, I think if a payment plan has been negotiated, that's relevant. But I think equally relevant are mitigating circumstances that might require a different determination or a different resolution to the matter. Both sides need to be considered and will be considered going forward, even should this bill pass.

**Mr. Aris Babikian:** Finally, do you have any suggestions to the government to consider to encourage tenants and landlords to work with each other at—

**Mr. Tony Irwin:** Sorry, can you repeat the question? I didn't catch it all.

**Mr. Aris Babikian:** My question is, is there anything else the government could do to encourage landlords and tenants to work together to avoid LTB hearings?

**Mr. Tony Irwin:** That certainly is a great question. I don't know if I have a succinct and direct answer to that.

We know that the landlord-tenant relationship is, by nature, adversarial. I think that's unfortunate. I think it benefits everyone to try to create a better environment. There will always be issues, whether it be bad behaviour or—there will always be things that exist that we aren't pleased about. But if we could start from a place where we really want to try to hear and listen to the other side, really try to work together—do I have direct recommendations for what government could do beyond some of these ideas contained in Bill 184? I'm not sure, at this moment, that I do. But I think this is a good start, and I think it does demonstrate the government's desire to try to foster a better environment. I think it's incumbent on all of us to do that.

**The Chair (Ms. Natalia Kusendova):** We will now take three minutes with MPP Blais.

**Mr. Stephen Blais:** Thank you for your presentations.

My questions are for the chief building officials' group. As you may know, there is a gap in Ottawa and eastern Ontario in the city's ability to do inspections, to the point where they've actually increased fees, with the concurrence of the industry, to hire more inspectors and actually bring inspectors out of retirement to get caught up. The lack of inspections, or a lack of experience with the inspections, led to more Tarion situations across the city in new builds.

I raise this because one of the solutions to this type of problem that the government floated last year as part of the consultations to this bill was to give builders the ability to hire their own inspectors to sign off on their construction practices. I just wanted to get some thoughts from you on that possibility that could be done through regulation.

**Mr. Matt Farrell:** On the idea of having developers hire their own engineers to do inspections? Yes, it's a practice currently done out in British Columbia and other jurisdictions worldwide. We're not necessarily in support of that because it is a very complex system to introduce

into a province like ours. There are safeguards in place to ensure the integrity is maintained. Engineers and architects are professionals. They have their own code of ethics that has to be maintained.

In some aspects, it could be beneficial. But, overall, we have a very highly trained building official workforce in Ontario that is very knowledgeable, and I think it wouldn't necessarily work in this province. We did have discussions with the province about that idea as well, and they were looking at ways to support us, not replace us.

**Mr. Stephen Blais:** So what would be the best way to accelerate people taking up the profession to join the ranks of inspectors, to help clear some of these backlogs, especially with such a housing boom we have in some of our big cities?

**Mr. Matt Farrell:** It has created tension about the job itself. That's why we started an advertising campaign to go out to high schools and post-secondary schools and job career fairs to recruit individuals into the profession. We created a clear educational pathway to do so with some of our post-secondary institutional partners, which wasn't present before. We're hoping that with those measures in place we're going to see an uptick in the number of people who are actually entering the workforce.

1530

**Mr. Stephen Blais:** I appreciate that.

Over the course of your presentation, you said that you weren't against the creation of the administrative authority, but you had concerns about the cost and time and complications etc. Do your concerns outweigh the creation? Where are you on it? Either we do it or we don't?

**Mr. Matt Farrell:** The legislation itself would enable the creation of an administrative authority, or assigning—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Back to the official opposition: MPP Morrison.

**Ms. Suze Morrison:** I'd like to go to Alejandra next. Thank you for being with us here today.

Overall, do you think that the measures in this bill will negatively or positively impact tenants in asserting their rights?

**Ms. Alejandra Ruiz Vargas:** We don't see anything really positive from this. What we see is that it promotes developers' profits over the rights of tenants. The bill gives even less opportunity to tenants to defend themselves in the eviction hearing, and tenants will be required to provide advance notice if they want to raise their own issues—such as for maintenance—in an eviction hearing happening due to nonpayment of their rent. This is extremely challenging for tenants, especially those who belong to the most marginalized communities.

Currently, if a tenant and a landlord reach an agreement repaying rent arrears prior to a hearing, and if the tenant fails to fulfill that agreement, the tenant is entitled to a hearing before eviction can proceed. But Bill 184 would allow landlords to proceed straight to an eviction order without a hearing. We cannot support that.

The bill takes away tenants' opportunities to get crucial financial and legal advice from the LTB mediators, as it allows for legally enforceable repayment agreements to be

made outside of the LTB hearing process. And an illegal rent increase will now become legal if the tenant doesn't file an application to fight the increase within one year.

The last thing that is really concerning is, it transforms the LTB into a debt collection firm by allowing landlords to pursue tenants for rent and utilities arrears through the LTB instead of Small Claims Court—as is currently done in the province of Ontario.

**Ms. Suze Morrison:** Do you have any concerns with the way that that shift of hearings from Small Claims Courts to the Landlord and Tenant Board could actually do the opposite of what this government has stated their intention is—to streamline and speed up hearings at the Landlord and Tenant Board—and actually slow down the board if the board is maintained with the exact same number of resources and adjudicators but now has to deal with all of the claims that would normally go through the Small Claims Court? Do you think that will slow down the hearings of the board?

**Ms. Alejandra Ruiz Vargas:** With all respect, I agree. I don't see how this Bill 184 is going to speed up the process at all. Actually, I believe that it's going to make it slower, because we see the LTB is already packed with processes, and now to put it on top of that—all processes; more processes—I don't know how it's going to be faster.

**Ms. Suze Morrison:** I share your concern about the illegal rent increases becoming permanent after one year. Who do you think that serves to benefit in our housing system?

**Ms. Alejandra Ruiz Vargas:** The landlords. Who else?

**Ms. Suze Morrison:** Specifically, the ones who have acted in bad-faith and illegally raised their rents; correct?

**Ms. Alejandra Ruiz Vargas:** Yes. There are landlords who are really straightforward and do the right things, but unfortunately we have so many bad landlords who do whatever they please because we have so many loopholes in the Residential Tenancies Act.

**Ms. Suze Morrison:** So this measure wouldn't do anything to help good landlords who are playing fairly, by the rules, and not giving their tenants illegal rent increases; correct? It doesn't do anything for them.

**Ms. Alejandra Ruiz Vargas:** Yes, you're right. Actually, the landlords who are doing the right thing will now have to wait more and more, so it's not fair.

**Ms. Suze Morrison:** I want to talk a little bit about the renovations piece. According to this bill, when a landlord evicts a tenant with the intent to renovate the unit, they have to provide one month's rent compensation. Do you think that is enough to deter the incredibly profitable practice of renovations in the province of Ontario?

**Ms. Alejandra Ruiz Vargas:** Clearly, it's not. Let's say a tenant has been there for many, many years and only pays \$800. Now I am going to be evicted from this place not because I did anything; it's only because the landlord wants to—for whatever the reason. The landlord gives me \$100 more. Where am I going to live with that when the rent has been increasing 50%, 75% and 100%? It is not fair.

We should adopt the model that BC has adopted already. Matt Farrell says that the people of Ontario are different from BC. Last time I checked, we are still humans. I don't know what the difference is. I don't see a difference—the same people, the same necessities, the same buildings. We need a roof over our heads. That's it; simple. I don't understand why Mr. Matt Farrell says we need—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We will now go back to the government. MPP Karahalios.

**Mrs. Belinda C. Karahalios:** Thank you to everyone for coming in today.

I just want to respond to something quickly before I ask Mr. Irwin or Mr. Allen a question.

Throughout the committee hearings over the last three days, there has been quite a lot of confusion. The opposition keeps saying that we're going to legalize illegal rent increases, and that simply is just not true. I know my colleague from Eglinton–Lawrence mentioned this, but I feel like we probably need to mention it again. We're actually making a very minor change to bring rules that have been in place since 1998 into alignment. Right now, a tenant could apply to the LTB if they received a rent increase that was either above the guideline or without proper notice—such as using the wrong form.

Currently, and since 1998, the tenant can only go back 12 months. So even if you've been paying too much for 30 years, you can only apply to the LTB for whatever the landlord collected in the last 12 months. On the other hand, if a tenant is at an eviction hearing, they can say that the amount of rent the landlord is claiming they owe is incorrect because either it was above the guideline or they weren't properly notified. Today, again, the tenant can only go back 12 months if the rent increase was above the guideline, and it has been this way since 1998. But if they weren't given proper notice, the tenant can go as far back as the improper notice, even if it was many, many years ago. The change that we're making is simply to put that same 12-month cap on the improper notice portion I described.

I just wanted to clear that up.

I'm going to move to the question for Mr. Irwin and Mr. Allen now. There are a few changes proposed in Bill 184 that will assist the Landlord and Tenant Board to operate efficiently and resolve disputes in a timely manner: requiring parties to provide notice of other issues before an eviction hearing for nonpayment of rent; encouraging landlords and tenants to enter into an agreement to repay rent arrears so that a tenant can catch up on payments and have an alternative to being evicted; and promoting the use of different methods to resolve issues, such as alternative dispute resolutions, before an issue goes to a hearing.

Do you believe that these changes will help the LTB resolve disputes more efficiently, and should the changes be implemented as soon as possible?

**Mr. Tony Irwin:** Thank you very much for the question.

I do believe that it is important to understand and to clear up some of the misconceptions about some of these

changes—the most important point being that the Landlord and Tenant Board still maintains jurisdiction over all of these matters, irrespective of the changes that are made. Tenants' rights are not being eroded. They still have opportunities to have hearings. All of those things remain in place. Whether it relates to a payment plan that has been defaulted on—the tenant can still request a hearing. Whether it relates to information not being provided in advance—that, I think, is an important measure to ensure that communication does occur between both parties in advance of a hearing. Nevertheless, when a hearing occurs, if the matter has not been brought forward, it's not to say that the tenant has no avenue to still do that even in that case.

**1540**

As for the matter of rent increases: What Bill 184 proposes to do is amend the RTA by adding section 135.1. That speaks very specifically to clarifying the issue around the requirements around providing notice for a rent increase. It speaks specifically to a 2007 Ontario Court of Appeal decision where a tenant disputed a rent increase that they had received five years earlier, but had been paying all the way along, because they did not provide proper notice of rent increase. This is important for maybe a smaller landlord, maybe a senior who is relying on rental income for their retirement, and they didn't know what form to use. So this is a situation that would rectify that and say that, in that case, in spite of the fact that proper notice wasn't given, the rent increase is proper and should be allowed to stand. That's what this is doing, and we think that is reasonable, and it makes sense.

I'll hand it over to my colleague Asquith Allen to provide any additional commentary.

**Mr. Asquith Allen:** Thanks, Tony.

I don't want to get too technical here, but again, section 135.1 as it reads in the act is looking to scope out section 116(4) in the RTA. Section 116(4) of the RTA makes specific reference to the form, the actual piece of paper, the document, that you can download off of the website that a landlord is to use when going through the process of providing notice for a rent increase. And it is that case where the judge had ruled that because this landlord had used the wrong form, I believe about five or six years of rental increases in that particular case were eliminated—and not just rent increases, but the agreed-upon rent increases between the landlord and tenant that the tenant did pay.

**Mrs. Belinda C. Karahalios:** Madam Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** Thirty seconds.

**Mrs. Belinda C. Karahalios:** Mr. Farrell, did you want to add anything? I know that you were quoted earlier. Did you want to clarify any of that?

**Mr. Matt Farrell:** No, I'm just talking about a totally different subject than the landlord rental agreement process, the tribunal process. I'm talking about building code and the process for inspections.

**Mrs. Belinda C. Karahalios:** Okay. I just wanted to see if you wanted an opportunity to chime in to clarify anything that was said prior.

Thank you, gentlemen, for answering.

**The Chair (Ms. Natalia Kusendova):** Our last round: MPP Morrison.

**Ms. Suze Morrison:** Again, back to Alejandra: I want to explore a little bit more about the renovictions conversation we were having in our last round.

Would you say that the financial incentive to renovict tenants lies in the fact that when a tenant leaves a unit, the unit is no longer tied to rent control measures—those annual guideline increases that are the maximum a landlord can raise the rent—and when a tenancy turns over, the landlord can actually raise the rent however much they like? What we see is a financial incentive in our housing market to intentionally and purposefully displace tenants as a way of maximizing profits. Would you say that that's really the crux of the renoviction issue?

**Ms. Alejandra Ruiz Vargas:** Yes. I totally agree with what you say. This has been something that has been devastating for tenants across Ontario. You heard when I started my deputation that the LTB has had a 77% increase in renovictions and demovictions. This piece in particular, the vacancy decontrol, because there's no control over it, is something that has been—the market skyrockets.

**Ms. Suze Morrison:** Would you say that the best way to correct and prevent the practice of renovictions in this province would be stronger rent control measures, including vacancy rent control?

**Ms. Alejandra Ruiz Vargas:** This is actually the root of the problem. If we can control that, we can control the next 100 years of increases in rent. We can control all these situations that we are seeing—a family of three living in a two-bedroom apartment, or seven people living in a room—because this is disgraceful. This is not the land of opportunity for which we came here to Canada. I don't think anybody wants to see that. Nobody wants to live like that. So I totally agree with you.

**Ms. Suze Morrison:** Just last year, we saw the Conservative government further cut rent control in this province, denying rent control to any tenant that lives in a unit built after November 2018. And then immediately, we saw a new building in York South–Weston, 22 John Street—those tenants received rent increases of 25%.

Do you think it's fair for rent to be allowed to go up 25% a year compared to stagnant minimum wages? I don't see wages going up 25% per year.

**Ms. Alejandra Ruiz Vargas:** This is why we are here today. It's because we are so vulnerable. With another law that is going to make us more vulnerable, we don't know where we are going to go. Definitely, we cannot allow this to happen anymore to any Ontarian—no more high rents or increases of 24%. Even 2% right now will make me go and put my daughter who is 14 years old to work.

**Ms. Suze Morrison:** That's shameful. A 14-year-old should be focusing on her school work, not having to work part-time to support the family. I know what that's like.

**Ms. Alejandra Ruiz Vargas:** Yes.

**Ms. Suze Morrison:** Are you aware that the average price of a rental in Toronto would now require a tenant to earn a minimum wage that's more than double the current minimum wage—about \$32 an hour?

**Ms. Alejandra Ruiz Vargas:** Yes, I'm aware. This is something that has been my own experience here in Canada that I have been living for 14 years. You say, "Well, it's worse in other places"—but this is our world; housing is our world, because it's killing us. It's lonely. The province of Ontario needs to fix all these loopholes. AGIs should be banished. Vacancy decontrol should be banished. Rent control needs to be real, not only for the benefit of the landlords. It's enough of that.

**Ms. Suze Morrison:** Do you think the recent proposal that, as New Democrats, we put forward to the government to implement a rent subsidy to tenants during COVID-19—do you think that's a policy that would benefit not only tenants, but also landlords?

**Ms. Alejandra Ruiz:** Yes. I think that would be a great thing, because many landlords right now cannot receive rent because people don't have the money because of COVID-19. So this will actually increase the relationship, because they will say, "Finally, these tenants are doing something for me." Many of the landlords—I will not say every one—we pay our rent, but our money is left greener. Do you know what I mean? It's like our money isn't worthy. And they don't do anything for us—no repairs, nothing like that. So this will help us and at least will give us a piece and will give a piece to the landlords.

**Ms. Suze Morrison:** Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** You have 45 seconds.

**Ms. Suze Morrison:** Lastly, do you have anything that you want to add that you would like the government members to hear?

**Ms. Alejandra Ruiz Vargas:** I think something that COVID-19 teaches us is that we are so exposed. We are so vulnerable. I don't want to say that without respect—but, finally, landlords saw that if their tenants are not well taken care of, they're not going to receive money. So I think it is time to do what is sensible, which is to take the ideas or change it or do it in a way that is more appropriate. For example, if you request an AGI, your elevator has to be working; you need to have a building that is free of pests, or at least a pest control that is professional. Vacancy needs to be controlled. Of course, we would like to see rent control on all buildings that are built right now in the province of Ontario—and I think, finally, there will be peace between landlords and tenants.

**The Chair (Ms. Natalia Kusendova):** Our last round goes to the government. MPP McDonell.

**Mr. Jim McDonell:** I thank all the delegations today. I know it's not easy, but as I said earlier, I think the idea of the virtual set-up and allowing the three groups—we've been able to see a record number of delegations on this bill than we have seen before. Certainly, there are some positives to the new way we're doing it.

1550

I would like to ask a question of Matt. Matt, it's good to see you again. I had a chance to meet with you last year during some of the consultations we've had over the last couple of years. Your group has been working with us to

make changes to the building code and identifying some of the issues you have.

I know one of the key issues you had was the lack of building officials. We have been working on that with some colleges and universities, trying to set up some courses. Do you have some comments on the labour shortage and the large number who are retiring?

**Mr. Matt Farrell:** Mr. McDonell, I want to thank you for all your hard work, your participation in the consultations and your dialogue with our association. It has been very productive working with you.

In terms of our recruitment campaign: Yes, we recognized about four or five years ago that we were facing a generational shift in our workforce, seeing as there are a lot of businesses throughout the province where the baby boomer generation was about to leave the workforce. At that time, we did some research into what we needed to do to recruit the right individuals into our profession. We need some highly technical people, we need some people who are open-minded and also service-delivery focused, so we've started targeting individuals who have those traits. We went into colleges and to job fairs.

Our workforce has been fairly desirable for somebody who is looking to start a second profession, somebody who has worked in the trades for quite a few years and is looking for something where they can use that knowledge and apply it in a different way. Working in a government setting has a lot of benefits, so those are some of the things that we've tried to promote with the campaign that we've done. We have a pretty good profession, and I think the relationship that we've started establishing with the sector itself and the number of innovations that we're introducing into the business are going to be enticing for people to start working in our field.

**Mr. Jim McDonell:** I think you talked about some of the new tools that might be available in doing some of the building inspections virtually. Are you going to be expanding that?

Being a mayor of a township, I certainly heard lots of complaints about companies trying to get a building inspector in three different locations in a township that's larger area-wise than the city of Toronto. It's just not possible to do.

What are some of the things that you're looking at and considering?

**Mr. Matt Farrell:** Yes, these past three months during the pandemic have actually taught us a lot about what we can do to fit some of those needs for remote municipalities like your own or northern Ontario—where we can use technology and the knowledge and expertise of certain individuals who have been in the field for a long time and do things more remotely, but still ensure that the workmanship is done in a safe manner and in compliance with the building code standards.

The introduction of new technologies, like the virtual video-type applications that we're using today, has really been beneficial for us. And the use of online technology, as well, in terms of doing the approvals process has really saved us a lot of time and a lot of paperwork, and a lot of

regulatory burden, in terms of having information transferred from one agency to another. Again, we're just looking to continue to improve on these processes and develop more efficient ways of undertaking that service.

It's not about cutting the health and safety requirements at all, and I don't think this government has ever—and we've never—promoted that idea either. We have the highest standards in North America for building. What we want is to do our work more efficiently and be able to help out some of these areas that do not have the expertise that is sorely needed.

**Mr. Jim McDonell:** I know you've also been working with us with the harmonization, something that I think your group supports, and bringing our building codes more in line with the rest of the country so that it allows, hopefully, for different benefits—maybe some of your comments on that as well.

**Mr. Matt Farrell:** Yes, we fully support that. If you're looking for one way to cut a lot of red tape, that is one of the best things you could do for this industry. Right now, that's a barrier for materials and products that are used in other parts of the country to be used in Ontario and for products that are produced in Ontario to be used in other parts of the country. By harmonizing that building code, what you do is open up the marketplace for an even playing field across this country, but you also introduce more expertise and knowledge. When everybody is using the same regulation, we're able to have more consistent application through a consensus-based approach. So—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Unfortunately, we are out of time.

Thank you for your presentations today.

MS. DEVORAH KOBLUK  
GREATER TORONTO APARTMENT  
ASSOCIATION  
ONTARIO NON-PROFIT HOUSING  
ASSOCIATION

**The Chair (Ms. Natalia Kusendova):** We are now moving on to our next set of presenters.

We have Devorah Kobluk with us. Welcome. Thank you for being with us. You have seven minutes, and you may begin by stating your name.

**Ms. Devorah Kobluk:** Good afternoon. My name is Devorah Kobluk, and I am a resident of Parkdale-High Park in Toronto. I would like to thank the Standing Committee on Social Policy, both the members and procedural services, for the opportunity to appear before the committee and speak to Bill 184.

As a tenant, I will be speaking to proposed changes to the Residential Tenancies Act, the RTA, particularly the impact that this bill could have on Ontario's renters in light of the COVID-19 pandemic and the cost to the province.

The timing of this bill is highly concerning. We have just faced the first global health crisis in over a century, and it is far from over. In this time of financial and personal uncertainty, exacerbated by incremental and

uncoordinated rollouts at all levels of government, we now face a piece of legislation that could put thousands of Ontario residents at risk of eviction and homelessness. I am shocked to find myself among them.

Since January 2020, I have been actively seeking employment following the completion of two contracts in late 2019. I have revised my resumé, attended career seminars, networked and submitted over 130 applications for employment. When I finally landed interviews, they were scheduled for the week of March 16, 2020, the exact week when Ontario went into a state of emergency. These were either cancelled or postponed due to COVID-19. I received notice regarding other applications that hiring was also postponed. While I have continued to seek employment, getting an in with a new organization has proven very difficult during the crisis. The market is now further saturated with those who have lost their jobs over the course of the pandemic, and I have seen jobs which post the number of applicants following the deadline to apply—numbers have changed from 155 to 850 applicants, with numbers of applicants appearing to be on the rise.

I understand that the response to COVID-19 involves all levels of government. Every jurisdiction—municipal, federal and provincial—must rise to the occasion. It is why early on during the crisis, I contacted my MPP, my MP and the CRA to seek guidance. I called and emailed my MP, who is a government member, repeatedly requesting that CERB be expanded to those in between contracts, an unfortunate grey zone, and only one of many.

I saw what was coming. If we could not meet one month of rent, how would we meet multiple months once the moratorium on evictions was lifted? Between June 2 and June 9, 2020, the situation worsened. My landlord contacted me and asked for three months of rent. I have not been harassed like many tenants during the crisis. I learned about Ontario's Bill 184 and how it would make evictions easier. I also read of possible criminal penalties from the federal government if I should take CERB to pay rent. Homelessness or criminal penalties: What kind of choice is that in a civil society, particularly during a pandemic?

I want to take a moment to mention that, as a PhD candidate currently on leave, not registered and ineligible for funds to support students, I am still a strong researcher and a skilled worker. I am resourceful at locating services, and understand how government works. I have never been in arrears and never thought it could happen to me, and certainly not for multiple months.

If I find myself in this predicament, and even as someone living with a disability, I can only imagine how much more marginalized Ontario residents are faring. Bill 184 and the proposed changes to the RTA put those who are most vulnerable of losing their housing at an increased risk.

**1600**

Please do not underestimate the cost of this. In one study from the Homeless Hub, the cost for homelessness per person, based on five cities in Canada, including Toronto, was over \$53,000 per person per year. That was

in 2011. According to the Bank of Canada's inflation calculator, that equals \$60,000 in 2020 per person per year. It will be cheaper to Ontario and its taxpayers to help us stay in our homes instead of forcing evicted tenants to flood the already-overwhelmed shelter, health care and criminal justice systems, not to mention emergency services, which have been inundated during the crisis. I have no doubt that the emotional, social and health costs would be great. As the Housing First model has proven, placing and keeping people in secure housing saves governments money.

If I was evicted and I moved back into my same unit today, I would be paying 30% to 35% more, because landlords can raise rent with tenant turnover. I have no doubt that besides arrears, my landlord has a high incentive to evict me. Units on my street are currently renting for 20% to 40% more than I currently pay. These calculations do not include upward pressures on rent because of the rise of Airbnb rentals. My wages do not match such increases. I have already been paying over the 30% threshold for affordable housing. Wait-lists for subsidized housing in Toronto are seven to 10 years.

What we do not need right now are changes to the RTA that place the balance of burden from this crisis on tenants, or reduce rights for tenants. I have had to highlight several sections from the act to my landlord at various times over the past years to ensure that my legal rights as a tenant were met, and that was before Bill 184.

For landlords who have to pay their mortgages, I encourage governments to negotiate with lenders and the banks in these unprecedented times. What we need is an extension of the moratorium on evictions until the economy is up and running and the COVID-19 recovery period has passed. What we need are additions to the act that provide clear and direct guidance to landlords and tenants, both of whom have rights and responsibilities. We have been waiting for such guidelines, and Bill 184 fails to provide them.

We need these additions to outline a clear plan for payment of arrears that is reasonable and that can be reviewed at the Landlord and Tenant Board to ensure a fair process where tenants can present the merits of their case. This is not only paramount for access to justice; it will save Ontario money, and mass evictions will not. Renters who have been unable to meet rent will need time to recover, just as the economy and the health system will. Please give us that time.

Again, I would like to thank the committee for the opportunity to speak to Bill 184. I'm happy to take questions in either official language. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Next, we have Daryl Chong, president and chief executive officer of the Greater Toronto Apartment Association. You have seven minutes. Welcome. You may begin by stating your name.

**Mr. Daryl Chong:** My name is Daryl Chong. I'm the president of the Greater Toronto Apartment Association. The GTAA represents the owners and managers of purpose-built rental housing. Members own and manage

about 150,000 units of apartment buildings across the GTA, mostly in the city of Toronto.

First, thank you for introducing these changes—or the government for introducing these changes. It will help build a stronger relationship between residents and housing providers. It's important to note that most renters and landlords have a positive relationship. Those kind of stories aren't newsworthy and don't get a lot of mention. I have been watching these meetings for the last couple of days, on and off, and I noted that most speakers commented that they either currently have or have had in the past pretty good relationships with their landlords. Obviously, I wish this were true 100% of the time. When it doesn't work, it gets a lot of air time, disproportionately so. But you need to remember this in context when you create policy. Most of the relationships are good.

What Bill 184 does is it proposes changes to the RTA and it addresses some of these other issues that you read about in the newspapers. It protects tenants, and it includes some process efficiencies. I'm just going to go through some of my thoughts in bullets. These are all included in the bill:

- compensation for termination on behalf of a purchaser. This will clearly benefit tenants;

- expanding compensation to tenants in small complexes with fewer than five units. Obviously, it will add costs for the owners of those housing units who want to do major renovations and repairs, but it's clearly of benefit to tenants;

- the affidavit requirement to disclose past behaviour or similar types of behaviour protects tenants, and it will actually improve the reputation of housing providers by restoring some good faith, so it helps both sides;

- the general compensation of up to 12 months of the last rent charged for former tenants for bad-faith termination is a clear deterrent;

- the increased fines to \$50,000 and \$250,000 are excessively high, and it's probably intended to be excessively high to send a really strong message, because it does. This bad behaviour will not be tolerated and, accordingly, bad tenant behaviour is also being discouraged.

The common example we hear about is falsely pulling a fire alarm. This would be deterred if there was an ability to recover costs. Unfortunately, this does happen more than you think, and when it does, it puts a lot of people at risk. It diverts emergency services from real emergencies, and the fact that big vehicles are speeding to the scene is dangerous; it has inherent risk in itself, so deterring this—as a single example, and there's more—is actually a societal benefit. That benefits everyone. The ability to recover damages for damages and unpaid utility costs is a matter of fairness, and the package of compensation measures and penalties and cost-recovery abilities, I believe, strikes a balance that works towards intended outcomes.

The LTB is the appropriate venue to sort out disputes that currently go to Small Claims Court. The LTB adjudicators are the experts, and going to Small Claims Court, which is a separate venue, requires more or less the process to start all over again. Small Claims Court is

expensive for both sides. It comes with cost consequences for tenants if they lose.

Bill 184 makes mediation and alternative dispute resolution services available well in advance. This change will benefit both sides by providing time to mutually agree to resolve issues instead of going to a hearing. It will be less acrimonious. It won't tie up the LTB's time and resources, and most of these matters can be settled. This gets both sides to the table—I guess now a virtual table—and they can work out the issues, sort it out, virtually shake hands and move on with other things.

I really can't say enough good things about alternative dispute resolution as the best, modern way to solve problems. This one checks all the boxes—mediation at the front end, both parties consent to participate, both parties sign a resolution, this resolution is filed with the LTB in a formal process, and it reduces LTB load..

Including advance written notice of intent to raise issues is fair and, combined with the alternative dispute resolution, could go a really long way. Both would increase efficiency by reducing the number of adjournments and interim orders requiring disclosures and delay. This gets to the point. It's a modern method, and as a result of the pandemic, we're looking for opportunities to modernize and adapt to new working conditions.

One of the MPPs a moment ago mentioned that it has been so efficient having these standing committee meetings via Zoom. I couldn't agree more. This is a good example of how we're adapting. Everyone's figuring out how to proceed, so the changes are happening at the right time. Maybe sooner could have been better, too, but now is absolutely the appropriate time.

In addition, I just want to say that we're all working towards the same overarching goal, and that is to encourage significantly more rental stock across Ontario. Housing providers come in all shapes and sizes and provide housing in a variety of forms all across Ontario. They become providers for a number of different reasons. We need to encourage those who are sitting on the fence and thinking about exiting right now to stay, because the houses they provide are very important, especially in the smaller jurisdictions. We need to encourage more to provide more.

In closing, the GTAA supports the amendments to the RTA as part of Bill 184. They add fairness, transparency and efficiency, and they do encourage the supply of more rental housing.

Thank you for this opportunity deep into a Friday in the summer. You're still here, so I'm still here; it's all good. And I didn't have to drive through the city, so it's even better. I'm here for any questions if you have them.

**The Chair (Ms. Natalia Kusendova):** Thank you very much for your presentation.

Next we have Marlene Coffey, chief executive officer of the Ontario Non-Profit Housing Association. Welcome. Thank you for being with us. You have seven minutes, and you may begin by stating your name for the record.

**1610**

**Ms. Marlene Coffey:** Marlene Coffey, CEO at Ontario Non-Profit Housing Association. Hello, everyone. It's

nice to see you and, for some of you, to meet you for the first time.

Before I begin, I'd like to just pause and ask you to imagine with me your reaction if I were to tell you that your local hospital or your local school in your community would be no longer; that, somehow, your community is less important than the other community down the road. As Canadians living in vibrant communities, and here in Ontario, in the country's wealthiest province, I can assure you that your reaction would be public uproar. We believe, after all, that as Canadians, we have access to hospitals and health care, and schools and education. It is the foundation, the value for what we have built. So why, then, do we struggle to invest in an asset called community housing? We have seen the most difficult times with the global health pandemic and the economic shift that is truly testing our social infrastructure.

I represent 700 landlords with \$30 billion in assets. Collectively, we house half a million people in Ontario. Today, I'm here to provide input towards the development of Bill 184. It underscores the importance of this conversation that we're having today and our support for the sector modernization through the act.

The Housing Services Act is the foundation, the very alignment of these basic values that I was just speaking about. It is linking the concept of community housing to how we spend public funds, perform as a system and, ultimately, put money where it counts. The interesting thing I can tell you is that for every \$10 spent in community housing, we see upwards of \$20 saved across the system. This includes health care, correctional services and social assistance.

The focus under the Housing Services Act is really about sector transformation. Through that, we will see changes around regulation and policy.

I am so thankful that you're engaging with us today, that you have engaged with us on many occasions previously, and I do hope that you will continue to work with us through public consultation.

Of the six recommendations we have made, I'm going to highlight three of those for you here today. One is that you continue with the assistance for tenants. We commend the government on the Canada-Ontario Housing Benefit and expanding the work that you've done around data collection to better understand and better respond to tenant needs, particularly during this health crisis. We encourage you to continue this, to build on this and to continue to remove barriers so that people have access to adequate affordable and stable housing.

Our second priority is to recommend the continuation of stabilization funding for landlords. As landlords, we have seen, in particular, rental arrears, backlog in repairs for buildings and increase in operating costs. It means our providers, our landlords, are having to dig into reserves in order to mitigate COVID-19. This distracts from the longer-term investment to repair existing stock and to get to the renewal and building of new stock and, ultimately, meeting the objective of the province. At the same time, municipalities are also seeing reductions in revenue, as are

tenants, and the deepening of job loss in our economy. The system that we currently have is not sustainable. In fact, the situation we are in is somewhat impossible. The need for housing has never been more necessary and more important than it is now.

Our third recommendation is about prioritizing community housing as essential infrastructure. Housing providers need flexibility at the end of their operating agreements or at the end of their mortgage. It is absolutely critical that they have certainty around the funding model so that providers can plan for the future. If no action is taken around this particular point, our sector could see upwards of 60,000 units lost—so 25% to 30% of stock lost to the system, or disrepair. This would displace people, put more pressure on municipalities and ultimately move the system backwards. This year, we are working with the sector to problem-solve around some of those alternative funding models so that we can ensure that there is long-term affordability in the communities and in Ontario.

In summary, what is it that I'm asking for? I'm asking that you help us help you deliver on your mandate, that you continue to prioritize tenants and landlords and accelerate housing as an essential part of infrastructure. Through stimulus funding, we can kick-start the economy and prioritize community housing as essential infrastructure. This will help the government save more money, perform better as a system and ultimately protect our future. This is the same concept as the foundation we have around—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. I'm so sorry; we are out of time.

We will begin our questions now with the government members. MPP Gill.

**Mr. Parm Gill:** I want to take this opportunity to thank our presenters for taking the time and being with us on Friday afternoon.

I'm going to ask my first question to Daryl Chong from GTAA. We understand there's a shortage of affordable housing right across this province. Having a sufficient supply of affordable housing obviously has been an issue for some time. Do you believe removing rent control on new builds is actually helping build more purpose-built rental buildings?

**Mr. Daryl Chong:** Yes, it does. You work it into the pro forma. Right now, it's difficult to make a project work on paper when you do the financial calculation of all the hard and soft costs required to build a building. Time is one of the big issues. It takes seven to 10 years now to build a significantly large building in the city of Toronto. There are a lot of factors that go into what they call "pencil" the project, and that's the financial analysis.

One of the things that you use in the analysis is your anticipated increase in rent. None of our members who are professional property managers and apartment building owners do anything excessive; it's a pretty conservative recurring amount. They need a certain return in order to make the project work; otherwise, it doesn't happen. So the removal of rent control does help pencil the projects. That ultimately ends in more supply of purpose-built

rental. But more so, it actually increases the supply of rental generally, because that's the reason why a lot of small investors buy things like condominiums and houses to become housing providers.

On a very micro level, when you're the owner and operator of a single unit as your portfolio of housing that you're providing, that number becomes very important, because that's your whole investment. That's your whole nest egg. You engage in the small business of becoming a housing provider with that realization that, as your costs go up—and real costs go up by more than the guideline. You know this in your own homes, in your own lives, that 2.1% is a lot lower than—which is Ontario's CPI; I get it, but it's not the same basket of goods that increases the cost of what you do and how you exist.

1620

**Mr. Parm Gill:** Security for tenants is one of the fundamental rights provided to tenants under the RTA. The government has heard concerns that some landlords are evicting tenants in bad-faith from their affordable homes, especially in areas with hot rental markets and low vacancy rates.

What measures other than the ones being proposed would you suggest to help prevent tenants from being evicted under false pretenses, such as a landlord's own use or renovations?

**Mr. Daryl Chong:** I think the increased penalties will act as a really solid deterrent—\$250,000 for a corporation or \$50,000 for an individual is a lot of money. And the requirement now to provide an affidavit to show that you're not doing this serially is another good way to prevent those sorts of things.

As a positive on the purpose-built rental side: We don't use that provision. The buildings are all incorporated. We don't have the ability to evict for personal use because corporations are not people. So that's another reason why we need to encourage more purpose-built rentals.

**Mr. Parm Gill:** The penalties that are being proposed in this legislation—you mentioned \$50,000 for individuals and \$250,000 for corporations—do you feel that it is actually sufficient and will deter bad actors from acting in bad-faith?

**Mr. Daryl Chong:** I think they're excessively high, and I think I said that that was your intent, to be excessively high, to make sure no one does it. I haven't seen fines of this sort of level in most other places.

**Mr. Parm Gill:** How do we compare with some of the other provinces when it comes to the stiffness or the amount of fines that we're proposing? Would you be able to comment on that?

**Mr. Daryl Chong:** No, not with any accuracy. But I think they're more in line with the former levels or maximums, and some of the provinces probably have significantly lower maximums.

**Mr. Parm Gill:** Do we have any time left, Madam Chair?

**The Chair (Ms. Natalia Kusendova):** You have a minute.

**Mr. Parm Gill:** Bill 184 is proposing to allow alternative dispute resolution such as mediation before a

Landlord and Tenant Board hearing. Do you believe this would help reduce the need for hearings and resolve disputes? Do you have any advice on ways to better inform parties of this option and help make sure mediation is effective for both tenants and landlords?

**Mr. Daryl Chong:** I think it should be almost a mandatory first stop before you get to a hearing. I don't believe it's mandatory now. I think it's going to be made available. If you could have all the cases go through a mediator first, and then only those that are unresolvable go through mediation or negotiation or any of the alternative mechanisms, and then go to a full hearing, I think that would save a lot of time. I think if you had to do it, people would say, "Let's get it sorted out here."

**The Chair (Ms. Natalia Kusendova):** MPP Burch.

**Mr. Jeff Burch:** I have a few questions for Devorah.

I'm sorry to hear about your situation, Devorah. There are a lot of people going through difficult times right now.

You started your presentation by highlighting the timing of this bill. There has been some disagreement, as there naturally is between the government and the opposition, on some of the things that are in this bill. The government is saying, "There's nothing to see here. We're not making any big changes." We would suggest that there are some pretty significant changes, especially as they affect vulnerable populations and put the onus on them when they may not understand or comprehend all of the rules which can be very complicated and confusing.

What I wanted to ask you is more to do with the timing of it. We don't see anything in this legislation that removes the incentives for landlords to use unethical tactics to squeeze out tenants. Harassment and intimidation of tenants, bad-faith above-guideline increases—we don't see anything in this legislation that specifically addresses that. We were already in an affordable housing crisis, and we're in the middle of a pandemic. Do you want to comment on the timing of the bill, and if you think it's appropriate for us to be discussing a bill that makes these kinds of changes at this time?

**Ms. Devorah Kobluk:** Thank you for the question.

Yes, this is a critical, historical moment, and I do not think this is the time to be making any changes unless they are protecting people who have already been hit the hardest by the crisis. Everybody has been hit, but some have been hit harder.

Not only are some of the rules complicated, if I can speak to that—but with respect to Mr. Chong, I don't know what your part of the city looks like, but in my part of the city, while we want a relationship that is positive between landlords and tenants, we cannot always bank on that. I have literally had to read the landlord and tenancy act to my landlord. He is a small-scale landlord. He has a building of 19 units. I know it has been the same in larger high-rises in my area. We're not the only ones who might not know the rules. Some of the landlords, without licensing, do not know the rules themselves, and without access to things like the Federation of Metro Tenants' Associations, I certainly would not have always had clarification.

I think the timing is quite outrageous. It is putting people at risk, and it's missing what we have been waiting for. I called several associations a couple of months ago and said, "What's going to happen when the moratorium is lifted?" They said, "We're waiting for guidance from the government." So we were all waiting. And that is actually what I most strongly recommend—to have a system of repayment of arrears that is reasonable. Because the alternative dispute resolution is not clear, there is just far too much risk that there will be ad hoc negotiations made that are not supportive of tenants who are very fearful to be put on the streets. As I mentioned, if they rent again, they will be facing higher rates.

**Mr. Jeff Burch:** We've made some suggestions to the government, and one of the main ones around this issue is providing an 80% supplement to renters, which would obviously help tenants and landlords during this difficult time. Is that something that you would support, and can you speak to how that would help people in your situation and others in your building or your neighbourhood?

**Ms. Devorah Kobluk:** I'm smiling because that would help me immeasurably. The goal is to get the rent paid, absolutely. When I called my MP, Arif Virani, and said, "Why are businesses getting 75% reductions and we're not getting anything?"—you're speaking exactly to that. I believe it would do what needs to be done, which is get the rent to landlords and help us get out of arrears, absolutely.

**Mr. Jeff Burch:** It sounds like you think that instead of tinkering—in the best-case scenario, tinkering; we would suggest we're making it easier for landlords to evict. But what you think we should be doing is trying to find solutions for tenants in a very difficult time rather than passing legislation that was created without much consultation prior to the pandemic.

**Ms. Devorah Kobluk:** I was surprised to hear about the bill, and if I wasn't on MPP and MP newsletters, I probably would have missed it. I'm very glad to be speaking. As I mentioned, I will cost you \$60,000 a year—and there will be many of me—and it will be harder for me to secure employment if I'm on the streets. Where will I take a shower before an interview? Where will I fix my resumé the night before? I would not have prepared for this presentation if I was not in my rental unit. It is in your best investment to give me time to continue to secure employment, pay back my arrears and become a tax-paying, productive citizen—a higher-tax-paying, productive citizen.

**Mr. Jeff Burch:** Well, I hope things work out for you in the future.

**Ms. Devorah Kobluk:** Thank you for your questions, Mr. Burch.

**The Chair (Ms. Natalia Kusendova):** We will now give the floor to MPP Blais for three minutes.

**Mr. Stephen Blais:** Thank you, everyone, for your presentations.

Devorah, I understand and appreciate and agree that a rent subsidy will help a great many, and you just said it will help you. In terms of time to repay the arrears that may have been building up, if that were to become an

issue, how much time, based on your current situation, do you think you would need to repay those arrears?

**1630**

**Ms. Devorah Kobluk:** It's such a difficult question. I think we understand that the Landlord and Tenant Board is already backed up. We do want efficiency to have this done.

If I get a job on Monday, I can enter a repayment plan. Do you see what I mean? It's really pursuant to when I secure employment, and I have definitely kept in touch with my landlord about that. My goal is that I would need at least six months; I would aim to do it in four. That's my situation. There needs to be a space to revisit it. I don't know if legislatively you would say "lower risk" or "higher risk" or however you would do it.

**Mr. Stephen Blais:** Has your landlord been open to that conversation, or have they indicated that, hard and fast, they're going to do some kind of eviction?

**Ms. Devorah Kobluk:** The text I received on June 9 said, "We need X dollars for three months of rent now to be paid to show some good faith." I texted back, "I can assure you I am not withholding rent in ill faith. I am holding what money I have for basic utilities, food and medical supplies, and I am working on it and doing my best. I encourage you to contact our MP and get CERB to be expanded."

I have not had an eviction notice on my door. He was patient, but now he has asked.

**Mr. Stephen Blais:** I appreciate you spending some time with us this afternoon.

I don't have any other questions, Madam Chair.

**The Chair (Ms. Natalia Kusendova):** We will now go back to the government. MPP Hogarth.

**Ms. Christine Hogarth:** Thank you, everybody, for spending your Friday late afternoon with us and sharing your perspective on this very important piece of legislation. I find it sometimes fascinating from the NDP—we're trying to move forward some positive legislation for landlords and tenants, but to make those changes, we need to hear from all of you on how to fix some of the problems, and especially when it comes to the COVID-19 issue that is before us.

My first question is for Devorah. You had talked about COVID-19 and a tough time paying rent, and I do feel sorry for your situation. You are one of many, and there are too many people right now unemployed. I'm sorry for that, and I'm wishing you good luck in your job search.

**Ms. Devorah Kobluk:** Thank you. It's much appreciated.

**Ms. Christine Hogarth:** Do you think it would be helpful if the Landlord and Tenant Board mandated landlords to enter into repayment agreements for rental arrears accumulated during COVID-19?

**Ms. Devorah Kobluk:** I think it is essential to have third-party oversight. I think it has to be a situation where individual cases can be assessed if needed. I do not like the risk of doing it ad hoc in the hallway, as some have mentioned, and I would not trust my landlord with that.

**Ms. Christine Hogarth:** My next question is for Ms. Marlene Coffey. You seem to be a little bit neglected today. We haven't talked a lot about the Housing Services Act, and I know you have a lot to say on that and some of the changes that we're making. We're making the community housing system more sustainable over the long term and just outlining our government's plan to transform a fragmented and really inefficient system into one that's more streamlined and sustainable. We need to help those who are in need. That's really what it's about. So we've made some changes, and we've talked about some changes.

What aspects of the current community housing system create administrative burdens or make it challenging for housing providers to operate efficiently—like knowing the rules and reporting?

**Ms. Marlene Coffey:** Just to paraphrase you, the question is, what is not working about the current system?

**Ms. Christine Hogarth:** Yes. What makes it so burdensome?

**Ms. Marlene Coffey:** How much time do you have?

For starters, I would say that we're all in the people business, and we have inherited a system that wasn't created by design but was really something that happened over many, many years. There are a lot of legacy programs that our members, our housing providers, the landlords have become very good at navigating and working through, but it is most complicated.

I have to tell you, I am so impressed with the housing providers in terms of how they manage to provide housing despite the system. The system is not easy to navigate, and there are so many jurisdictions. There are 47 service manager territories. That adds a layer of complexity in that there are areas that are stronger than others.

What we really like about this proposal is that there's a modernization, giving our landlords, our providers flexibility to have some choice, to be able to understand what the future might look like and, really, to advocate for keeping housing money in housing. It's absolutely essential that we don't lose what is in housing to other priorities, because the needs of the communities, like what we're hearing today, are so critical and the demand will continue. Community housing providers really are the front line before you get to the hospital or social assistance, for example, and so it's our sector that can help provide the long-term sustainability for tenants in communities.

The provider needs to know what that future will look like, which means understanding the funding model and ensuring that when coming out of an operating agreement or out of a mortgage, the money that was invested in housing stays in housing so that we, as a sector, can repair stock and not lose that public investment and put the surplus towards new construction, new building, so that we actually can address a gap.

We know that over the next 10 years, we need 99,000 more units in Ontario just to meet demand—and that was the number before COVID-19. Our message to you is, please work with us, because we can help you deliver on

your mandate and help protect this baseline that is so essential for building great communities.

**Ms. Christine Hogarth:** Chair, how much time do I have?

**The Chair (Ms. Natalia Kusendova):** Twenty seconds.

**Ms. Christine Hogarth:** Did you have anything to add? I certainly know we will work with you about making the system more sustainable.

**Ms. Marlene Coffey:** Please just reach out. We're very accessible. We're happy to work with you on regulation and policy. We have a great team and great members who can be most helpful in answering these questions for you.

**Ms. Christine Hogarth:** Wonderful.

Thanks, everyone, for your time today. Have a great weekend.

**The Chair (Ms. Natalia Kusendova):** Now back to the official opposition.

**Ms. Suze Morrison:** I'd like to direct my first line of questioning to Devorah. Thank you for being here with us today. I want to, first off, say I'm very sorry for what you're going through right now. I know this is a difficult time. I think your story encapsulates a lot of the issues that we've been trying to raise around what tenants are going through right now as a result of COVID-19.

As the NDP, we've put forward a policy position to the government calling for an 80% rent subsidy for tenants to help them get through COVID-19, which also ensures that landlords are getting their money and are able to meet their financial commitments.

Do you think that's a good piece of policy that supports landlords and tenants?

**Ms. Devorah Kobluk:** As I mentioned previously, absolutely. I think that's what we're seeing across the board. Some people have said that this is going to be like war debt. These are really unprecedented times in terms of what is happening to provincial, municipal and federal bank accounts, if I can put that that way, and I cannot emphasize enough that if you spend \$5 now, you will save \$100 down the line. This is obviously just a metaphor. But if I am at risk of eviction—and I cannot emphasize enough how resourceful I am and educated and articulate—I can only imagine how some people are going to fare. I can advocate against my landlord, and I will.

It is not to the benefit of me personally or the cost to the province, in terms of increasing the debt, to not help me keep my home. So if a rental subsidy is on the table, I would absolutely support it, and my landlord can meet his costs as well.

**Ms. Suze Morrison:** As someone, like you've said, who has a lot of privilege, is educated and able to advocate and knows your rights, how do you think those who are newcomers or have language barriers or are Black and Indigenous and face racism in accessing housing, people with disabilities, in poverty, are faring in the housing market as a result of COVID-19?

1640

**Ms. Devorah Kobluk:** I literally have no idea, and I wonder every night how they do survive. Outside my

window, I saw during COVID-19, early in the crisis, a person whom I would consider more disadvantaged than myself kick a garbage can and be thrown against the hood of a car by the Ontario police and thrown in the back seat. It was violent and it seemed unnecessary for what was occurring.

Language barriers, understanding legislation—we have racism in this country as we are seeing around the world right now. There are many times when I've called services and I feel like I should be on the other end of the phone helping. That's what has been hardest about this crisis for me. I would actually like to be the person on the other end of the phone, but I have not secured employment yet. So I can only imagine how hard it is for those people.

I'm glad that I have the opportunity to speak today, but I hope the MPPs do not misread this as, "She'll be fine." What I want to convey is, if I'm having this hard of a time—and I have a disability on top of it. There are people who have it much worse than me, and I don't know how they survive.

**Ms. Suze Morrison:** Yes, it's pretty tough out there.

I want to pop over to Marlene from the ONPHA. Thank you for being here today. In your written submission, you spoke about the need for rent control measures in the province of Ontario. Would you care to elaborate for the committee and share your perspective on rent control, please?

**Ms. Marlene Coffey:** We have a really great tool. I encourage all of you to have a look. It's called the Canadian Rental Housing Index. It's something we put into place across the country, also representing Ontario. You can map where rental affordability really has the hot spots.

In Ontario, we are the hot spot in Canada, with half of our renters being at that level, at that benchmark that we consider to be critical. What that means is, anyone who is spending over 30% of their incomes towards rent is at risk.

If you just look one step beyond that, the next group is in a very critical position, as a standard for Ontario, in terms of lack of affordability. People are truly one step away from entering the system somewhere else, which is by far more expensive, and in some way ending up homeless.

Again, to my earlier point: Community housing and not-for-profit housing is a really great investment to protect and be the safeguard to help our system perform much better and ultimately protect people. We know that people can only thrive when they have a stable home where they can meet all their basic needs.

**Ms. Suze Morrison:** I couldn't agree with you more.

I just did some quick math here. If a person was making the current minimum wage in Ontario of \$14 an hour, to be only spending 30% of your income on rent would be \$728 a month—

**The Chair (Ms. Natalia Kusendova):** I'm sorry. We are out of time.

Back to the government: MPP Martin.

**Mrs. Robin Martin:** Thank you to all the presenters.

I wanted to talk to Devorah first. What I wanted to make clear was that our government has appointed more

adjudicators to the Landlord and Tenant Board. In fact, there are more adjudicators working there today, or when we open after COVID-19, than when we took office. So, we realize that we need to keep things moving at the Landlord and Tenant Board.

You also mentioned that you have a landlord who doesn't know the act and you had to read it to him. One thing that we wanted to point out is that municipalities can require landlords to be licensed and therefore to get some education, so that they also know what they're doing. We've heard that landlords sometimes, as well, don't know the rules and so some of them inadvertently make mistakes. Obviously, there are all kinds on all sides.

I wanted to say, as well, that the opposition knows that it's impossible for us to make any changes to this particular piece of legislation until we get through the committee process and get to the amendment phase at clause-by-clause, at the end of this. We're certainly listening to what we're hearing from people.

You seem to be a very educated and thoughtful person, and I'm sure that you are going to find a job. You just haven't found the right spot yet because your interviews got rescheduled because of a pandemic, which is unfortunate, I know. But I'm sure you're going to get there, because you certainly seem to be very bright and competent, speaking two official languages. You should send your resumé out to everybody on the committee, because we can't find good people. So please send the resumé around, honestly.

**Ms. Devorah Kobluk:** I'm happy to do it.

**Mrs. Robin Martin:** I did notice that you also recognize that we may be in a situation facing a lot of debt in the Canadian government and the Ontario government. I know my friends in the opposition keep suggesting a rental subsidy for 80% of the rent. Obviously, it would be helpful to everybody, but it is also a huge expense if you consider that there are, I think, four million renters in Ontario or something to that effect. It's quite a lot.

We've talked about the COVID-19 situation. We certainly realize that there are people who are in very dire straits and in very difficult circumstances, and that's why we prohibited evictions during the lockdown. Now people are getting back to work, and we have to figure out what's going to happen. That's why we think it's good to suggest that landlords and tenants have to work together to try to figure out what's going to happen for those tenants who could not pay rent during COVID-19.

We don't want to see people evicted either, obviously. So instead of just being evicted because COVID-19 has affected your income—don't you think it would be helpful for the Landlord and Tenant Board, perhaps, to mandate that landlords enter into some kind of repayment agreement for rent arrears accumulated during, say, the lockdown period for COVID-19? Do you think that would be a helpful thing to try to get some certainty and resolution for people around what has happened?

**Ms. Devorah Kobluk:** Thank you for all of that.

First, I want to say that I understand the process and that amendments and clause-by-clause are coming, I think,

next week. So hopefully some of the testimony will influence that.

Yes, it has been said from day one to work together. If we lived in a happy-go-lucky society where financial incentive didn't trump human security, as it often does, that could be ideal.

What I was looking for in this bill, and I think renters were looking for, was clear guidance. If mandating the Landlord and Tenant Board is one option, that's one option. But if I was on the other side and I could kick me out and get \$400 more rent overnight—where there is financial incentive, it's going to be an easy reason. Whatever you need to do to recognize that this is not a normal situation—I haven't not paid rent because I am bad at managing my money, don't think it's important, don't understand it's the first bill on the list. The emphasis is that if someone like me is falling through the cracks, what is going to happen?

So where there are third parties that can deal with landlords who are not best friends, that's what we need—and situations where tenants can present their case and have it reviewed on the merits of what they are trying to do on their end to make rent and why they have not been able to meet it.

My landlord has no clue. He wanted to use my last month's rent for April, for example. I called the Federation of Metro Tenants' Associations and they gave me the clause, and I called him back and I said, "You're not allowed to do that."

1650

**Mrs. Robin Martin:** As you point out, you're able to understand. You know what all the rules are. It is complicated for people.

Mr. Chong, how would you respond to that suggestion? One of my concerns is that from the landlords' point of view, some of them have their own mortgages and things to pay as well, so some of them aren't in a position to not get rent. That is obviously a concern. Mr. Chong—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. I'm so sorry, but we are out of time.

Back to the official opposition: MPP Morrison.

**Ms. Suze Morrison:** I'm going back to Devorah quickly. In the previous round of questions, the member opposite was trying to suggest that it's a good idea to require that landlords and tenants enter into these repayment agreements. On the surface, I don't disagree, but what we're seeing in this bill is that the measure that would address repayment agreements actually waives a tenant's right to a fair hearing—

**Ms. Devorah Kobluk:** Thank you.

**Ms. Suze Morrison:** —tenants in Ontario and do exactly what the Premier has been telling them: "Work things out with your landlord. Come to an agreement." That landlord can take that agreement, that piece of paper, certify it at the board, and now you have a binding agreement that can lead directly to an ex parte eviction. There is no ability for a tenant, under this bill, to come back to the board and say, "I signed that agreement under duress. I didn't understand what I was signing. I didn't understand the consequences of what I was signing."

In the situation of Bill 184, while the members opposite can pat themselves on the back and say, "Don't you think it's good that both parties enter into agreements?"—do you think that, as it's structured in Bill 184, that's going to be a fair process to vulnerable tenants?

**Ms. Devorah Kobluk:** No. Thank you for highlighting that. I used to work with legislation on Parliament Hill, and you have to find what's buried and also understand what it means in real time.

Until things are secure and stable again, yes, at all points there needs to be an ability to have a hearing. I understand exactly what you've said, and amendments need to be made to that portion, that if it's a binding agreement, that either there's not a clarification of understanding on it or if the situation changes again—what kind of jobs are we going to be getting? Am I going to get a federal government job that is close to six figures with a pension and a health plan, or am I going to be trying to get a six-month contract? What is that going to do to my rental agreement, as one example? So yes, agreed—the hearing point has to be throughout the whole situation.

Thank you for highlighting that.

**Ms. Suze Morrison:** I think you just hit a really interesting point, as well. I think about your specific situation. If, like you say, you go right now and next week you get a six-month contract, and based on the amount of money that you're making in that six-month contract you enter into a binding repayment agreement with your landlord based on your current financial situation, and six months from now, when you lose that contract or we see a second wave of COVID-19 and you are unable to meet the terms of that binding agreement, you have now, under Bill 184, lost your ability to go back to the board and say, "My situation has changed. I need to revisit this agreement." The second you are a day late and a dollar short, the sheriff will be knocking on your door. Do you think that is fair in the context of COVID-19?

**Ms. Devorah Kobluk:** Obviously not. I'm seeing a no from another member. Nothing is stable yet, and we will be naive—particularly in Ontario, which has not managed this crisis the best at all. I am from a different province out west, and they are faring better. We are not in a situation to actually know what is going to happen exactly three and six months down the line. I have watched my own applications go down, so where I was looking for professional jobs, 50% of my applications are just "make-it" jobs—taking a wage cut of 50%, no benefits and no guarantee.

In Toronto, for example, the start-up economy is not stable work. I'm trying to get where I can, but certainly I would be hesitant to sign an agreement if I didn't have something that was permanent, and that could even be a year down the line, whether it's government or private sector. I'm exploring both.

**Ms. Suze Morrison:** Chair, how much time do I have left?

**The Chair (Ms. Natalia Kusendova):** Two minutes.

**Ms. Suze Morrison:** Do you have anything else that you'd like the government members on this call to hear, that you need as a tenant to get through COVID-19?

**Ms. Devorah Kobluk:** Just as my job applications have gone down, so have my expectations for housing. The unit that I'm in, I would like to move out of eventually. It is not in the best state. I have a landlord who I do not believe has a mortgage left because he inherited the building, and he refuses to put 5% away to fix the plumbing. With the amount of units, that could have happened. I have had—do I want this on the record? I've had fecal matter left in the laundry room and I have had to call the health and safety inspector in the past. I have not had, at times, clarity on when the fire alarms would be checked. I am in a neighbourhood where people have died of fires in the middle of the night.

These are really basic things, and if I had the opportunity—and it's a toss-up: Do you take a small-scale owner who is maybe family-oriented and might care about you but may not know that they're still subject to the laws of Ontario, or do you take a mass commercial renter who could, like Akelius, for example, on my street, raise rents even more?

We really just want a safe, quiet place to come home to at night after the stress of work and life. I've had to fight for certain things over the past years. Now I'm fighting to keep it, and that has changed things significantly.

**Ms. Suze Morrison:** Thank you so much for being here with us today. I think your story is very, very powerful and I can't thank you enough for sharing it.

**Ms. Devorah Kobluk:** Thank you for the opportunity to speak.

**The Chair (Ms. Natalia Kusendova):** Thank you to all our presenters.

DON VALLEY  
COMMUNITY LEGAL SERVICES  
MS. FARIDA SADRUDDIN  
MS. STEPHENIE GRAHAM

**The Chair (Ms. Natalia Kusendova):** We will now be moving on to our last round of presenters for the day.

We have with us Stewart Cruikshank, who is a lawyer from Don Valley Community Legal Services. Welcome. Thank you for joining us. You have seven minutes, and you may begin by stating your name for the record.

**Mr. Stewart Cruikshank:** My name is Stewart Cruikshank. I'm a community legal clinic lawyer and have been for over 30 years, working in the east end of the old city of Toronto. Much of my work has been to represent low-income tenants in matters of housing law. My experience spans from the old Landlord and Tenant Act at district court through the Tenant Protection Act at the Ontario rental tribunal, to the more recent Residential Tenancies Act and the Landlord and Tenant Board. I have seen many ways of protecting tenants, and I've seen what works and what doesn't, so I hope you take some of my experience to heart.

I'm first going to talk about some of the concerns that have been raised by many other presenters, especially those from legal clinics. First, this bill purports to shift

debt collection after a tenancy ends from Small Claims Court to the Landlord and Tenant Board. To be honest, I would be surprised if even the landlord representatives would want this unless the Landlord and Tenant Board is given significantly more resources to do their job. As it is now, they can't keep up with the current workload. In any event, if the shift is to happen, we need to know that all the procedural protections at the Small Claims Court will follow the tenants into the Landlord and Tenant Board. This means adequate service protections for statements of claim, protections for how evidence is shared and given ahead of time—all those things that would protect tenants at the Small Claims Court. That's something that I would want to flag.

Second, I am concerned about what it means to change some of the alternative dispute resolution provisions as being proposed in sections 30 and 31 of the bill. I'd ask you to consider going back to the ministry and asking them to clarify that, because it's a real concern where that could lead us. Others have spoken about that.

Third, the fact that unlawful rent increases can be made lawful after one year is a significant concern and will probably change our practice significantly. You have to understand that there are many good landlords in our neighbourhoods, but there are also some unscrupulous ones we've come to know very well. I can believe that if this comes into effect, it will be a part of their common practice to at least make the effort to get an unlawful increase, because what's the worst that could happen? They get caught and it gets reduced to the lawful increase. There's no real consequence beyond that, so why wouldn't they try it on a regular basis?

You've heard a lot of these concerns from others over the last few days, but I want to especially focus on some of my concerns about the lack of protections in this bill for something that's at a crisis level in the old city of Toronto and many parts of the province. That is something that we've had to create a new term to cover, "renovictions."

**1700**

Renoviction is a business model whereby an owner sees a money-making opportunity to buy a building where the price of the building is lower because the rents are low, so the building has less value, and leveraging more money out of that building—because they find a way to get rid of the low-paying tenants and create new tenants at a much higher-paying rent. That's an actual business model that's being practised in our neighbourhoods now.

I can go through many, many examples that I've been dealing with. This week, I know three tenants from three of our buildings who have come to this committee with their stories about renovictions. While I appreciate that there has been some effort to control these abuses, there are flaws that are still inherent in the legislation that have not been dealt with.

First of all, the effort to increase the fines for bad-faith evictions simply won't affect this kind of business practice. We won't get anybody being fined for bad-faith evictions when they've gone in and said, "I want to evict you for a demolition," and then it turns out it's not really

a demolition; it's a renovation. "Why not try calling it a demolition? If we're successful, we don't have to take the tenant back when we're finished."

The problem with that, and this is what we've run into, is that when a tenant comes to me with a notice of termination, saying, "I've been evicted for a demolition," I have to say, "That's fine, but I can't tell you legally what a demolition is because there is no definition in the law of what a demolition is." So a bill that would actually define what a demolition is would go a long way to providing some protection for tenants. It would give them certainty when they are faced with these notices.

Secondly, sometimes they come to me with a notice that says, "I'm being evicted because they're doing extensive repairs and renovations that require vacant possession." I have to say, "That's fine, but I don't know what your chances are if you want to try to fight this because the landlord hasn't provided any details on what his repairs or renovations are going to be." The law says it has to be so extensive that they require a building permit. But they're not providing a building permit. They're not giving us anything about plans that are in a building permit. They're just saying, "You have to go, and if you want to fight this one, take your chances." I tell that to the tenants: "You're just going to have to take your chances."

That means, in many cases, they have an eviction hearing as close as a week or even after the actual termination date. That eviction hearing will decide whether or not it's an actual renovation that requires a building permit and vacant possession—and we have not had any building permit disclosed to us, any plans disclosed to us, and nothing that we can use to fight this leading up to that eviction hearing.

So we need something that says, "If you're going to evict a tenant for renovations and repairs so extensive that it requires a building permit and vacant possession"—at the very least, we need protections that say the landlord must provide the building permit and the plans that go with it when they serve that notice on the tenants. That's the only way to make this protection effective. This bill has done nothing to help us in that direction.

**The Chair (Ms. Natalia Kusendova):** Thank you very much.

Next, we have Farida Sadruddin. Welcome. You have seven minutes. You may begin by stating your name.

**Ms. Farida Sadruddin:** I'm Farida Sadruddin. As someone else said, when you give everyone a voice and give people power, the system usually ends up in a really good place. So thank you for giving me this opportunity. I'll share some concerns and recommendations.

First of all, this bill would make even illegal rent increases above the guideline limits legal. This is morally revolting. This change would actually legalize exploitation of the most vulnerable residents of our province. Instead of upholding illegal increases, ensure that any LTB orders treat them like others and merely reset the rent price of what it legally should have been if the rules had been followed.

Proposed subsections under current section 71 state that an affidavit must be submitted with the application for an

N12, which is an eviction for personal use, whereas no such thing has been proposed for renovation evictions; for instance, providing a municipal permit copy along with the application. I'm sure if you pull the data, you will find out that there are a significant number of landlords who use renovation evictions in bad-faith so that they can rent out units at higher prices. It fails to address the practice of landlords who purposely re-rent units to new tenants even where the LTB has issued a first-right-of-refusal approval. No automatic compensation is awarded. No tenant can seek re-renting of the unit they vacated or another unit owned by the same landlord at the same rent. I believe this is one of the reasons behind illegal rent hikes.

As for the article published by CBC News in November 2019, no-fault evictions have increased by 50% in the last four years, and what is mind-boggling is that renovation evictions have increased by approximately 300% in the same time duration.

Moving on, applications under sections 87, 88.1, 88.2 and 89, which provide landlords recourse: Landlords already have recourse for damages left behind. As long as the landlord files for damages before the date of vacancy, these claims can be pursued as long as need be. All it takes for a landlord is to perform a move-out inspection in a timely manner. I would also like to suggest that all forms should be filed with the LTB, and tenants should have access to them.

As for the article in the Globe: Currently, the LTB doesn't keep tabs on whether the landlords fulfill their legal obligations. Instead, the board relies on tenants to notify if there are cases of bad-faith. The non-profit Ontario Tenant Alliance has encouraged the development of an online N12 registry that would allow renters to check on the status of apartments from which they have been evicted. Currently, it is difficult to establish how many times a particular landlord has claimed an apartment for their own use. This becomes particularly relevant for tenants seeking to establish a pattern when arguing that the landlord was simply planning to relist the apartment. What is needed is a formal, landlord-filed version of the N12 registry.

Most importantly, Ontario's eviction data should be more widely accessible, especially if the onus is on the tenants to file a complaint with regard to bad-faith evictions. It would be great if our system were designed in a way that it catches such landlords as soon as they file the application with the LTB. Currently, it is like, for instance, authorities witnessing a crime but not doing anything because the victim has not filed a complaint. That is why landlords who act in bad-faith get away with such gross violations of the RTA. There should be stricter penalties for such landlords.

Also, vacancy controls should be supported by a rent registry where landlords file copies of leases so that tenants are able to confirm the rent paid by the previous tenant, to prevent landlords illegally hiking rates upon vacancy. If the bill is aiming to protect tenants, then rent hikes between tenancies should be restricted, which will automatically curb bad-faith evictions.

Strict rent controls should be in place, which would reduce homelessness as well. Based on the current unprecedented times, I agree with ACTO that there should be relief from evictions due to circumstances caused by the pandemic. Many good tenants have lost their jobs or are on the verge of losing their jobs because of the shrinking economy and the COVID-19 recession. It is imperative that we show compassion more than ever in these challenging times. The bill should incorporate contingencies based on catastrophes beyond a tenant's control.

I would also like to add that human rights should be incorporated in the bill. I have come across people where the landlords refused to provide tenancy based on their employment status or if they have a pet or, God forbid, if they are a newcomer. It is a continuous uphill battle. In fact, based on the current scenario due to the pandemic, I have come across people who were struggling to find affordable accommodation because they lost their jobs due to COVID-19 and are on emergency benefits. I have also come across people who are on disability benefits and potential landlords have outright refused their tenancy. It would be great if they could create a more accessible and affordable rental housing community.

1710

Lastly, landlords often abuse the provincial above-guideline rent increase provision, which did not take a tenant's financial situation into consideration. To preserve the affordability of existing rental housing and stop the abuse of AGI, AGI rules must be changed.

I would like to conclude by requesting to ponder whether it is the right time to make any amendments. Also, I would like to request: Let's think long-term. Let's think of people. Let's find ways where amendments to the RTA can curb homelessness, can reduce mental distress caused by inflated rents and bad-faith evictions. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. And for our last presenter of the day, we have Stephenie Graham. Welcome. You have seven minutes, and you may begin by stating your name.

**Ms. Stephenie Graham:** I am very sorry; I've been having difficulties getting onto the video. I know I'm on speaker. I'm just going to go ahead.

My name is Stephenie Graham, and I live in Ottawa, in a neighbourhood called Vanier. I've been an ACORN member for about five years.

Today, I'd like to share with you my thoughts as a resident living in this province concerned about the well-being of my neighbours and myself. I think that Bill 184 has overlooked the community's call for a rent break; freeze on rent increases, both automatic or otherwise; real rent control through vacancy control; and has not considered a ban on eviction notices or eviction prevention for when the current ban on evictions during COVID-19 is lifted. Why do commercial tenants get rent breaks and meanwhile we can't?

One example that's unfortunately very common in my neighbourhood and across Ottawa was written about in a local publication called Capital Current earlier this year. It

reads, "Darin Loewy has been living in the same Rideau Street apartment for 20 years. The last four have been unbearable. The 53-year-old sleeps with the light on because if he turns the lights off he wakes up with cockroaches crawling all over him. The doors have no hinges and the stove has only one fully working element. 'I have had no quality of life or enjoyment for four years now, how can I?' he says."

Without real rent control through vacancy control, there is an incentive in the system for landlords to get rid of tenants, whether through not doing repairs until they get so fed up and leave, pushing through above-guideline rent increases so low-income tenants can no longer afford to stay, or filing for eviction when a tenant speaks up for themselves. They are in a situation like many of us are in now—have lost income because of COVID-19.

There's an incentive to do these things because landlords can make more money after a tenant leaves their unit. They're able to charge far more rent for the next tenant because rent control isn't tied to the unit as it should be. This isn't good for people's mental or physical health. Cities across Ontario were already in a housing crisis before the pandemic hit. Ottawa recently declared a housing and homeless emergency earlier this year. And yet, this bill is making it easier for landlords to evict tenants who have no place to go.

My brother-in-law has been laid off work and he's trying to get by on what CERB has been giving him, but CERB is going to run out, and he's not guaranteed a job when all is said and done. Many people are in this situation. So what is the government going to do when thousands of people like my brother-in-law have lost work because of COVID-19 and have to be put out on the streets because they can't pay their rent and the landlord has chosen to evict them?

Bill 184 takes away tenants' opportunity to get legal advice from LTB mediators, as it allows that legally enforceable repayment agreements can be made outside the LTB hearing. This means that tenants, who are unlikely to know their rights, will be left without sound legal advice while landlords, who can afford lawyers, will always have the upper hand.

The bill gives even less opportunity to tenants to defend themselves in an eviction hearing. Tenants will be required to provide advance notice if they want to raise their own issues in an eviction hearing, such as poor maintenance happening due to nonpayment of rent. This is extremely challenging for tenants, especially for low-income ones who can't afford lawyers. It can be a full-time job trying to prepare yourself for the Landlord and Tenant Board or navigating the system. Meanwhile, many people are already working multiple jobs, looking for jobs or taking care of families. Many don't have access to home Internet to collect or file evidence, or they may be living with a physical or mental disability. Adding more steps to access justice is not the solution.

This government took the right decision when it listened to voters and put a ban on evictions during the pandemic, but this bill completely undermines that action,

which means that the tidal wave of evictions we all know is to come once the ban has been lifted will start that much sooner if you don't take action. Already, tenants are being harassed or threatened with eviction, as reported by CTV News. An ACORN survey of 1,200 tenants found that 15% have been threatened with eviction or are being harassed by their landlords despite this ban.

What impact is this bill going to have on these people? Bill 184 promotes landlords' profits over the rights and well-being of tenants. Please, do not support it.

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We will now begin our round of questions with the official opposition. MPP Burch.

**Mr. Jeff Burch:** I want to thank all the presenters for joining us today.

I have a few questions for Stewart from Don Valley Community Legal Services.

Stewart, we've had some discussions over the last few days regarding concerns that we, as the opposition, have; specifically, with three parts of this bill. The government's response is, "There's nothing to see here. They're just minor changes making things more efficient." We've had some real concern from other legal clinics, and so I'm glad to have someone, at the end of the day, with some practical legal experience.

It's our understanding that the bill allows for an eviction without hearing if a tenant fails to make a rent payment after reaching an agreement with their landlord on rent arrears. I'm wondering if you could tell me, in your opinion, if that's accurate and how that might affect vulnerable populations.

**Mr. Stewart Cruikshank:** That does appear to be accurate. Our reading of the bill is that that's the direction it's taking us in.

What will happen, and especially what I expect to happen with the people I've been dealing with over these years is, they'll fall behind in their rent, they'll be terrified about what it means for them and their families, and the landlord will show up with something for them to sign. The most immediate fear will be, "I could be evicted in a month. Where am I going to go? What am I going to do?" There is a real imbalance of bargaining power at that moment, and the landlord gives them a solution: "Sign this document. I'm not willing to negotiate." Remember, the landlord at this point holds all the power as far as the tenant is concerned. "Sign this document, and you won't be evicted"—that's the message they'll hear. They'll sign it, and the next thing you know, they've entered into an agreement they can't possibly make. I've seen it over the years. We got away from that kind of agreement that was often made in the halls of district court with no mediator to help, and it just feeds homelessness. You need an agreement that can be reasonably arrived at.

There's a lot of incentive for a landlord to enter into an agreement that they know the tenant can't make, because they want that eviction. There's just too much money to be leveraged out of that apartment if they can get that tenant out of there. We have to recognize that this is the hard reality of the world.

That's the kind of thing we have to do to protect tenants—we have to ensure that there's a process so that tenants will have a mediator, will perhaps get tenant duty counsel. There's a process before they enter into such agreements, and we're about to lose that.

1720

**Mr. Jeff Burch:** Thanks. I think we all really needed to hear that from a practical, situational point of view.

Let's use a newcomer as an example, because we've discussed that. As someone who was running an agency helping newcomers and refugees, I certainly saw a lot of newcomers and refugee families being taken advantage of. Put someone who has language issues and is just getting to know our culture and our laws in that situation, and what kind of results will you have?

**Mr. Stewart Cruikshank:** Well, it's exactly what you've pointed to. People come from different cultures, different experiences, and they have no understanding of their protections. They do have protections, and we are going to be swamped with trying to get that message out to people. It's going to be an impossible job. We're going to end up doing cleanup.

Interestingly enough, the Supreme Court just came out today with a very good decision on the whole notion of unconscionability. I was reading it today, and I think there will be so many unconscionable contracts that are entered into between tenant and landlords, that we're going to be referring to that decision a lot, to show that. But this is going to take up our time. It's going to take up the Landlord and Tenant Board's time. It's not a practical way of resolving these issues.

**Mr. Jeff Burch:** Great point.

Another situation is that a rent increase that is illegal due to a lack of notification will now become legal if the tenant doesn't file an application to fight the increase—putting the onus on the tenant in that situation to file an application. Is that your understanding of the bill? What kind of ramifications will that have?

**Mr. Stewart Cruikshank:** Yes. The law as it is now says that certain kinds of rent increases are void. This bill will say those rent increases, even if they are void, become lawful rent if they don't do anything within one year of starting to pay that.

It's going to mean landlords are going to say, "Well, why don't I try for it?" It's not all landlords—there are good ones out there—but I know the ones who are going to try for it, because I see it all the time now. They're the ones who come to our tenants and say, in very veiled threats, "I want a 20% rent increase or my son might have to move into your apartment. He might really need that apartment." These are the same landlords we see already now. They're going to say, "Why don't I try to get this unlawful rent increase? The worst that can happen is they take me to the board and they catch me on it. But if they don't, in one year, it's clear sailing after that."

**Mr. Jeff Burch:** How much time do I have, Chair?

**The Vice-Chair (Mr. Aris Babikian):** Time is up.

Now we will go to the government side. MPP Karahalios.

**Mrs. Belinda C. Karahalios:** Good afternoon, everybody. The weekend is almost here. Thank you for showing up for this today, especially because it's such a lovely day outside—at least where I am, in Cambridge.

This bill really tries to strike a balance for tenants and landlords. We have heard, in my opinion, a lot on the tenant side, a little bit from the landlord side. I am repetitive, so if you've been watching this, you've heard me say this before. In our role as MPPs and in our constituency offices, we hear from both sides, and we see and we hear the worst from both sides. As much as the conversation today, or at least this particular session today, has been about the bad landlords, there are sometimes less-than-ideal tenants, I'll say, because I don't like using the word "bad" to describe people. If the bill were to be too heavy one way or the other, then we run into really, really bad problems.

We want to increase the amount of units. I think we can all agree that we really need more rental units for people. But landlords are getting in touch with me—and some of my colleagues, I'm sure—and a lot of them want to get out of the business, or were considering it and deciding not to get into it, simply because of the horror stories that they've heard from others.

Like I said when I started, I really think that this bill is striking a good balance.

I want to get into the community housing side of things.

Stewart, my understanding is that some of your clients are in community housing. Is that correct?

**Mr. Stewart Cruikshank:** A lot of our clients are in social housing, yes.

**Mrs. Belinda C. Karahalios:** I will direct my questioning to you, then. We have heard a lot about the residential tenancies aspect of this legislation, but there are many good things in this legislation for community housing that don't get talked about as much, and I think you would have an opinion that the committee should hear on that, which is why I asked.

As you may know, the government is investing almost \$1 billion this year to repair and grow community housing in Ontario. On top of this, under Minister Clark, our province is actually the first province to sign an agreement under the National Housing Strategy with the federal government. The agreement is for \$1.4 billion to provide direct, portable rent benefits to low-income Ontarians to use anywhere, and that has already helped 1,200 families since April.

This legislation would help maintain community housing supply by providing a mechanism for housing providers who are at the end of their obligations to continue to provide community housing with a new framework. The new approach would be designed to incent housing providers to continue serving low-income and moderate-income households who need community housing.

Stewart, in your experience, are the moves and investments being made in this legislation and by the government in community housing a good decision?

**Mr. Stewart Cruikshank:** Certainly, I have to say that a significant investment of over \$1 billion towards housing is a good move, so I will give you that.

I will warn you of something, though. Unless you actually build new housing, the number of rental units out there is the same. If you don't create new social housing units, then the supply stays the same, but you've suddenly increased the demand because you have given more people this portable amount of money they can take around anywhere. All it does is end up boosting the rent costs at the lowest end for everybody. So I would be very careful about using this as your major plank to resolve the housing crisis.

You really can't get around just building new units. That's the bottom line, and that hasn't been done in decades now. It's not just your government; the previous government wasn't doing it either. Nobody has been building new social housing units, and that's what we need to actually solve this crisis. I don't want to skirt that.

But having said that, a significant new amount of money is always a good thing.

**Mrs. Belinda C. Karahalios:** What concerns are you hearing from your clients about community housing?

**Mr. Stewart Cruikshank:** We see all kinds of problems with community housing. The biggest one in Toronto, and it's probably true in most of the province, is repairs. Anything that would go towards dealing with the huge backlog in repairs in social housing right now in Toronto would be a big plus for our clients. I'll throw that out as the biggest concern.

It's also that the waiting lists are enormous. The waiting lists are a sign that we're becoming a city where only the wealthy will be able to live and thrive. That's not just true of Toronto; it's other centres, as well. We need to really address that—again, it's back to creating more social housing.

**Mrs. Belinda C. Karahalios:** How much time do I have, Chair?

**The Vice-Chair (Mr. Aris Babikian):** Thirty-four seconds.

**Mrs. Belinda C. Karahalios:** Stewart, thank you very much for being so gracious in answering, and thank you to the other individuals who have shown up today.

**The Vice-Chair (Mr. Aris Babikian):** Now we will go to the independent member. MPP Blais, the floor is yours.

**Mr. Stephen Blais:** Thank you, everyone, for your presentations this afternoon.

Stewart, we've heard from the government that they feel that the legislation is balanced, and I wanted to get your thoughts on that.

1730

**Mr. Stewart Cruikshank:** Yes, it's good that they increased significant fines for bad-faith actions by landlords; that absolutely needed to be done, so that was a good move.

But the down side of this is, there are so many little things that chip away at tenants' rights that I couldn't begin to summarize them in just a minute. The obvious one is the idea that we can make things more efficient by having tenants sign repayment agreements that they can't possibly meet, and then the next thing you know, an eviction order shows up in the mail. How many of those

tenants do you think are actually going to have the wherewithal to know that they have rights and can take action on that? This is efficiency, but it's efficiency that is not benefiting anybody, and society is going to be left picking up the pieces.

That's just one example. There are a lot of little things in the law that—I mentioned the fact that unlawful rents will be encouraged for landlords.

**Mr. Stephen Blais:** I touched on that as well, because there has been some insinuation that that particular measure is simply a harmonization of existing rules to make them more in line with existing elements of the act. I wanted to get your thoughts on that.

**Mr. Stewart Cruickshank:** Back in the early 2000s, the Court of Appeal said, "If a rent increase is void by virtue of the law, that means it never happened; it never existed. So if you've been collecting rent"—it doesn't matter when the tenant raises this at the Landlord and Tenant Board or whatever, the landlord would have been collecting rent increases that never existed, that were never lawful for years. So you couldn't rectify it. It was an acknowledgement that you can't leave an out for landlords like that because some of them will take advantage of it and see if they can get away with it.

Now this government seems to be determined to get around that for landlords, and I just don't understand what the thinking was there, why they would do that. There are protections, particularly, in the act that say you can't raise the increase by an agreement with a tenant unless you are actually giving the tenant a new service. That's right in the act. All of a sudden, now they're saying, "Well, you can do it by agreement, as long as the tenant doesn't raise that agreement within a year." It's confusing for tenants.

**Mr. Stephen Blais:** I appreciate that.

Thank you very much, everyone.

I don't have any other questions, Madam Chair.

**The Chair (Ms. Natalia Kusendova):** Back to the opposition: MPP Tabuns, welcome. Go ahead.

**Mr. Peter Tabuns:** I appreciate the opportunity.

Stewart, thank you very much for appearing today. I appreciate what you've had to say.

There are a few things that I want to touch on. The first is around renovations, because I don't see in this bill anything that will actually protect tenants in the substantial way that is required. I'm not sure members of the committee know the scale of the pressure that is pushing landlords to engage in renovations. You've seen a few just in my own riding and, I'm sure, in other ridings. Could you explain to people the financial opportunity that presents itself to a landlord who can drive people out?

**Mr. Stewart Cruickshank:** Well, I think I explained in my submissions that there's just too much money at stake for them not to try. Many of our tenants have been in there 30 years or more; they benefit from rent control. They're seniors. They have limited income, so they have limited alternatives. The landlords see them as occupying a space that could get them a lot more money—and what are their options to get them out?

There's a simple one for them, and I see it all the time. I can name you a half-dozen buildings where it's happening right now in our local neighbourhoods. They issue something called an N13 notice. It's a notice that says, "I either want to demolish your unit or I want to renovate it in such a way that you can't live there when I renovate it." When they give that notice, they don't have to give any kind of backup. They don't have to provide them with the plans of what they're going to do.

That leaves the tenants with—they're scared, they're troubled, they're scrambling to know, "Where am I going to go?" If they come to me, I say, "I can't tell what work the landlord is going to do, so I can't tell you whether or not you would even win the case if you wanted to fight this renovation." Sometimes the renovations turn out to be as simple as, they're replacing some wiring. They come in and cut small holes in the house and fish wiring through. But when they get the notice, they don't know that that's all it is.

Unless the law says, "Get out"—the law is well-intentioned. We need some amendments to beef up those protections so that the tenants can actually assess whether or not they can fight these kinds of notices or whether they should do what they do now, which is just give up and leave, because who wants to live in uncertainty? Who wants to be at the Landlord and Tenant Board knowing that if you lose this fight about whether it's a renovation or not, you could be out within a week? Because they have no time, it puts them in an impossible situation. So even when we win—and I can tell you we win a lot of these cases—most of the tenants have already left and most of the tenants have lost already.

**Mr. Peter Tabuns:** On the first day of hearings, I think it was Ms. Higuchi who talked about the necessity of having a landlord actually provide the details of the work that was going to be done in a unit to justify a renovation. I gather from my experience that you rarely see the details.

**Mr. Stewart Cruickshank:** No, they don't give details. There is nothing in the law as it's now written that says you have to give details. The only details are invited in the N13 form, but that's purely the Landlord and Tenant Board who decided to throw it in, almost as a favour to tenants. If the landlord filled nothing in and said nothing about it and they just checked off the box "demolition" or "renovation," I'm not even sure I could argue it's an unlawful notice, because there is nothing in the law saying they have to give any details. In fact, we often see that what happens is, the details arrive just as we're having an eviction hearing. How do you fight against those details at that last minute? It's a troubling situation, and the law needs to be fixed.

**Mr. Peter Tabuns:** Certainly, because of the financial pressures I've seen, the financial opportunities I've seen, I'm very worried that this bill will expedite evictions and that landlords who are looking to double or triple the rents on a unit will take advantage of those opportunities to get people out as quickly as possible. Do you have a similar concern?

**Mr. Stewart Cruickshank:** Yes. One of the tenants I know who appeared in front of this committee this week—

three of them are my clients, and I suggested that they should show up and tell their story. What they said is that the landlord was very, very frank about it: “I want to upgrade the quality of my tenants in this building.” I think he said it to a reporter from the *Globe and Mail*. This is the kind of thinking that’s going on. It reminds me of the clearances in the 19th century, when we just move people out and put a different set of people in. It’s a terrible thing to witness, and we witness it all the time in the local clinics in some of these gentrifying neighbourhoods. It’s a very difficult thing to see.

**Mr. Peter Tabuns:** One of the questions that has come up in the course of these hearings is the prohibition on a tenant raising a matter before the LTB unless they have previously given written notice to the landlord that they were going to raise this. Do you have a comment on that?

**Mr. Stewart Cruikshank:** Well, I know where that’s going to go. It’s obviously in the context of rent arrears. It’s a law that is completely disassociated from a normal, common person’s understanding of how the world works. Everybody has an understanding: If we don’t get what we’re supposed to get for our rent payments, we’re entitled to withhold some of them. That just makes sense. I see tenants all the time—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are out of time.

Back to the government members: MPP Babikian, go ahead.

**Mr. Aris Babikian:** Thank you to our witnesses for being with us this Friday evening.

During the last three days, one thing kept repeating itself, and that is the issue of alternative dispute resolution. It has been presented as if this whole concept is the Darth Vader of this bill or it is the nuclear option for the tenant. If this idea or provision was such a bad idea, why would Saskatchewan, Manitoba, Quebec, New Brunswick, Nova Scotia, Newfoundland and Prince Edward Island adopt it?

Furthermore, I want to clarify some of the misconceptions that kept repeating themselves during these hearings. This is in regard to this alternative dispute issue and the clarification. I will read:

1740

“The landlord would need to file an affidavit with the LTB setting out what conditions were not satisfied to obtain an ex parte order. It is an offence to file false or misleading information with the LTB. Tenants will also be able to bring a motion to set aside an ex parte eviction order if they do not agree with the landlord, and a hearing will be scheduled. The eviction order is put on hold and stayed until the LTB has made a decision about the motion. It cannot be enforced while the tenant’s motion is considered.

“At the hearing, a member will decide whether or not to set the ex parte order aside. The tenant can bring evidence to prove that they did follow the agreement. If they did not follow it, the tenant can describe what happened, such as a change in the financial circumstances causing hardship, and what they will do to correct it. The board is required to set aside the eviction order if the board

is satisfied, having given regard to all the circumstances, that it would not be unfair to set aside the order. The board can also amend the settlement if it considers it appropriate to do so.”

Mr. Cruikshank, don’t you think all these safeguards are enough to safeguard the rights of the tenant?

**Mr. Stewart Cruikshank:** If I’m there with the tenant and I can help the tenant prepare to argue at the board why it should be set aside, I think the tenant might have some protections. My experience is that we get to actually help the tip of the iceberg. There is a huge number of people who don’t get help from us. First of all, we only serve the poorest of the poor, because we’re restricted by the Legal Aid Ontario rules around who we serve. There are a lot of lower-income people who can’t afford help.

Secondly, especially newcomers, but all kinds of people in Toronto and other places will just not be aware of their rights, the rights that would eventually get them at the Landlord and Tenant Board to make that argument. They’re expected to do that in a crisis. The crisis might be that they’re out of work. The crisis might be that they’re scrambling to find where they’re going to live. I just think that as a practical matter—it’s good in theory; it could work. But practically, I can see how it’s going to fail a lot of people. That’s our concern.

**Mr. Aris Babikian:** So you will agree that it is not an issue of protection or safeguards; it is an issue of outreach, education, and letting the tenant—and the landlord, also, at the same time—know what their rights are.

**Mr. Stewart Cruikshank:** Yes, but the problem is that many of these agreements that are being asked to be enforced with a default notice-of-eviction order have been created without the tenant having the benefit of expertise going into it. As I described earlier, they are in such a desperate situation. These agreements won’t be balanced, negotiated agreements, and that’s the real concern here.

Yes, if we had a clinic on every corner, everybody knew about us and we were open to everybody, maybe we would be getting towards something that’s more balanced, but we’re a long way from that. We have to worry about it, because we’re wondering how we’re going to begin to serve the kind of demand that’s going to hit us.

**Mr. Aris Babikian:** I appreciate your role and your organization’s role to enlighten tenants about their rights and prepare them for the upcoming challenges they are going to face. I am sure that you and your organization and similar organizations will have an important role, to do that outreach or education, working with the government, to reach out to tenants to protect their rights.

**Mr. Stewart Cruikshank:** Listen, we recognize when MPPs support the work we do. It doesn’t matter what party you’re in, all across the province, there’s—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. Back to MPP Morrison.

**Ms. Suze Morrison:** I’d like to direct my questions to Farida. Thank you for being here with us today. I know we haven’t had a chance to ask you any questions on the panel yet. I’m wondering if you can share your concerns with the provision of the bill that would allow landlords to

make illegally obtained rent increases permanent—and who you think that benefits.

**Ms. Farida Sadrudin:** Well, if that's going to happen, definitely the landlord is going to benefit.

A few years ago, I was a newcomer here. I had no knowledge of the laws. I'll be very honest; my landlord tried to take advantage of me, but thank God, I reached out to groups on Facebook and they helped me out and told me what my rights were.

If this amendment becomes part of the act, it is going to benefit the landlords, and they are going to definitely take advantage of people like me, people who are vulnerable.

**Ms. Suze Morrison:** I absolutely agree with you.

There's another provision in the bill that will make it easier for landlords to fast-track tenants through an eviction hearing. The way this works is, if you are behind on your rent and you enter into a repayment agreement with your landlord, if you come up even a dollar short and a day late, your landlord can go immediately to the sheriff and have you evicted without giving an opportunity for you to come back and have a hearing on that eviction. Do you think that's fair or right?

**Ms. Farida Sadrudin:** No, that's not fair at all. This bill, I feel, is making evictions easier for the landlords. Based on the current pandemic, anything could be the reason behind a tenant falling short of paying the rent arrears. Instead of giving the opportunity to a tenant to talk about it, to raise their concern, a sheriff knocks on the door and say, "Sorry, we're evicting you. You fell short behind paying the arrears." How is that fair? How is that protecting the tenants?

**Ms. Suze Morrison:** I don't think it's fair at all. We've heard some horror stories over the last few days. We had one tenant come through whose landlord tried to evict them for being a single penny short on their rent, and it ended up being an accounting error on the side of the landlord. I can't imagine going through the trauma of an eviction for coming up a penny short in what was ultimately the error of the landlord.

One of the other things that we're concerned about is the practice of renovictions in the province of Ontario. Are you familiar with what a renovation is?

**Ms. Farida Sadrudin:** Definitely.

**Ms. Suze Morrison:** They're pretty common and pretty frustrating. From my perspective, I want to see the practice stopped completely.

The Conservative government has taken the approach in this bill of trying to increase the compensation that a landlord has to pay a tenant if they're going to evict them and increased fines for bad-faith evictions. But do you think the practice of renovictions is so immensely profitable that these minor measures will not do anything to stop this practice? Would you say that's an accurate statement?

**Ms. Farida Sadrudin:** Definitely.

Again, I would talk about my building. Currently, I am on the rent, because I'm an old tenant—and the rents have skyrocketed in the last five years. My landlord has tried to use renovation eviction on me, saying, "You need to move

out because I need to renovate it, paint it and do the cosmetic changes." If I move out—what I'm paying is literally pennies currently, and what he's going to get after that would be like hundreds of dollars. Even if he has to pay a penalty on that, I don't think that will be an issue for my landlord. But I say any landlord—

**Ms. Suze Morrison:** Yes, they make the money back in a matter of months—maybe a year, maximum.

**Ms. Farida Sadrudin:** Yes.

**Ms. Suze Morrison:** Would you say that the real root cause of the problem of renovictions is that gap that we see in rents? So the rent that you're paying as a long-term, good tenant—you pay your rent on time every single month, and when there's no rent control between when tenancies turn over in a unit, those market rents grossly inflate compared to the stabilized rents that you're paying.

1750

**Ms. Farida Sadrudin:** Exactly. Yes.

**Ms. Suze Morrison:** Would you suggest that the real solution to renovictions is in vacancy rent control in the province of Ontario?

**Ms. Farida Sadrudin:** Absolutely. I even mentioned that in my presentation. We need vacancy control that is supported by a rent registry, where landlords file copies of the lease, and tenants are aware: "I am renting this property. Previously, tenants paid this much, and now I'm being asked to pay this much." That way, the landlords would get caught quickly.

**Ms. Suze Morrison:** Absolutely.

This panel is the last that we've got over the course of these hearings; this is the final panel.

I can't help but notice that the government's perspective on this seems to be to tailor a bill based on assuming the best behaviours of landlords and the worst behaviours of tenants. I think that when we look at the power dynamics of who holds power in the system, putting the profits of landlords over the rights of tenants is a bit backwards. We should be building legislation to protect the most vulnerable tenants and build a system that's safe from the worst actors in the system. Would you say that's a better approach to drafting legislation like this?

**Ms. Farida Sadrudin:** Definitely. Currently, with this bill, I think there is more power imbalance between landlords and tenants. This bill—

**The Chair (Ms. Natalia Kusendova):** Thank you very much. We are out of time.

For our final round of questions today: MPP McDonell.

**Mr. Jim McDonell:** We've heard, over the term here and before we formed government, many issues with the Landlord and Tenant Board and many issues that people were asking to be corrected. We did a lot of consulting; we talked to over 2,000 groups, 75% of them from the public. We drafted this bill last year and in the early part of this year, before the pandemic, to address many of those issues.

I know that the pandemic is confusing, and we've taken a lot of steps. We've provided breaks on people's hydro. We've applied an order that evictions are not allowed. We're assessing this pandemic. We don't know how long it's going to last. Is it going to last another couple of

months or—I've heard some of the experts talk about two years. A lot of the concerns are what's going to happen with the pandemic, but that is still playing out, and I think we've shown that this government listens. We've taken a lot of steps already, and I think we have more to do. We've prevented the unlawful evictions that are going on. That's a major thing here. We've taken steps.

Farida, do you think that increasing fines to \$250,000 for corporations—and a corporation would be the majority of anything larger than five units; people hold corporations. This is not just the large company names we hear about; these are a good percentage of the bigger buildings. It's \$250,000 for an occurrence; this is not a year. So if they make this a practice, it takes a long time to think that you're going to win back \$250,000 in extra rent. Do you think that's a positive step for tenants?

**Ms. Farida Sadruddin:** The increase in penalties is definitely a slightly positive step for the tenant, based on current penalties, which were just \$25,000.

**Mr. Jim McDonell:** Well, if you're a repeat offender, which people seem to say about these companies—so we put in some substantial penalties because we heard from people what the problem was. We talked about compensation for no-fault evictions; we've increased that. To give you an example, if the Landlord and Tenant Board finds a case of bad faith and orders the landlord to pay compensation, the current system—that is, before this bill—would give the person \$1,500 a month in rent before she was evicted, until she finds another apartment for \$2,000 a month. So she would be entitled to a total of \$6,000 in compensation: \$2,000 a month minus \$1,500 times 12 months. Our proposed bill, the new legislation that is in front of us, would increase that to a total of \$24,000. That's a substantial penalty for a first-time occurrence for the landlord, if he's dealing in bad faith. I think that we have taken those hard steps to make sure that it stops this bad practice. On top of that, you do have the fines to the landlord themselves, which, again, can go up to \$250,000. Nothing stops bad behaviour like fines, and I think that's the intention here.

Do you think that's a positive step that would help with some of these renovictions?

**Ms. Farida Sadruddin:** Yes, to an extent. But why not nip the problem in the bud? Why not introduce vacancy

control? That is the main reason behind the illegal rent hikes and renovictions and bad-faith evictions.

**Mr. Jim McDonell:** The only way we really have to stop the renovictions is the severe fines. We can't send people to prison over this. But that's a substantial fine. The idea is to stop it.

We've seen there was a problem; we've taken action. We streamlined some of the possibilities.

I want to correct the record, because I heard my colleague from the NDP talk about how if somebody misses a payment by a penny, they can immediately call up the sheriff. That's not correct. They have to go back to the Landlord and Tenant Board to order the eviction. There is not a possibility for the landlord just to call up the sheriff and uphold an agreement. It is the duty of the Landlord and Tenant Board to contact the tenant and to make sure that they have the opportunity to present their case and to ask for the decision to be put aside—if they accept the terms, that's their right, but they certainly have the right to a hearing. We want to make that very clear. Everybody has the right to a hearing. We've added that. That is something that wasn't there before.

How much time do I have?

**The Chair (Ms. Natalia Kusendova):** Ten seconds.

**Mr. Jim McDonell:** Okay. I just want to take this time to thank everybody. I know it has been a long day for members here, but it has also been a long day for the delegations. Thanks for coming in.

**The Chair (Ms. Natalia Kusendova):** This concludes our last and final round of presenters. I would like to thank all the members for a very respectful and balanced discussion today, and all of our wonderful staff for their support, as always.

Just as a reminder, the deadline for electronically filing amendments to the bill with the Clerk of the Committee is 6 p.m. on Monday, June 29.

I believe there are some patios open this weekend, so please enjoy responsibly.

The committee is now adjourned until 10 a.m. on Thursday, July 2, when we will commence clause-by-clause consideration of Bill 184. Please note that we will be meeting in committee room 1 next week. Thank you very much.

*The committee adjourned at 1759.*







## **STANDING COMMITTEE ON SOCIAL POLICY**

### **Chair / Présidente**

Ms. Natalia Kusendova (Mississauga Centre / Mississauga-Centre PC)

### **Vice-Chair / Vice-Président**

Mr. Aris Babikian (Scarborough–Agincourt PC)

Mr. Aris Babikian (Scarborough–Agincourt PC)

Mr. Jeff Burch (Niagara Centre / Niagara-Centre ND)

Ms. Amy Fee (Kitchener South–Hespeler / Kitchener-Sud–Hespeler PC)

Mr. Michael Gravelle (Thunder Bay–Superior North / Thunder Bay–Supérieur-Nord L)

Mr. Joel Harden (Ottawa Centre / Ottawa-Centre ND)

Mr. Mike Harris (Kitchener–Conestoga PC)

Ms. Christine Hogarth (Etobicoke–Lakeshore PC)

Mrs. Belinda C. Karahalios (Cambridge PC)

Mr. Terence Kernaghan (London North Centre / London-Centre-Nord ND)

Ms. Natalia Kusendova (Mississauga Centre / Mississauga-Centre PC)

Mrs. Robin Martin (Eglinton–Lawrence PC)

### **Substitutions / Membres remplaçants**

Mr. Stephen Blais (Orléans L)

Mr. Parm Gill (Milton PC)

Mr. Jim McDonell (Stormont–Dundas–South Glengarry PC)

Ms. Suze Morrison (Toronto Centre / Toronto-Centre ND)

Mr. Peter Tabuns (Toronto–Danforth ND)

### **Clerk / Greffière**

Ms. Tonia Grannum

### **Staff / Personnel**

Ms. Sandra Lopes, research officer,  
Research Services

Mr. Michael Vidoni, research officer,  
Research Services