

The Tenant



Federation of Metro Tenants' Associations
- Fighting for Tenants' Rights since 1974 -

Spring 2010

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Discounts for FMTA Members!!!

By Wendy Lum

FMTA Members will now receive discounts for car rentals and tenants insurance!

To get more information just contact the following:

Zipcar contact -

www.zipcar.com/fmta

Auto Share contact -

www.autoshare.com/torontotenants

Contact Aviva Insurance for

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Tenant School: Pack Your Bags

By Geordie Dent

This April and May, the Inter Clinic Public Housing Working Group, Community Legal Clinics, the Law Foundation of Ontario and the FMTA are teaming up to help tenants get educated.

Many tenants in Toronto often do not know how to effectively advocate for their rights. Key tenants often take lead roles in advocating for tenants in their area and/or building however they often do not have the broad knowledge of laws and processes that could be obtained with better education on tenant rights.

Cue in the Tenant School!

Starting on April 8th at 7pm, 'classes' on repairs and maintenance, law basics, evictions, private market rent, TCHC rent and community organizing will take place at OISE.

Sessions are free and will run for two hours every Thursday until May 6th. Travel subsidies will be offered to accommodate disabled tenants or low-income tenants who cannot afford travel. Refreshments will be provided.

The purpose of Tenant School is to create a system for training tenant advocates (both community workers and tenants) to run the Tenant School model in their own location, for their own neighbourhoods.

The FMTA is a proud supporter of tenant education and we hope that Tenant Schools spread across Toronto and Ontario.

If you would like to sign up for the Tenant School (it's free!), you can register by phone (416-438-7206) or e-mail (scarclw@lao.on.ca) by March 29th.

See **inside** for more details!



Ask the Hotline

By The Tenant Hotline

Q: Can a landlord tarnish my credit rating?

A: A landlord cannot legally put something on your credit rating without an official or legally binding third party judgment against you. This means that Small Claims Court, or the Landlord and Tenant Board, for example, must have made a ruling against you. If you have questions about what your landlord can legally charge you for, call the Tenant Hotline.

Sometimes a landlord will have a collection agency put something on your credit report without a legal judgment. This can be taken off. Any landlord claim that you owe money will be a “notation” under the Public Record Information section of your credit file. You can look into your own credit file with credit reporting agencies such as Equifax and TransUnion, to see if there are any notations like this. You can add your own short statement to the notations, and/or ask Equifax and TransUnion to investigate a notation.

If the notations were made inaccurately or without the official judgments, you can dispute the notation to have it removed. Any claim that you owe money should be backed up by a legal judgment. If you have difficulty resolving this with the credit reporting agency, contact the Registrar of Consumer Reporting Agencies in the Ontario Ministry of Consumer Services at 1-800-889-9768.

If you have any questions about your rights as a tenant, please call the Tenant Hotline at 416-921-9494 Mon.-Fri. 8:30am – 6:00pm or email us at hotline@torontotenants.org

Myths & Facts

By Pauline Hwang

MYTH: After signing an application and putting down a deposit, I can change my mind and get my deposit back.

FACT: Not necessarily, the law is not entirely clear on this. You should be entitled to your deposit if the landlord
 a) rejects your application, OR
 b) does not give you “vacant possession” of the unit (i.e. doesn’t let you move in), OR
 c) ends up renting the apartment to someone else instead. Otherwise, your ability

to get the deposit back depends on other factors. Has the landlord accepted your application? When? What did the application itself say? How long before the tenancy is supposed to start? Etc. If you are considered a tenant under the law you could possibly be responsible for more rent. Call the Tenant Hotline or a lawyer to discuss your specific situation.

MYTH: I am pregnant and it’s the middle of January, so I can’t be evicted now.

FACT: Evictions can, unfortunately, happen at any

time. At an eviction hearing at the Landlord Tenant Board, you can bring up health or other extenuating reasons to request that your eviction be delayed or refused. However, while the Board member has the discretion to grant this, there is no guarantee that they will do so.

MYTH: My landlord yelled at me, that’s illegal right?

FACT: It is rude and unpleasant for a landlord to raise their voice at a tenant, but it is not necessarily illegal.

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Benefits, Continued from Front Page

general inquiries or to get a quote, please contact Willis Canada Inc. at 416.869.1320, and let your broker know that you are calling from FMTA. You can also send an email to wctinsurance@willis.com for a quote or visit www.avivacanada.com.

Special Announcement!!!!

The 2nd Annual FMTA Fundraiser - Gala

Friday June 4, 2010 @ 7 pm
 Steelworkers Hall 25 Cecil Street, Toronto
 Tickets \$35
 To purchase or reserve tickets: 416-413-9442
 Terrific Show, Dancing, Buffet, Cash Bar and Raffle
 Free Parking at the back, Wheel chair accessible



TENANT SCHOOL

FREE legal workshops for tenants brought to you by staff from community legal clinics and the Federation of Metro Tenants' Associations

THURSDAYS, APRIL 8 THROUGH MAY 6 2010 7-9 PM

- April 8: REPAIRS AND MAINTENANCE with Yedida Zalik, Scarborough Community Legal Services
- April 15: RESIDENTIAL TENANCIES ACT: THE BASICS with Victoria Natola, Federation of Metro Tenants' Associations
- April 22: EVICTION PROCESS with Sheeba Sibal, West Scarborough Community Legal Services
- April 29: RENT INCREASES IN PRIVATE MARKET HOUSING with Victoria Natola, FMTA
 HOW TCHC CALCULATES RENT with Linda Mitchell, Scarborough Community Legal Services
- May 6: INTERNAL REVIEWS with Daphne Williamson, Advocacy Centre for Tenants Ontario
 COMMUNITY ORGANIZING with Yutaka Dirks, Advocacy Centre for Tenants Ontario

**ONTARIO INSTITUTE FOR STUDIES IN EDUCATION (OISE)
 252 BLOOR STREET WEST (ST. GEORGE SUBWAY) ROOM 5150**

Register by phone or e-mail by March 29, 2010 at (416) 438-7206 or scarclw@lao.on.ca



FMTA News

By FMTA Staff

- The Ontario Legislature is considering new legislation, the Energy Consumer Protection Act, which will set the rules for which smart meters can be brought in. The Federation has been involved throughout in bringing forward this legislation and is being consulted frequently on the details of it and its' implementation..
- In early March, the FMTA was featured in a series of news articles highlighting problems tenants were facing with automatic rent reductions. Tenants claimed that landlords were returning checks, harassing and threatening them with evictions. A FMTA director, speaking in *the Toronto Star*, stated: "They're preying on the vulnerable. A lot of tenants are afraid they'll be

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TENANT HOTLINE
(416) 921-9494

OUTREACH &
ORGANIZING
(416) 413-9442

OFFICE
(416) 646-1772

FAX
(416) 921-4177

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It may depend on what exactly was said. If your landlord harassed, coerced or threatened you, that is illegal. It can be difficult to prove harassment, so document it as much as you can.

MYTH: My friend moved in with me, so the landlord can ask for more rent now.

FACT: Your landlord can only raise your rent once a year, by no more than the annual guideline percentage (2.1% in 2010), regardless of how many people move in with you. As long as you are not exceeding City occupancy standards, you can have people live with you. If the landlord feels the guideline increase is not enough to cover increased costs, they can apply to the Landlord Tenant Board for a rent increase above the guideline.

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kicked out or get an eviction notice if they speak out. Too many tenants who don't know their rights are getting shafted."

- Kristin Schwartz, an Outreach organizer has left the FMTA to become the Newcomer Cycling Outreach Co-ordinator for CultureLink Settlement Services and the Toronto Cyclists Union. Kristin was an appreciated member of the FMTA team and we will miss her greatly. Check out her new work here: <http://bikunion.to>.

Visit our website! www.torontotenants.org

Become a member of the FMTA!

I will pay my membership dues by:

Cheque or money order
(made out to FMTA)

Cash

Name: _____
Address: _____ Apt. #: _____
City: _____ Postal Code: _____
Telephone: (h) _____ (w) _____
Fax: _____ e-mail: _____

Yes! I would like to donate \$ _____ to the FMTA!

Type of membership:

New Member Renewal

- Individual: \$15/year
 Senior, student or unemployed: \$5/year
 Sustaining Member: \$50/year
 Homeowner (non-voting): \$25/year
 Organization (non-voting): \$25/year
 Tenants' Association: _____ units, \$10/year/unit (minimum 3 units)