

# The Tenant



May 2004

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

## Time to Shift into High Gear

**Make Our Voices Heard**

By Dan McIntyre

On April 20, the Ontario Government released its green paper on tenant law reform. All details are available at [www.rentreform.ontario.ca](http://www.rentreform.ontario.ca)

Every tenant has a chance to be heard until June 15. After that, it will be too late. There will be 3 Toronto area consultation meetings hosted by the Government.

**May 6 – Scarborough  
940 Progress Ave.**

**May 31- Downtown  
252 Bloor St. W.**

**June 15 – Mississauga  
75 Derry Rd. W.**

All these meetings will start at 7:00 P.M. after an open house starting at 6 P.M. There is a toll free number 1-866-751-8082 or call here at the Federation of Metro Tenants 416 -921-9494

In addition, we will be

holding a number of our own meetings throughout the City.

Also every tenant can participate by filling out the questionnaire prepared by the Government. And we can all contact our own MPPs and let them know that we want real change.

There are a lot of ideas presented. Some seem good; some seem worthy of thought, some are wrong (notably the idea to de-control rents in some municipalities under certain vacancy rate conditions).

To their credit, it is truly a discussion paper. Minister Gerretsen said at a Queens Park news conference "that he is not married to any idea in the paper."

Obviously, we would prefer a massive and immediate overhaul. Our "Redprint for Tenant Law

Reform" and our brief on the new Act have both been in Government knowledge for some time.

More importantly, we have worked with tens of thousands of tenants who have been unfairly hurt by the current law. That law remains in place until changed.

The one substantive step is that the 2005 guideline will not include a further 2% giveaway to landlords. There will be an amendment introduced in June to make that official.

The Federation will be making thorough submissions to the Government based on our experience of working with you. But this Government wants to hear from you. This is no time to be shy. We know that landlords will be speaking out.

### In this Issue:

- The Greenpaper
- Make Sure Your Voice is Heard!
- Giving Notice
- Negotiating with Your Landlord



## Hotline Question of the Month

By Bonnie Louvelle

Q. I want to move out. How do I give notice to my landlord and how much notice must I give?

A. This is one of the most common Hotline questions. You should always give your notice to your landlord in writing. You can write a letter or you can use a Tribunal Form called an N9. You can get a copy of this through our website [www.torontotenants.org](http://www.torontotenants.org) or by calling the Hotline at 416-921-9494. If you write the notice yourself the notice should include the full address of the place that you are moving out of, the date you are moving, the date you are writing the notice and your signature.

The amount of notice you must give depends on the kind of tenancy you have. It is very important that your landlord gets your notice on time. If your notice is even one day late it might not be legal and it could cost you a whole month's rent.

If you are in a fixed term lease then you would give notice in writing 60 days prior to the expiration of the lease.

If you do not have a fixed term lease and you pay your rent by the month you must give 60 days notice from the beginning of a rental period. For example, if you pay your rent on the first of every month you must give your notice by the first day of the month 60 days prior to moving. If you pay your rent by the day or the week you must give at least 28 days notice.

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

### Best Wishes Michelle!

Michelle Mulgrave, a popular and dedicated member of the Outreach and Organizing Team, is leaving the FMTA. Michelle has accepted a new position with CERA (Centre for Equality Rights in Accommodation). She will still be fighting to protect the Tenants of Ontario. We will miss her, but we wish her well in her new position.



## Negotiating a Lower Rent with your Landlord

By Howard Tessler

We are supposedly living in a renter's market. According to many media accounts, Toronto has a healthier vacancy rate now than it has in years, and many rental buildings have vacant units and are offering them at lower rents than ever before.

So what do you do if the same size unit as yours just down the hall is going for less than you are paying? Many tenants call the Tenant Hotline asking for advice about this situation.

First let's get certain legal aspects of the situation down: Landlords are under no legal obligation to charge the same rent for the same type of unit.

However there is nothing in the law to prevent you, a sitting tenant, from asking for a lower rent if you know that prospective tenants are "getting a deal".

Perhaps the first step you can take to get a deal is to find out what the exact situation is **within** your building. Don't go into negotiation asking for "fairness." Argue from a position that given the number of vacant units in the building, does the landlord want

another one? **Argue from the bottom line.**

Find out how many vacant apartments of the same size and type as your present one there are in your building, and what price they are going for.

Go around your immediate neighborhood and see if there are similar units available and at what price.

Armed with this information, speak with your landlord or his or her agent about negotiating for a lowered rent. Place emphasis on the fact that you can easily get a cheaper apartment across the street and he would have yet another

vacancy to fill.

The landlord may agree to give you a "discounted rent". This lowers the rent for a certain period, but does not form a new lowered rent. The landlord can raise the rent after a given period to its previous, higher level. However, it does give you a cheaper rent for a while.

Remember to get any agreement in writing. You don't want to be surprised come renewal time.

If you have any questions about your present rent, remember to call or e-mail the Tenant Hotline.



**Federation of Metro Tenants' Associations**

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(416) 921-4177

We're on the Web!  
[www.torontotenants.org](http://www.torontotenants.org)

E-MAIL:  
[fmta@torontotenants.org](mailto:fmta@torontotenants.org)

**Tenant Law Reform**

By Michelle Mulgrave

The Ontario provincial government has pledged to change the *Tenant Protection Act* (TPA) by the end of 2004. Since the Liberals were elected in 2003, it has been business as usual at the Ontario Rental Housing Tribunal (ORHT)-rent increases and evictions.

Before the Liberals draft new landlord and tenant law, a number of consultations will be held with tenants over the summer months. At these consultations, tenants will have an opportunity to express

their experiences at the ORHT.

During these consultations, it is paramount for tenants to participate and to also contact their MPP. Tenant input in the process can ensure that the Liberals get it right. Your MPP must be informed of your experience as a tenant in the province of Ontario. This is likely our one kick at the can until the next election.

The FMTA has prepared a "Tenant

Law Reform Lobby Kit" that is posted on our web site or we can mail it to you. If you are unable to hold a meeting with your MPP, call, fax or email your MPP. The FMTA has also posted a draft letter you can send to your MPP.

Tenants have waited long enough for the law to actually protect their interests. Get involved in the process to ensure that tenants are finally protected.

**Yes, I want to be part of the Tenants' Movement!**

Please send me my membership card and information about the services that I receive a member.

<p><b>I will pay my membership dues by:</b></p> <p><input type="checkbox"/> Cheque or money order (made out to FMTA)      <input type="checkbox"/> Cash</p> <p><b>Please Print:</b>                  Name: _____                  Address: _____ Apt. #: _____                  City: _____ Postal Code: _____                  Telephone #: (h) _____ (w) _____                  Fax: _____ e-mail: _____</p> <p>Yes! I would like to donate \$ _____ to the FMTA!</p>	<p><b>I am joining as the following type of member:</b></p> <p><input type="checkbox"/> New Member      <input type="checkbox"/> Renewal</p> <hr/> <p><input type="checkbox"/> Individual: \$15/year  <input type="checkbox"/> Senior, student or unemployed: \$5/year  <input type="checkbox"/> Sustaining Member: \$50/year  <input type="checkbox"/> Homeowner (non-voting): \$25/year  <input type="checkbox"/> Organization (non-voting): \$25/year  <input type="checkbox"/> Tenants' Association: _____ units,                  \$10 per year per unit (minimum 3 units)</p>
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Send to: Federation of Metro Tenants' Associations, 27 Carlton St., Suite 500, Toronto ON, M5B 1L2