

The Tenant



November 2003

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

What Does a Liberal Government Mean for Tenants?

By Gail Nyberg

No one really knows what kind of relationship the new Liberal government will have with tenants. We at the FMTA are cautiously optimistic that the changes will be positive ones for tenants in Toronto.

Prior to the election call, the FMTA wrote to then Leader of the Opposition Dalton McGuinty and asked him some specific questions. On August 12th, 2003 we received a detailed letter from him. Here are some excerpts from that letter:

I want to be clear about our plan for rent control. We will repeal the Harris-Eves government's Tenant Protection Act and bring back real rent control that protects tenants from excessive rent increases. We will get rid of vacancy de-control which allows unlimited rent increases on a unit when a tenant leaves.

I want to state that an Ontario Liberal government

will always protect tenants.

Our new tenant protection law will protect tenants in situations of high vacancy levels against unscrupulous landlords who attempt economic evictions by way of selective, excessive rent increases.

We will be making changes at the Ontario Rental Housing Tribunal, to ensure fairness for tenants, and implementing other legislative changes such as costs-no-longer borne provisions to provincial tenant law.

The bottom line: Real protection for tenants at all times.

And I look forward to working with the FMTA in the future

Strong and encouraging words from a new Premier, but turning words into reality will be necessary to ensure "real protection" for tenants at all times!

Here at the FMTA, we believe that repealing the Tenant Protection Act is

essential to restoring tenants' rights that were stripped away during the Harris-Eves reign at Queen's Park. But we remain wary of what may replace the current Act.

Tenants in Toronto need real rent control -not rent control tied to vacancy rates. The FMTA will continue to push this new government to implement real rent controls!

The FMTA is pleased that the Liberal Government is looking forward to "working with the FMTA" but we caution the Liberals that "working with" must mean true consultation, real listening and real action on tenant's suggestions. We remain poised and ready to help this government implement new tenant legislation that really protects tenants. The Liberals have named a tenant friendly Minister in David Caplan, but the real proof will be in the pudding.

Breaking a Lease: Myths and Realities



By Howard Tessler

Regardless of the reason for wanting out below are a few of the myths and realities of terminating your tenancy.

Myth: 60 days notice breaks a lease.

Reality: Only if you have a month-to-month tenancy does 60 days notice end a tenancy. The notice must be in writing and would start "counting" on the first day of the next rental period. In other words: if you hand in the notice/letter on the 12th of the month say November, the 60 days starts on December 1st.



Myth: The landlord is legally obligated to find a new tenant to replace me.

Reality: Unless the landlord has "reserved the right to assign" in the lease, the tenant can get out of a fixed term lease only by assigning the lease to a new tenant. The landlord cannot refuse a reasonable assignment. If he does refuse, you can file an A2 application (Application about a sub-let or assignment). This is the only way you can legally get out of a fixed term lease.

Myth: I can break my lease if the landlord fails to do repairs.

Reality: The fact that the landlord doesn't do maintenance or repairs or stop the tenant next door from disturbing does not allow you to break your lease. Use the remedies available to you through the TPA or Municipal Property Standards to get the landlord to correct the problems. The Tribunal can order a lease terminated.

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

Mayoral Candidates Statements to Tenants of Toronto

David Miller's Statement:

The shortage of affordable housing is a critical issue for Toronto. As Mayor I will work to make sure the City does everything it can to stimulate the building of new affordable housing and to help preserve existing units.

The solutions to the housing and homelessness problem are complex. They cannot be expressed in bumper sticker language about "tough love". We need both short-term (shelter beds) and long-term (affordable and supportive housing) solutions. This requires the commitment of all levels of government.

The City must ensure that everyone can come in from the cold by making enough shelter beds available. I am strongly opposed to a freeze on building new shelter beds and support expanding the shelter system until housing is available.

To reduce evictions, the City must advocate for the Province to restore rent controls to stop the current trend of rising rents. The City can help reduce evictions by increasing the Rent Bank and the Tenant Defence Fund. We should also make it more financially attractive for private donors to contribute to these services which help keep people housed.

As Mayor I will work to increase the availability of City land that can be used for affordable housing. The current cap of \$10 million on City land that can be used for affordable housing must be increased.

The City must fast track affordable housing projects through the development process. I will create an office of Rapid Housing Development to develop and support new plans and ensure all projects get off the ground as quickly as possible.

As Mayor I will work with Councillors to create inclusive communities where everyone is welcome. This includes promoting acceptance of affordable housing projects. I have already shown the leadership required: I led an inclusive and thorough consultation process in my ward to bring about community acceptance of a social housing project that residents were first were skeptical about.

Mark Your Calendar!

The FMTA's
Annual General Meeting

will be held on

November 29, 2003

OISE: 252 Bloor St. W.

10 am to 3 pm

for more information

call (416) 646-1772

Together We Are Strong!

This is an FMTA Members only event

Reality Check:

If you abandon your apartment, the landlord can get a collection agency after you and ruin your credit rating. Don't give him or her the pleasure of doing that.



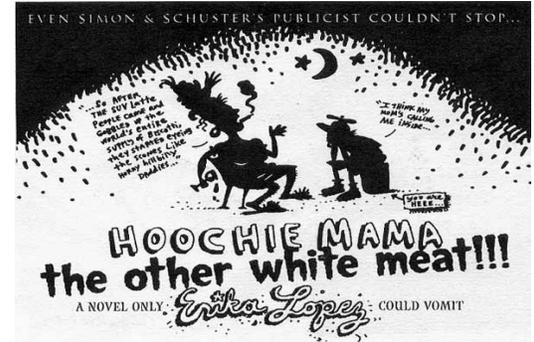
Hoochie Mama in Rental Hell

Review by Emmy Pantin

And now for something a little different, a novel by a tenant, about being a tenant in one of the most expensive cities in North America. Erika Lopez's fourth book, *Hoochie Mama*, is a continuation of the adventures of Tomato Rodriguez. In this installment, it turns out that when Tomato returns to the big city of San Francisco, all her second chances have run out. The Latte people have taken over, and rental property means a place to put your SUV.

Erica Lopez entertains and shocks with her long, winding, imaginative sentences. Despite Lopez's love of wild and twisted humour, her books are actually tender evocations of faith in humanity, love and independence. Strange and funny drawings and cartoons scattered throughout her books make it clear that Lopez is a talented artist in many different mediums.

In *Hoochie Mama*, Tomato's adventures in de-regulated electricity land and renter's hell mirror Lopez's own experiences. Despite being a successful author, now four times over, Lopez faced an eviction as recently as 3 years ago. Even now, Lopez is leading a boycott of her former publisher, Simon & Schuster, because she has ended up with relatively little revenues despite the huge mark-up on her books. Lopez was even forced to go on welfare to meet her financial needs.



Excerpt from *Hoochie Mama: The Other White Meat* by Erica Lopez

"For Rent" signs told me how the last of the city's tenacious renters were evicted for the slightest infractions, like pets farting too much, so the apartment could be rented out for four, five and seven times more to people wearing sitcom hairstyles and sporting the vaudevillian sense of justice that comes with it.

They also spoke of how broken-down houses were routinely selling for over a half-billion and Realtors were so excited they nearly peed themselves while flipping through the white pages, cold-calling folks to ask if they wanted to sell their houses, too. No matter how ridiculously high the original asking price, it always got higher bids. The practice was becoming customary.

"One hell of an informative rental sign," you say, and you're right.

Federation of Metro Tenants' Associations

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We're on the Web!
www.torontotenants.org

E-MAIL:
fmta@torontotenants.org

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>I will pay my membership dues by:</p> <p><input type="checkbox"/> Cheque or money order (made out to FMTA) <input type="checkbox"/> Cash</p> <p>Please Print: 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>I am joining as the following type of member:</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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