

Staying Housed



Home Takeovers

Dealing with Home Takeovers:

If you or one of your neighbours have found your home taken over by un-welcome people, who make you feel unsafe or uncomfortable, physically, mentally, or financially, there are ways you can get help.

Home takeovers don't always look the same, but nobody should feel unsafe or be taken advantage of in their own home. For a better idea of what these might look like, check out these short videos from Ottawa Crime Prevention:

youtube.com/playlist?list=PL4qL33LNgD9ssSnY3jpfFOrk6lUuUuuai

Where can I get help?

If you feel there's an immediate threat to your safety, you may want to contact the police by calling 9-1-1, but depending on the situation, you may be able to find assistance from a local agency:

Canadian Mental Health Association (CMHA), for mental health assistance:

415 Water Street

(705) 748-6687

cmhahkpr.ca

Community Counselling and Resource Centre, for housing help, financial and counselling services:

540 George Street North

(705) 743-2272

ccrc-ptbo.com

Peterborough Community Legal Centre, for legal assistance:

4th floor, 150 King Street

(705) 749-9355

ptbo-clc.org

Home Takeovers

Peterborough Elder Abuse Prevention Network:

705-876-1122 ext.327

centraleast@elderabuseontario.com or info@elderabuseontario.com

peapn.com

Or contact the Seniors Safety Line at 1-866-299-1011

Peterborough Youth Services, for counselling and youth services:

459 Reid Street

(705) 743-1681

pysyouth@pysonline.ca

pysonline.ca

If people that your roommate invited over make you feel unsafe, you might be able to reach a solution by talking to your roommate about it. If they won't agree to do anything, you can talk to your landlord, and they may be able to intervene. In serious situations, your landlord may be able to evict the problematic roommate for putting your safety or 'reasonable enjoyment' of the home at risk.

If the takeover is a matter for the police, but you don't need to call 9-1-1, you can reach the

Peterborough Police at:

500 Water Street

(705) 876-1122

peterboroughpolice.com/en/index.aspx

Reporting Issues with Your Home: Maintenance Problems

What can I do when something is broken or not working properly?

You and/or your roommates are expected to keep your unit in good condition, but sometimes things happen. If the unit needs repairs, needs pest removal, or something stops working, like kitchen appliances, lights, plumbing, etc., it's the landlord's responsibility to fix it, if it came with the unit. Pest removal is **always** the responsibility of the landlord.

If you notice something needs to be fixed, you should tell your landlord as soon as possible.

How do I report the problem to my landlord?

- 1) Talk to the landlord about the problem. Keep a record of communications you've had with your landlord about the issue.
- 2) If the problem is not fixed, make a formal request in writing, or fill out a repair form if your landlord has one (this is more common with commercial landlords). Make sure you keep a copy, and make a record of what you sent and any responses you get.
- 3) If the problem is *still* not fixed, you might be able to get help from the city's by-law department. You can contact them at:
[705-742-7777](tel:705-742-7777)
peterborough.ca/en/city-hall/by-laws.aspx
- 4) Or, you can file a *Tenant Application about Maintenance* (form T6) with the Landlord and Tenant Board, and they will help resolve the situation at a **hearing**, which both you and the landlord must attend to tell your side of the story.

You can find the T6 form here: tribunalsontario.ca/documents/lrb/Tenant%20Applications%20&%20Instructions/T6.pdf

More info on the application process and filling out the form is available by phone at [1-888-332-3234](tel:1-888-332-3234) or online at sjto.gov.on.ca/lrb

Issues with Your Landlord: Maintenance Problems

What do I do when my landlord won't fix something after I've asked?

If you have sent your landlord a written request to fix something, and they have not fixed the problem, there are two ways to resolving the issue.

- 1) Get in contact with the City of Peterborough's by-law department, and try to get them to intervene. You may need to say which by-laws your landlord is breaking. You can find a list of by-laws, or get in contact them online at peterborough.ca/en/city-hall/by-laws.aspx or by phone at 705-742-7777.
- 2) You can have a solution mediated by the Landlord and Tenant Board (LTB), by filing a *Tenant Application about Maintenance* (form T6).

How does filing a *Tenant Application about Maintenance* work?

All forms and applications for the LTB can be found and downloaded at sjto.ca/ltb

Copies of the application may also be available at the LTB office located at [300 Water Street](#).

You can fill the form out electronically or as a physical application. You can submit:

- Online, using the LTB e-file system at sjto.gov.on.ca/ltb/e-file where you can pay by debit or credit card.
- In person at the LTB office, where you can pay by cash, debit or credit card, cheque, or money order.
- By mail to the LTB office at the mailing address below. You can pay by cheque, credit card, or money order.

[c/o Service Ontario](#)
[300 Water St](#)
[Peterborough, ON K9J 3C7](#)

Issues with Your Landlord:

Maintenance Problems

- By fax, to the LTB office at [1-888-377-8808](tel:1-888-377-8808). This lets you pay by credit card.

NOTE: If you pay by cheque or money order, it can be made out to *the Minister of Finance*.

Instructions for filling out the form are available at tribunalsontario.ca/documents/lrb/Tenant%20Applications%20&%20Instructions/T6_Instructions_20200401.pdf

When you complete the form, there are 9 types of remedies you can apply for. More information can be found in the link above. You can ask for more than one of the options.

- 1) The landlord temporarily reduces your rent
- 2) The landlord has to pay to fix or replace any of your stuff damaged because the repair wasn't done
- 3) The landlord pays you back any money you had to spend because the repair wasn't done
- 4) The board accepts repairs you already did yourself because the landlord would not do them, and the landlord pays you back for money you spent
- 5) Authorization to do the repairs yourself, and have the landlord pay you back
- 6) The landlord is ordered to make the repairs
- 7) The landlord cannot increase your rent until the problem is fixed
- 8) The board can order your eviction
- 9) Other (you will need to say what you are looking for)

Issues with Your Landlord:

Maintenance Problems

It will cost **you \$53** to file your application. If you cannot afford the application fee, or you qualify as a person with low-income, you can have the application fee waived by filling out a *Fee Waiver Request*, and attaching it to the front of your application. You can find more information about that here: stepstojustice.ca/node/111990

Once you have finished and sent in your application, a hearing date will be scheduled for you and your landlord to appear at the LTB, and tell your sides of the story. You will have to give your landlord notice about the hearing in advance.

If you have any questions about the application or the application process, you can get more information by calling the LTB at [1-888-332-3234](tel:1-888-332-3234).

If you want more information about giving notice to your landlord, or preparing for your hearing, check out this tip sheet from the Advocacy Centre for Tenants Ontario: actoc.ca/~actoca/assets/files/docs/TipSheet_T6ApplicationAboutMaintenance_0107.pdf

It is highly recommended you seek advice from a legal professional when preparing for your hearing, or preparing your application.

Issues with Your Landlord:

Fighting Rent Increases

About illegal rent increases:

If your landlord has increased your rent by doing one of the following, you may be able to dispute it as an illegal rent increase:

- Increased your rent without giving you 90 days written notice
- Increased your rent less than 12 months after your tenancy started
- Increased your rent less than 12 months after the last rent increase
- Increased your rent by more than the 'rules' allow for the year
 - The guideline cap changes every year. For example, the max amount your rent can be increased in 2022 is 1.2%. You can find any changes to the guidelines at [ontario.ca/page/residential-rent-increases](https://www.ontario.ca/page/residential-rent-increases)

Note:

- If one of these situations applies, **you must file a dispute with the Landlord and Tenant Board within 12 months of when you were first charged the increased amount, or the LTB will not void the increase!**
- The guideline cap does not apply in certain situations, like nursing homes, 'community housing' units, and units nobody lives in.
- **Your rent can be raised above the guideline cap if the Landlord and Tenant Board approves the increase.**
- Guidelines may not apply to units created after November 15th, 2018.

Issues with Your Landlord:

Fighting Rent Increases

Some other exceptions may apply, you can check ontario.ca/page/residential-rent-increases for more details.

To find out if your situation is exempt from rent controls, you can contact the Landlord Tenant Board at [1-888-332-3234](tel:1-888-332-3234).

About legal rent increases:

If your landlord increases your rent with proper notice, by an amount that's acceptable under the guidelines, that is a legal increase. There is no way to dispute this.

If your landlord wants to increase your rent above the guidelines, they can file an *Application for Rent Increases Above the Guideline* (form L5) with the LTB. You can dispute an L5 application at the LTB.

How do I file a dispute with the LTB?

There are different ways to file a dispute based on your situation.

1) Disputing an Above Guideline Increase application

If your landlord submits an L5 application to the LTB, a hearing will be scheduled. Your landlord has to give you at least 30 days notice of the hearing and a copy of their application. You and the other tenants affected have a right to show up and challenge the increase. You can read more about the process here: cleo.on.ca/en/publications/rentincs/increases-above-guideline

If you are going to challenge an L5 application at the LTB, it is **highly recommended** that you seek legal help.

Issues with Your Landlord:

Fighting Rent Increases

2) Disputing an illegal rent increase that you've already paid

If you've already paid your rent following an illegal increase, you can try to get your money back by filing a *Tenant Application for a Rebate of Money the Landlord Owes* (form T1) with the LTB.

All forms and applications for the LTB can be found and downloaded at sjto.ca/ltb. Copies of the application may also be available at the LTB office, located at [300 Water Street](#).

You can submit them:

- In person at the LTB office, where you can pay by cash, debit or credit card, cheque, or money order.
- By mail to the LTB office at the mailing address below. You can pay by cheque, credit card, or money order.

[c/o Service Ontario](#)
[300 Water St](#)
[Peterborough, ON K9J 3C7](#)

- By fax, to the LTB office at [1-888-377-8808](tel:1-888-377-8808). This lets you pay by credit card.

NOTE: If you pay by cheque or money order, it can be made out to *the Minister of Finance*.

Instructions for filling out the form are available at tribunalsontario.ca/documents/ltb/Tenant%20Applications%20&%20Instructions/T1_Instructions_20200401.pdf

Issues with Your Landlord:

Fighting Rent Increases

It will cost you \$53 to file your application. If you cannot afford the application fee, or you qualify as a person with low-income, you can have the application fee waived by filling out a *Fee Waiver Request*, and attaching it to the front of your application. You can find more information about that here: stepstojustice.ca/node/111990

Once you have completed and submitted your application, a hearing date will be scheduled for you and your landlord to appear at the LTB, and tell your sides of the story. You will have to give your landlord notice about the hearing in advance.

If you have any questions about the application or the application process, you can get more information by calling the LTB at [1-888-332-3234](tel:1-888-332-3234).

It is recommended that you seek advice from a legal professional when preparing your application, or preparing for your hearing.

3) **Fighting an illegal rent increase that you haven't paid yet**

If your landlord is trying to increase your rent above guidelines, and hasn't applied for the LTB's approval, you can remind your landlord in writing that they can/must submit an L5 application to the board.

If your landlord is trying to increase your rent without proper notice, or less than 12 months after your last increase/when your tenancy started, you should remind them in writing of your rights under the *Residential Tenancies Act*.

If the problem continues, seek advice from a legal professional.



Issues with Your Landlord: Fighting Rent Increases

Where to get help:

- **ACTO (Advocacy Centre for Tenants Ontario):**
actocanada.ca/contact
- **Peterborough Community Legal Centre:**
4th floor, 150 King Street
(705) 749-9355
ptbo-clc.org
- **Steps to Justice:**
stepstojustice.ca

Issues with Your Landlord:

Landlord Harassment

Harassment by a landlord is a serious offence. You have the right to feel safe in your home.

If your landlord does any of the following, it is considered harassment;

- ⇒ Making or performing physical threats
- ⇒ Destroying your property on purpose
- ⇒ Threatening to do things that could impact you negatively; eg. Refusing to give a good reference, threatening to report to the credit bureau
- ⇒ Being loud or disruptive
- ⇒ Entering property without cause or proper notice
- ⇒ Denying proper payment of rent
- ⇒ Pointing out one's behaviour, but letting other tenants doing the same thing go
- ⇒ Making false claims of bad behaviour
- ⇒ Changing rules/ amenities access mid- lease

What can you do?

- Write down all interactions with your landlord
- Save all communications
- Let your landlord know that what they are doing is wrong
- Contact [Peterborough Community Legal Centre](https://www.peterborough.ca/Community-Legal-Centre) (705) 749-9355 to see what your rights are and how to move forward

Issues with Your Landlord:

Discrimination

According to [Ontario Human Rights Commission](#) (2021) discrimination can happen during the application, occupancy and termination periods of tenancy. Persons in power may be held responsible if they condone, further discriminate or fail to investigate discrimination.

The types of discrimination commonly faced by tenants are:

- Discrimination based on gender, identity and/or expression
- Family status and marital status
- Criminal record and record of offences
- Age discrimination
- Disability (Including mental illness)

If you have experienced discrimination the [Steps To Justice](#) are:

1. Find out if you are covered under the Human Rights Code

Visit www.hrlsc.on.ca/en/node/143 to do a quick quiz

2. Ask the landlord to resolve the problem

Sometimes a landlord may not realize they are breaking the law, bring it to their attention and ask for them to resolve it; or contact the Human Rights Legal Support Centre at www.hrlsc.on.ca/en/welcome

3. Collect information

Get a notebook and write down all communication with landlord, include: Date, Time, Weather, quotes from both parties for every time you speak to one another; get screenshots and emails printed off and saved

4. Get legal help

If Dealing with a legal dispute with your landlord you can call the [Peterborough Community Legal Centre](#) for legal advice and help. They can be reached at 705-749-9355.

You can also contact [Centre For Equal Rights Association](#) for advice and help navigating a discrimination case. They can be reached at 416-944-0087 or 1-800-263-1139.

5. Take legal action

Remember: a landlord Can refuse to rent to you for any reason if you are sharing a bathroom or kitchen with them or their family

Dealing with Missed Payments: Rent Payments

Things to think about if you're unable to afford rent:

- Can you make part of your payment, even if you can't afford the whole amount?
- Is this a one time situation?
- Could you afford rent if you spent less money on other things? Or is your rent just too high? If you spend less money in order to pay rent, could you do it without putting your health at risk, i.e. cutting back on food, medicine, etc.?
- Do you need to move to somewhere cheaper?
- Will you need a reference from this landlord in the future?

Ways of dealing with missed payments:

1) **Negotiate with your landlord:**

Talk to your landlord if you can't afford to pay your rent. If you know in advance that you cannot afford to make your next payment in full, it's better to talk to your landlord, or pay extra in the upcoming months.

Be very careful not to enter an agreement that you can't afford, or don't understand. If you end up at an eviction hearing with the LTB, they will consider any repayment plans you made in their decision.

2) **Reduce your expenses:**

Are there any ways you can spend less in order to catch up on rent you missed?

Dealing with Missed Payments:

Rent Payments

3) **Increase your income:**

Is there any way you can make more money in order to afford your rent? Can you take on a new job, or increase your hours? Can you get access to any income support programs, like the Housing Stability Fund, or social assistance programs?

NOTE: A list of income supports you might be able to access is available in **pages 25—36**

3) **Find a roommate:**

This can help you save on rent and other expenses. A list of pros, cons, and other things to consider about roommates is on **pages 37—38**

4) **Get legal help:**

You can get legal advice about the eviction process from CLEO's Steps to Justice website, at stepstojustice.ca/legal-topic/housing-law and from the Peterborough Community Legal Centre at ptbo-clc.org or by phone at [705-749-9355](tel:705-749-9355).

Dealing with Missed Payments: Utility Payments

Things to think about if you can't pay a utilities bill:

- Can you make part of your payment, even if you can't afford the whole amount?
- Is this a one time situation?
- Could you afford the bill if you spent less money on other things? Or is it just too high? If you spend less money, could you do it without putting your health at risk, i.e. cutting back on food, medicine, etc.?
- Do you need to move to somewhere cheaper?

How to deal with missed payments:

1) **Reduce your expenses:**

Is there any way you can spend less in order to pay off your bill? Can you cut back on the amount of heat/water/electricity you're using?

2) **Increase your income:**

Is there any way you can make more money in order to pay the bill? Can you take on a new job, or increase your hours? Can you get access to any income supports, like the Ontario Energy Support Program for Hydro?

NOTE: A list of income supports you might be able to access is available on **pages 25—36**. Your utility provider might also have their own support program for clients with low-incomes.

3) **Talk to local agencies:**

Some organizations like the CCRC Housing Resource Centre, can offer guidance on how to handle your missed payments, and help you apply to support programs like OESP and others. You can reach them at [\(705\) 743-2272](tel:705-743-2272) or online at ccrc-ptbo.com

Dealing with Missed Payments:

Utility Payments

4) **Talk with the utility company:**

If you cannot pay your whole bill, you should pay what you are able. Your provider might be willing to negotiate a repayment plan to keep you from getting disconnected, but that is not guaranteed.

5) **See if your bill is unusually high:**

Is your bill is higher than normal? Look for things around your home which could explain an increased bill. Is your toilet running (continuing to make noise after you flush it)? Do you have a leak or a burst pipe somewhere? Is there an open window or a door that won't shut all the way? Make sure to notify the landlord if you find something broken, so you can have it fixed right away.

Greensaver

Greensaver is a free program that will come to your home, do an assessment and see if there are ways for you to save hydro! If you qualify you may be provided with tools to help you save energy, and that means saving you money on your electricity bill!

Contact Information:

Phone (GTA): (416) 203-3106

Phone (Toll Free): 1 (888) 855-3106

Fax: (416) 203-3121

Fax (Toll Free): 1 (888) 777-8416

Email: info@greensaver.org

Evictions

What is an eviction notice?

An eviction notice is written notice that your landlord wants to end your tenancy and you to move out of the unit. It must give you details about why you're being evicted, along with a date you must leave by. You must be given the notice before the date listed, and the reason listed must be acceptable under the *Residential Tenancy Act (RTA)*.

Why can I be evicted?

- You owe rent
- You have caused damage
- You are disturbing other tenants
- You are making or selling illegal drugs
- Your landlord or their family wants to move into the unit
- Your landlord wants to tear down the unit
- Your landlord wants to use the unit for something else

What happens if I get an eviction notice?

You might not have to leave your unit when you receive an eviction notice. You may be able to fight your eviction through the Landlord Tenant Board, have a solution mediated for you, or solve the problem by cooperating with your landlord.

Remember though: tenants are entitled to a hearing with the Landlord Tenant Board, and their **eviction order** is required for your eviction to be enforced.

Evictions

Resolving the problem with Your Landlord on Your Own:

Depending on the reason your landlord is trying to evict you (e.g. specific behaviour, overdue rent) you might be able to change their mind by correcting the problem.

If your landlord is trying to evict you because you haven't paid rent, you can pay the money you owe, or sometimes make a repayment plan with your landlord, to help pay the money you owe in a way you can afford.

You may be able to skip going to the Landlord Tenant Board if you make a repayment plan with your landlord, but **you do not have to accept the plan proposed by your landlord.**

The Board will view any plan you agree to as binding, it's very important that you **do not agree to a plan that you cannot afford, or do not understand.**

If you cannot come to an agreement with your landlord, **you have the right to a hearing with, and solution mediated by the LTB.**

Resolving Your Dispute Through the Landlord and Tenant Board:

When your landlord files with the LTB to evict you, the board will send you a notice with info about your hearing and why your landlord is trying to evict you. If there are any issues you want to bring up at the LTB hearing, you must give the board written notice.

If the LTB does not approve the eviction after the hearing, you are not required to move. If they do, you will receive an **eviction order** in the mail. You must move out by the date specified in the order.

You may be able to dispute an eviction order under certain conditions, by filing a Request to Review an Order with the LTB, **within 30 days** of the eviction date.

If you cannot file within 30 days, you can ask for more time by submitting a *Request to Extend or Shorten Time*, but this does not always get approved.

Evictions

You can read more about the dispute process at:

acto.ca/documents/boardorderwrong

And you can find all of your LTB forms at:

sjto.gov.on.ca/ltb

If you cannot dispute the order and you do not move by the date specified, a Court Enforcement Officer will carry out the eviction. **Landlords cannot kick you out themselves** (example: changing the locks without giving you the key).

It is **strongly recommended** that you seek legal aid to help prepare for your hearing and guide you through the eviction process.

Who can I talk to about legal help and evictions?

- If your landlord has locked you out and not given you a key, or is threatening to do so, call the **Rental Housing Enforcement Unit: 1-888-772-9277**
- If you need legal advice or help fighting an eviction at the LTB, contact the **Community Legal Centre** at: ptbo-clc.org or **705-749-9355**
- If you have housing questions or need housing assistance, contact the **CCRC Housing Resource Centre** at: ccrc-ptbo.com or **705-743-2272**, or leave a note in the mailbox at **540 George St N.**
- **The Housing Resource Center** also runs a free drop-in housing clinic, at **540 George St N**, Hours of operation change from time to time so call beforehand if you can.
- You can get forms and general information from the **Landlord Tenant Board** (but not legal advice) at: sjto.gov.on.ca/ltb or **1-888-332-3234**