

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](#)

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- 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)

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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.

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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.

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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.

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- 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

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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):**
actocentre.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