

DO YOU HAVE MAINTENANCE AND REPAIR ISSUES IN YOUR RENTAL UNIT?

A Guide for Tenants in Ontario

Did You Know

Your landlord is responsible for maintaining the rental unit and the property in a good state of repair, fit for habitation and in compliance with health, safety, housing and maintenance standards.

These obligations exist even if you knew there were problems with the unit before renting it.



First Steps

It can be hard to know where to start...

Situations like this can be very stressful and upsetting. You may not know what steps to take to ensure the landlord is following their maintenance and repair obligations.

The first step is to talk to your landlord about it. They cannot fix anything if they don't know it's a problem.

If you have already spoken to the landlord and they are not fixing the problem, then there are some options available.

Follow this guide for tips and guidance on what to do next.

If your maintenance and repair problem is urgent, contact your local legal clinic for assistance. (See back for contact information)



Notify Your Landlord In Writing

Send your landlord a letter or email

1. Be clear what the issue is
1. _____
2. _____
3. _____

2. List what work needs to be done

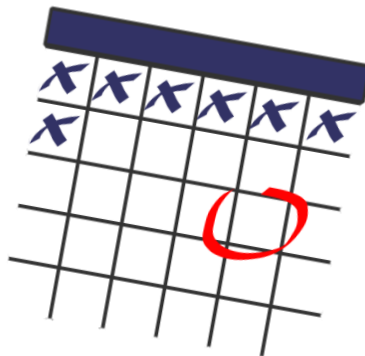


3. Give the landlord a timeline to do the work

(2 weeks is reasonable for most problems)



4. Date the letter



5. Keep a copy for your records



You can use the letter on the next page. Make sure to make a copy before giving it to your landlord

Did The Letter Work?

Did the landlord do the repairs requested?

Yes – The Letter Worked

Great! If all the repairs were completed and you are satisfied, the problem is resolved!



No – You May Want To:

1. Contact **property standards**.

- A tenant can make a complaint with their **local by-law property standards enforcement** and an inspector will be sent to the rental unit. The inspector may issue a work order against your landlord. This may encourage the landlord to fix the problem. Make sure you ask for a copy of the order.
- You can call your local municipality or legal clinic to find out the contact information for property standards.

2. Contact **Public Health**.

- A tenant can also ask Public Health to send an inspector if their rental unit has a problem involving mold, water quality, sewage overflowing, or people smoking.

3. Consider filing a **T6 application** with the **Landlord and Tenant Board (LTB)**.

The LTB can make an **order that the landlord do the repairs**. They may order your landlord to give you a **rent abatement** until the repairs are done.



Date: _____

Landlord's Name: _____

Landlord's Address: _____

Tenant's Name: _____

Tenant's Address: _____

Re: Maintenance & Repairs

Dear _____,

I am writing to you about the maintenance and repair problems in my apartment. These are the things that need to be fixed:

1. _____

Details: _____

2. _____

Details: _____

3. _____

Details: _____

MORE DETAILS IF NEEDED

The law is clear on maintenance and repair. The *Residential Tenancies Act* states:

20 (1) A **landlord is responsible** for providing and maintaining a residential complex, including the rental units in it, in a good state of repair and fit for habitation and for complying with health, safety, housing and maintenance standards.

(2) Subsection (1) applies even if the tenant was aware of a state of non-repair or a contravention of a standard before entering into the tenancy agreement.

I am asking you to fix the problems I have listed above. Because of these problems, I am not able to reasonably enjoy the rental unit.

Please provide me with your response in writing. **I hope that you will fix these problems within 2 weeks.** If you do not fix these problems, I may take additional legal action with the Landlord and Tenant Board. Please contact me if there are any questions or concerns.

Sincerely,

Date: _____

Landlord's Name: _____

Landlord's Address: _____

Tenant's Name: _____

Tenant's Address: _____

Re: Maintenance & Repairs

Dear _____,

I am writing to you about the maintenance and repair problems in my apartment. These are the things that need to be fixed:

4. _____

Details:

5. _____

Details:

6. _____

Details:

MORE DETAILS IF NEEDED

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Please provide me with your response in writing. **I hope that you will fix these problems within 2 weeks.** If you do not fix these problems, I may take additional legal action with the Landlord and Tenant Board. Please contact me if there are any questions or concerns.

Sincerely,

Filing a T6 Application with the Landlord and Tenant Board

What You Need to Do Next

At This Point...

You have tried to get the landlord to meet their obligation of keeping the rental unit in a good state of repair. You have a **copy of the letter** you sent, and recorded times of when you **spoke to the landlord** directly about the issues. You have **taken pictures** and started to gather any other **evidence** that could be relevant.

Next Steps...

The first step is to get a “**T6: Tenant Application about Maintenance**” form.

- This form is online at <http://www.sjto.gov.on.ca/en/>.
- There are instructions that go with the application, so be sure to read these carefully. These instructions are also found on the website.

Make sure to **fill it out correctly** and provide all the information needed. In the T6 application, you can select up to 9 remedies available to you:

1. Rent abatement (money off your rent)
2. Landlord pays for damages to your property
3. Reimbursement for out of pocket expenses
4. Reimbursement for repairs you did yourself
5. LTB allows you to do repairs and landlord pays you
6. LTB orders landlord to do repairs
7. Landlord not able to raise rent until repairs are completed
8. LTB ends your tenancy
9. Other remedies, which you can list

After completing the application, **you must file it** with the Landlord and Tenant Board. You will also need to pay the filing fee or get a **fee waiver**.

We have created a **Maintenance and Repair Checklist** for you on the next page. You can use this as you complete the steps to ensure you have not missed anything. You can also **contact your local legal clinic for legal advice** at any step of the process.

What To Expect When You Have Maintenance And Repair Issues



Community Advocacy & Legal Centre
158 George Street, Level 1
Belleville, Ontario K8N 3H2
Phone: 613-966-8686
Toll Free Phone: 1-877-966-8686

You Are Here



YES

You have a maintenance and repair issue in your unit.



Tell the landlord what the problem is and what needs to be done.

Keep track of when you talked to the landlord, and what was said.

Take photos if you can.

If the problem is not being fixed, put your request in writing, date it, and give a copy to the landlord.

Make sure to keep a copy for your records also.



YES!

Has the issue been resolved?



NO



YES!

NOW have the repairs been completed?

NO

You may want to call your local property standards, municipal inspector, health unit or municipal office.

Get reports from any inspector you have look at the unit.

You can apply to the Landlord and Tenant Board (LTB).

You will complete and file a T6 Form.

Once filed with the LTB, they will give a hearing date where you and your landlord will present your cases.

Note: It is important to bring any letters, work orders, pictures and witnesses to this hearing. You will need 3 copies of everything.

When completing the T6, make sure you fill it out correctly and provide all the information needed.

You need to put the address of the unit that needs repairs, as well as the landlord's address.

Fill out when you moved in and if you are still living there.

In great detail, list what the repairs are and what needs to be done. Also include dates when the issue started and the steps you took to fix the problem.



You then have to pick from 9 remedies that the LTB can order the landlord to do:

- | | |
|---|--|
| 1. Rent abatement | 6. Board orders landlord to do repairs |
| 2. Landlord pays for damages | 7. Landlord not able to raise rent until repairs are completed |
| 3. Out of pocket expenses | 8. You want the Board to end your tenancy |
| 4. Repaid for repairs done | 9. Ask the Board for other remedies you will list |
| 5. Board allows you to do repairs and landlord pays | |

Note: Make sure you sign the T6. You must explain why you are asking for what you are, and be as detailed as you can.

Important Numbers:

Rental Housing Enforcement Unit
1-888-722-9277

Legal Aid Ontario
1-800-668-8258

Community Advocacy & Legal Centre
1-877-966-8686

TTY: 1-877-966-8714

Landlord & Tenant Board

1-888-332-3234



Maintenance & Repair Checklist for Tenants

What is the Problem?

You have a maintenance issue.

- ☐ Tell your landlord what the problem is and what needs to be done.
- ☐ Keep track of when you talked to the landlord and what was said.
- ☐ Put your request in writing, date it, and give a copy to the landlord. Keep a copy of this letter or email for your records as well.
- ☐ Take pictures and document any issues.
- ☐ Follow up with property standards.
- ☐ Get reports from any inspector who has looked at the unit.

Still Not Fixed?

You may want to file with the LTB.

- ☐ Get a T6 Form.
- ☐ Put address of unit that needs repairs as well as address of your landlord. Fill out when you moved in and if still living there.
- ☐ In detail, list what the problems are and what needs to be done. Include dates when the issue started and the steps you took to fix the problem.
- ☐ Pick from the 9 remedies. Explain why you are asking for what you are, and be as detailed as you can.
- ☐ Sign the T6. The cost for a T6 is \$45.00. If you win you may be able to recover costs from the landlord. If you are low income you can fill out a fee waiver request. (Available online)

Preparing for Hearing:

You have a hearing date.

- ☐ Have all you letters, work orders and pictures printed and ready for the hearing day.
- ☐ Make sure you have 3 copies of everything prepared, including your pictures. You cannot show pictures on your phone/camera.
- ☐ Make sure if you have any witnesses, that they are available and ready for the hearing date.
- ☐ Briefly prepare what you are going to say and the issues you will be raising at the hearing. You can only talk about what you put in your application.

At the Hearing:

Time to present your case.

- ☐ Again, make sure you have all relevant documents with you. **Have 3 copies.**
- ☐ Sign up for Tenant Duty Counsel (TDC).
- ☐ Speak to a TDC lawyer for free legal advice for tenants in regards to your matter.
- ☐ You may wish to attend Mediation, it is free and if you cannot agree you will still have a hearing.
- ☐ Attend the hearing and present your case.

REFERRALS

Do you need legal help? Here are some resources:

Legal Clinics

Legal clinics provide a variety of legal services to low-income residents in Ontario. Services are free to low-income clients. To find a legal clinic near you visit www.legalaid.on.ca or call Legal Aid Ontario at 1-800-668-8258. Legal Aid may also help if there is no legal clinic near you.

Community Legal Education Ontario (CLEO)

Provides clear, accurate, and practical legal rights education and information to help people understand and exercise their legal rights. Their work focuses on providing information to people who face barriers to accessing the justice system, including income, disability, literacy, and language. As a community legal clinic and part of Ontario's legal aid system, they work in partnership with other legal clinics and community organizations across the province. Contact CLEO at 416-408-4420 or visit their website at <http://www.cleo.on.ca/en>

Important Numbers

Rental Housing Enforcement Unit – 1-888-772-9277

Electrical Safety Authority - 1-800-369-7536

Landlord and Tenant Board – 1-888-332-3234

Community Advocacy & Legal Centre – 613-966-8686 or 1-877-966-8686

TTY – 1-877-966-8714

Fire Departments

Bancroft – 613-332-2442

Belleville – 613-962-2010

Centre Hastings (Madoc) – 613-473-4030
ext. 208

Greater Napanee – 613-354-3415

Prince Edward – 613-476-2345

Quinte West – 613-392-2841

Property Standards

Bancroft – 613-332-3331 ext. 207

Belleville – 613-967-3204

Centre Hastings (Madoc) – 613-473-4030

Greater Napanee – 613-354-8863

Prince Edward County- 613-476-2148

Quinte West – 613-392-2841

Health Units

Hastings County - 613- 966-5500, Toll Free: 1-800-267-2803

Lennox & Addington County - 613-549-1232, Toll Free: 1-800-267-7875

Prince Edward County - 613-476-7471

