

DO YOU HAVE ISSUES WITH OTHER TENANTS IN YOUR BUILDING?

A Guide for Tenants in Ontario

Did You Know

Tenants have a right to quiet, reasonable enjoyment of their rental unit and the landlord is under an obligation to provide this. If another tenant interferes with this right by causing a disturbance or by impairing the safety of other tenants, the landlord must take reasonable steps to end the interference.



First Steps

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

Hastings, Prince Edward and Lennox & Addington Counties are great places to call home, but living in a residential building with other tenants can sometimes be difficult. You may have a problem with another tenant, or another tenant may have a problem with you.

While there are laws that protect tenants from being treated unfairly, it's often hard to know **who** is in the right, **where** to start or **what** to do.

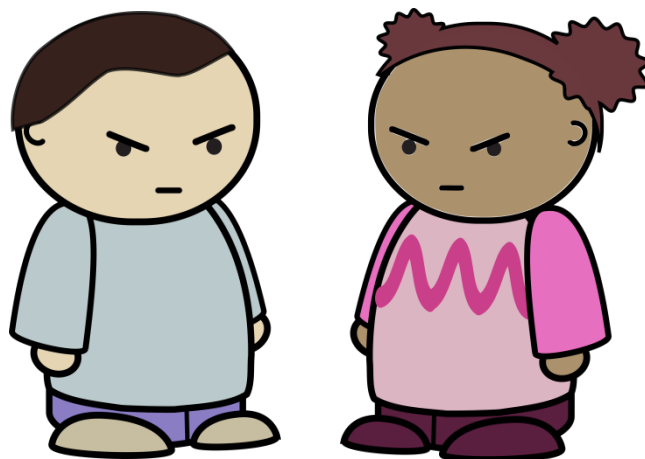
If you are experiencing an issue with another tenant in your residential complex, the first step is to talk to the tenant directly. The problem could simply be that the tenant is unaware that their actions are bothering you.

If you have already spoken to the tenant and nothing has improved, then speak to the landlord about the issue.

If the landlord does not do anything to help with your issue, then there are some options available to you.

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

Follow this guide for tips and guidance on what to do, and the process you have to follow.



Notify Your Landlord In Writing

Send your landlord a letter or email

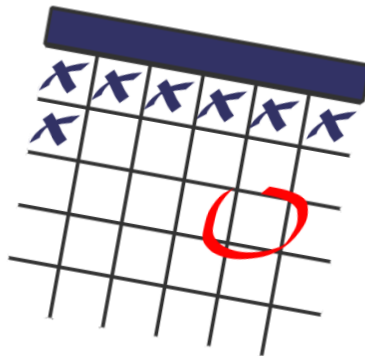
1. Be clear what the issue is
1. _____
 2. _____
 3. _____

2. List detailed examples of what problems you are experiencing.



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 Letters Work?

Did the landlord stop the interference from the other tenant?

Yes – The Letters Worked

Great! If you are satisfied, the problem is resolved!



If Not You May Want To:

1. **Keep telling the landlord** about the problem **in writing** on an ongoing basis. Make sure you are keeping copies of the letters you give to your landlord.
2. If the landlord does not take steps to fix the problem, consider filing a **T2 application** with the Landlord and Tenant Board (LTB).

The LTB can order the following **remedies**:

- A. Order the landlord to fix the problem;
- B. Order an abatement of rent be paid; or
- C. Order that you can end your tenancy if you want to move out.



The **grounds for the application** are that the landlord has **seriously interfered** with the tenant's **reasonable enjoyment** by not stopping the disturbance from the other tenant.

Date: _____

Landlord's Name: _____

Landlord's Address: _____

Tenant's Name: _____

Tenant's Address: _____

Re: Issues With Other Tenants

Dear _____,

I am writing to inform you of the following problems I am having with _____, in rental unit # _____. Under the terms of the Residential Tenancies Act, 2006, a landlord is responsible for providing tenants with quiet enjoyment with respect to tenancies. In light of the problems I am faced with, I am not able to reasonably enjoy the rental unit. As such, I am requesting your prompt attention to the concerns listed below.

The issues which need to be addressed are:

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.

Yours truly,

Date: _____

Landlord's Name: _____

Landlord's Address: _____

Tenant's Name: _____

Tenant's Address: _____

Re: Issues With Other Tenants

Dear _____,

I am writing to inform you of the following problems I am having with _____, in rental unit # _____. Under the terms of the Residential Tenancies Act, 2006, a landlord is responsible for providing tenants with quiet enjoyment with respect to tenancies. In light of the problems I am faced with, I am not able to reasonably enjoy the rental unit. As such, I am requesting your prompt attention to the concerns listed below.

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Yours truly,

Filing a T2 Application Claim

What You Need to do to File a Tenant Rights Claim

At This Point...

You have tried to get the landlord to uphold your right to reasonable enjoyment of your rental unit. You have **copies of the letters you sent**, and recorded times of when you spoke to the landlord directly about the issues. Make sure to gather any **evidence** you can to support your claims.

Next Steps...

The next step is to get a “**T2: Application about Tenant Rights**” form.

- This form online at <http://www.sjto.gov.on.ca/en/>.
- There are instructions that go with the application. Read these carefully.

When completing the T2 application, make sure to **fill it out correctly** and provide all the information needed. In this application, you will need to select from 11 remedies available to you. These are:

- | | |
|--|---|
| 1. Rent abatement | 7. Landlord must pay me for my moving expenses |
| 2. Landlord stops activities described | 8. Had/will have out of pocket expenses – landlord must pay |
| 3. Landlord pays a fine to the Board | 9. Landlord must allow me to move back in to old unit |
| 4. Want Board to end my tenancy | 10. Landlord must return all property in their possession |
| 5. Landlord pays me for repairs/replacement of property due to their actions | 11. Ask the Board for other remedies you will list |
| 6. New unit has higher rent – landlord must pay me difference | |

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 the **Issues with Other Tenants 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 Issues With Another Tenant



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!



Has the issue been resolved?



NO

YES

You have an issue with another tenant in your building.



Talk to the tenant you are having an issue with.

If talking to the tenant did not seem to help, then talk to the landlord about the tenant that is causing an issue.

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

Gather anything that could support your complaints against the other tenant.



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.



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

You will complete and file a T2 Form.

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

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

When completing the T2, make sure you fill it out correctly and provide all the information needed.

You need to put the address of your unit, as well as the landlord's address.

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

Shade the box completely next to each of your reasons for applying to the Board.

Describe in the box the events that led you to apply to the Board.

(What happened? • What were the dates and times of the events? • Who caused the problem? • What were the names and titles (such as superintendent) of all the people involved?)

You then have to pick from 11 remedies:

- | | |
|--|---|
| 1. Rent abatement | 7. Landlord must pay me for my moving expenses |
| 2. Landlord stops activities described | 8. Had/will have out of pocket expenses – landlord must pay |
| 3. Landlord pays a fine to the Board | 9. Landlord must allow me to move back in to old unit |
| 4. Want Board to end my tenancy | 10. Landlord must return all property in their possession |
| 5. Landlord pays me for repairs/replacement of property due to their actions | 11. Ask the Board for other remedies you will list |
| 6. New unit has higher rent—landlord must pay me difference | |

Note: Make sure you sign the T2. You must explain what you are asking for, and be as detailed as you can.



Issues with Other Tenants Checklist

What is the Problem?

You have an issue with another tenant.

- ☐ Talk to the tenant you are having issues with.
- ☐ Tell your landlord what the issue is and what needs to be done.
- ☐ Keep track of when you talked to the landlord, and what was said for your records.
- ☐ Follow up by putting your request in writing, date it, and give a copy to the landlord. You can send a letter or email.
- ☐ Keep a copy of this letter for your records.
- ☐ Gather anything that supports your claim against the other tenant. (Complaints to the police, if warranted, may be evidence if the matter gets to a hearing).

Still Not Fixed?

You may want to file with the LTB.

- ☐ Get a T2 Form.
- ☐ Put address of your unit as well as address of your landlord. Fill out when you moved in and if still living there.
- ☐ In detail, describe in the box below the events that led you to apply to the Board. (What happened? • What were the dates and times of the events? • Who caused the problem? • What were the names and titles (such as superintendent) of all the people involved?)
- ☐ Pick from the 11 remedies. Explain why you are asking for what you are, and be as detailed as you can.
- ☐ Sign the T2. The cost for a T2 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 your 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 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>

Your Legal Rights

A project by CLEO, yourlegalrights.ca is a website of free legal information for people in Ontario. The site has free, practical and easy-to-find legal information produced by hundreds of organizations across Ontario.

Important Numbers

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

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

