

Can my landlord take pictures of my apartment and its contents?

Yes, however the landlord must identify the purpose behind taking the pictures either before or at the time of taking the pictures. This is because taking pictures of your rental unit is a collection of your personal information. The landlord must also obtain your consent and make a reasonable effort to ensure you understand how the information will be used or disclosed.

Taking pictures of maintenance issues is usually considered a reasonable reason for taking pictures within your unit. However, the landlord still needs to explain the purpose of this to you.

Can my landlord set up surveillance cameras in my building?

Landlords can set up surveillance cameras but these cameras should not capture the inside of any of the apartments. Monitors and any recorded images or video should be secured and only accessed for specific purposes as laid out in the policy.

Tenants should be advised by the landlord of the policies before the video surveillance is installed. As well, to meet their obligations under the *Personal Information Protection and Electronic Documents Act* (PIPEDA), landlords should post signs and distribute policies that clearly explain, for example, how the footage will be used and when it may be accessed.

Am I allowed to know what information my landlord has about me?

Under PIPEDA, you have a general right to access your own personal information held by a landlord. You need to make this request in writing. It's helpful to be specific in the request if there is certain information you're looking for.

Your landlord is then supposed to give you access to your personal information within 30 calendar days. Under specific circumstances, they may require an extension of up to 30 additional days. However, if that's the case, they must tell you within that first 30 days and explain why there is a delay.

PIPEDA only allows an organization to deny access to personal information in certain circumstances such as if the information is protected by solicitor-client privilege.

What about other tenants? Are they subject to privacy laws too?

In general, if the collection, use or disclosure of personal information for a non-commercial purpose is not covered under Canadian privacy laws. However, other laws may apply in some situations.

For more information, please see: <https://www.priv.gc.ca/en/privacy-topics/landlords-and-tenants/privacy-in-the-landlord-and-tenant-relationship/>

You can find PIPEDA here for more information: <https://laws-lois.justice.gc.ca/PDF/P-8.6.pdf>

Is my landlord allowed to enter my unit without notice?

Your landlord is not allowed to enter your unit without first giving 24 hour notice, unless it is an emergency, you already agreed on this time in advance, or the landlord is showing the place to prospective tenants or buyers, in which case they only need give “reasonable notice”. They may also come in without notice if, for example, it is to clean or check on your condition in the case of a care home, provided your tenancy agreement or lease states so.

Landlords should try to give “reasonable notice” regarding showing your unit to prospective tenants and can only show your unit between 8:00AM and 8:00PM. This is the case where you have given notice to move out, your landlord has given you a notice to move out or you and your landlord have agreed you will move out.

My landlord did give me 24 hour notice—what now?

Even when 24 hour notice is given, your landlord can only come between 8:00AM and 8:00PM. They can only come to do any repairs/work, to see if any repairs or work is needed IF there is a reason to do this, to show your place to a possible buyer/insurer/mortgage lender, to let a real estate agent show your place to a possible buyer, to have a property inspection done before turning your building into a condominium or for a reasonable purpose as listed in your rental agreement.

Please see here for more information on when a landlord may or may not enter your unit: <https://stepstojustice.ca/questions/housing-law/can-my-landlord-come-my-place-whenever-they-want/>