



April 12th, 2023

Provincial action on the affordable rental housing crisis in Ontario is desperately needed. We appreciate efforts by the province to provide additional effort into resolving the crisis, but unfortunately, the *Helping Homebuyers, Protecting Tenants Act* tabled on April 6th, does not go far enough to protect renters and fix the dysfunction at the Landlord and Tenant Board (“LTB”). It is yet another band-aid solution by the government to solve Ontario’s rental housing crisis.

Hiring more new adjudicators will not fix the dysfunction or resolve the hearing backlog at the LTB. The LTB already received infusions of cash to hire more adjudicators to tackle the backlog and it has not worked. The number of adjudicators is not the issue. Rather, LTB processes have dramatically slowed as a result of their pivot to a remote service model.

The digital-only hearing model stopped scheduling cases regionally (i.e. cases in the same region were heard together). Now, hearings are scheduled by application type (i.e. same type of application from anywhere in the province are heard together). This change in scheduling procedure has introduced unprecedented inefficiencies into the system, added to a backlog of cases, negatively impacted access to justice for tenants, and reduced eviction prevention efforts. Housing support agencies are unable to locate and serve tenants from their jurisdiction to help them preserve their tenancies. Tenants with applications before the LTB also experience the greatest delays - waiting months, even years, to have their case heard and an outcome determined.

ACTO calls on the LTB to return to regional scheduling and grant more in-person hearings. In 2022, ACTO presented a proposal to both the LTB and the Ministry of the Attorney General (“MAG”) on how re-adopting a regional scheduling model would help the LTB serve parties better and ensure access to justice is a priority. Our data shows that regional scheduling would: reduce the backlog; reinstate regional connections for LTB staff, parties, and housing supports; reduce the number of hearing blocks needed; and save the province money that could be used to support low-income tenants.

No-fault evictions (like renovictions) are rising in Ontario. Today’s legislation is unlikely to make a dent in slowing them. Existing rent control loopholes provides landlords a financial windfall too great to make them stop, and fines are not a deterrent. Further, the burden of filing and proving a bad faith eviction case at the LTB rests primarily on the tenant.

The province says they will not bring in full rent control at this time. This is a mistake. Stronger rent control is needed now to address the root of the rental housing problems in Ontario. We already had 30 years of “vacancy decontrol.” There is no evidence to show it creates affordable rental housing. Instead, it incentivizes renovictions, encourages skyrocketing rents and contributes to the loss of affordable housing. If the province sincerely wants to help renters, they



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must eliminate vacancy decontrol and close the 2018 rent control exemption for newly occupied rental units. This would be a big step towards resolving the affordable rental housing crisis.