

Bill 60

What's Still at Stake for Ontario Tenants?



EASIER TO EVICT TENANTS FOR ARREARS

Less Time to Prevent an Eviction: Bill 60 gives tenants only 7 days to pay any rent owing in the N4 notice before the landlord can apply to the LTB for an eviction hearing. Tenants currently have 14 days to repay their rent.

Right to Raise Tenant Issues at Rent Arrears Hearing Further Restricted: Tenants would lose the right to raise their health and safety issues at their arrears hearing under Bill 60 unless they meet strict advance notice requirements and pay 50% of the rent alleged as being owed up front.

Defining "Persistent" Late Payment of Rent: Bill 60 would allow government to define "persistent" late payment in a way that would limit LTB discretion to consider the circumstances and result in more evictions.

RESTRICTING ACCESS TO JUSTICE AT THE LTB

Restrict LTB Consideration of Tenant Circumstances to Postpone an Eviction: Bill 60 would allow the government to set out the factors that the LTB can consider in deciding whether to postpone an eviction to account for a tenant's personal circumstances; and limits on LTB's ability to postpone. Currently, there are no restrictions on LTB considerations of s.83 tenant circumstances.

Right to Review Errors in Decisions Restricted: Bill 60 will shorten the time to request a review of a LTB decision to 15 days. It is currently 30 days. The Bill also gives the government power to limit the circumstances where a LTB decision can be reviewed.

Restricting Use of Set-Asides to Evict Tenants Without A Hearing: Bill 60 would allow the government to set out the conditions that must be met for the LTB to grant a "set-aside" motion of a default eviction order (e.g. an order without a hearing resulting from a breach of a mediated agreement). Currently, a tenant can file a set-aside motion to pause the eviction and request a hearing at the LTB to dispute the allegation of a breach.

ADDITIONAL PROPOSALS THAT HARM TENANTS

Tenant Compensation Eliminated: Bill 60 will remove the one month rent compensation for "landlord own use" (N12) evictions if the landlord provides 4 months notice. Currently, the one month compensation is mandatory with 2 months notice.

More Sheriffs to Evict Tenants: Instead of improving the LTB to prevent evictions, building affordable housing and properly funding tenant supports, resources are being poured into evicting tenants from their homes faster after receiving an eviction order.

Creating A Bad Tenant Database: Tribunals Ontario is exploring the creation of an online database for LTB decisions that in effect will act as a blacklist for tenants and make their personal information publicly accessible.