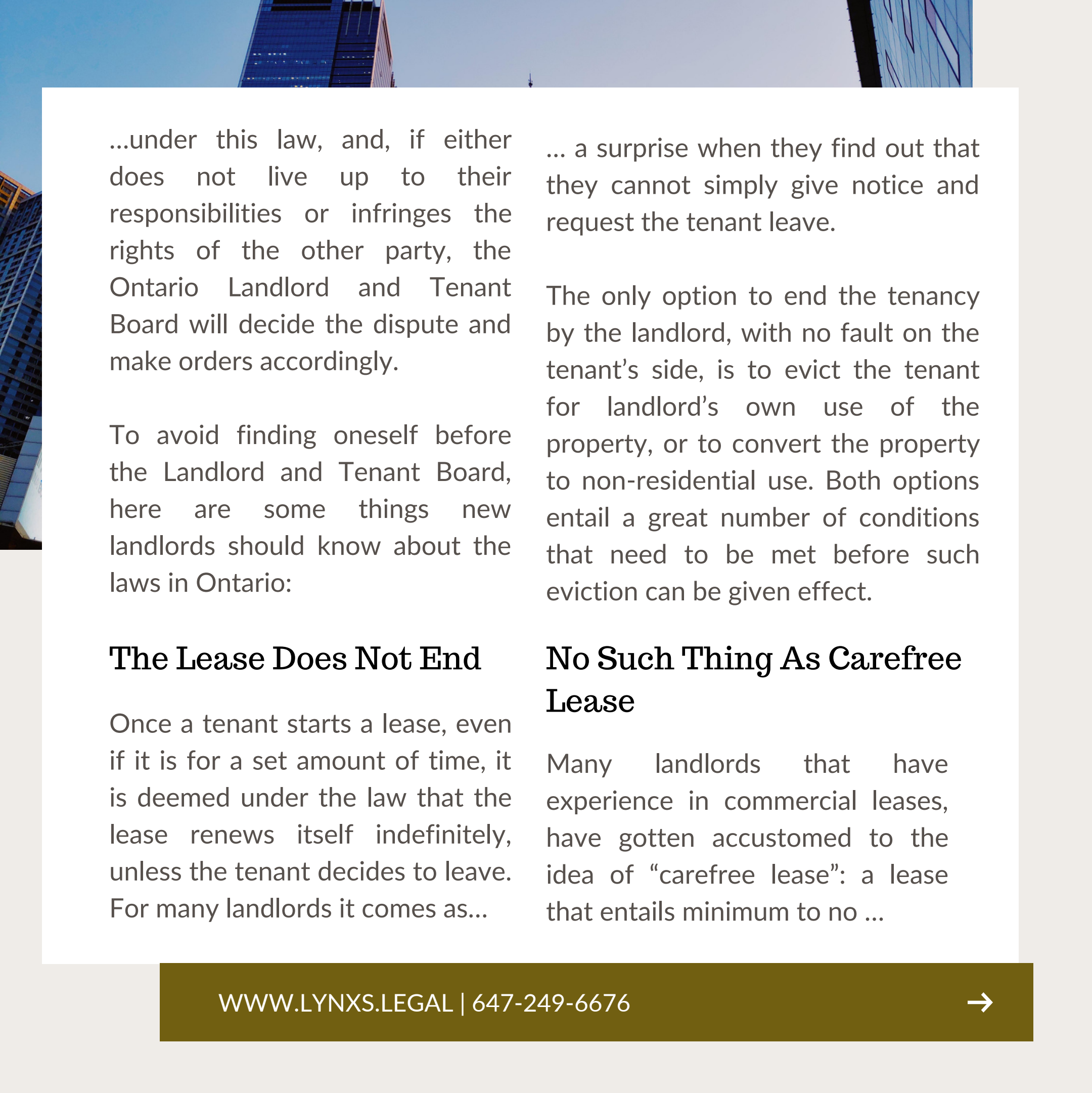


# Quick Tips For New Landlords In Ontario.

18 March 2022

**B**ecoming a landlord in Ontario comes with certain responsibilities. The Ontario legislation that governs residential tenancies, is called Residential Tenancies Act. This piece of legislation is in place to regulate the relationships of the Ontario landlords and tenants to the last detail. Both, the landlords and the tenants, are assigned rights and responsibilities ...



...under this law, and, if either does not live up to their responsibilities or infringes the rights of the other party, the Ontario Landlord and Tenant Board will decide the dispute and make orders accordingly.

To avoid finding oneself before the Landlord and Tenant Board, here are some things new landlords should know about the laws in Ontario:

## **The Lease Does Not End**

Once a tenant starts a lease, even if it is for a set amount of time, it is deemed under the law that the lease renews itself indefinitely, unless the tenant decides to leave. For many landlords it comes as...

... a surprise when they find out that they cannot simply give notice and request the tenant leave.

The only option to end the tenancy by the landlord, with no fault on the tenant's side, is to evict the tenant for landlord's own use of the property, or to convert the property to non-residential use. Both options entail a great number of conditions that need to be met before such eviction can be given effect.

## **No Such Thing As Carefree Lease**

Many landlords that have experience in commercial leases, have gotten accustomed to the idea of "carefree lease": a lease that entails minimum to no ...



...participation by the landlord.

In Ontario residential lease, landlords are responsible for all the maintenance relating to the rented premises, including but not limited to :

1. Snow removal
2. Lawn care
3. Repairs (almost any)
4. Maintenance of appliances
5. Pests
6. Mould removal

...and many more.

Now some landlords may think, “What if we signed an agreement that the tenant is responsible for these?”. The answer is not simple; some of the maintenance obligations can be deferred to a tenant through an agreement, however, this can only be done ...

...through a very thoroughly drafted lease agreement, and even after that my still not be upheld by the Landlord and Tenant Board.

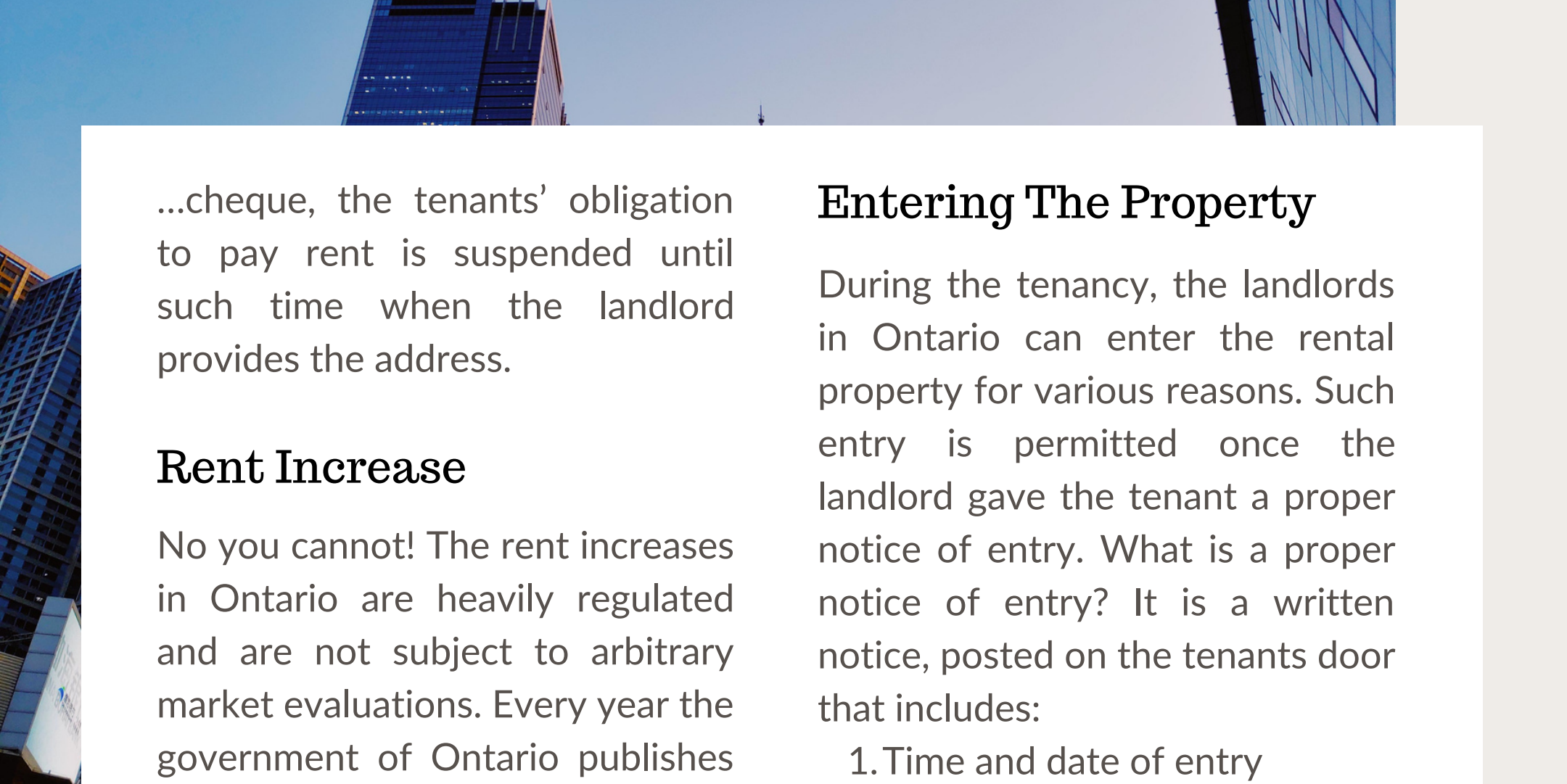
## **Lease Agreements Must Be In Writing**

Starting 2020 all the residential lease agreements in Ontario must be in writing and must follow a prescribed form. This form can be found on Ontario Government websites.

If the agreement is not in writing or in a prescribed form, the tenant has the right to withhold one month's rent until the landlord provides one.

It is also worthy noting that if the landlords fail to provide an address where a tenant can send the rent...





...cheque, the tenants' obligation to pay rent is suspended until such time when the landlord provides the address.

## Rent Increase

No you cannot! The rent increases in Ontario are heavily regulated and are not subject to arbitrary market evaluations. Every year the government of Ontario publishes a guideline of rent increase: this is a percentage of rent increase that is deemed legal. The landlords cannot increase the rent more than by the guideline, with exception of some very particular circumstances. Such circumstances involve capital expenditure repairs and mutual agreements between the landlords and the tenants to increase the rent.

## Entering The Property

During the tenancy, the landlords in Ontario can enter the rental property for various reasons. Such entry is permitted once the landlord gave the tenant a proper notice of entry. What is a proper notice of entry? It is a written notice, posted on the tenants door that includes:

1. Time and date of entry
2. Purpose of entry (lawful)
3. Is given 24 hours prior to entry

Now keep in mind that too often entries may constitute harassment and interference with the tenant's enjoyment of the property.

As you can see, being a landlord is not simple and carefree. ALWAYS consult legal professionals before you become a landlord.