

# RESISTING RENOVICTION

KNOW YOUR TENANT RIGHTS!



**Hamilton  
ACORN**

# WHAT IS ACORN?



- Tenant Union
- Fight for the people by going beyond offering legal advice that may or may not work
- Bring tenants together so we can stand up to large developers
- Run by members - the decisions on what we do are ours to make
- We fight for safe, livable, and affordable housing and to push our municipal leaders to put a stop to displacement and renovictions!

# WHAT ARE RENOVICTIONS?



- When developers buy older building with plans to get new tenants in so they can maximize profits
- The key is getting us OUT of the buildings, so they can jack up rents

The city calls it “redevelopment” ....

To tenants, it's gentrification and displacement.

## Gentrification

- the process of renovating and improving a house or district so that it conforms to middle-class taste.

## Displacement

- the enforced departure of people from their homes and neighborhoods



# Tactics Developers Use to Displace Tenants



## 1. Eviction Notice

- Developer notifies tenants that they have to move out by a certain date so they can renovate
- Not a legal order to vacate, but comes across as one to most tenants.

## 2. Stopping Repairs

- Developer stops doing repairs, and starts making life difficult for existing tenants
- Intimidation and harassment is common

# Tactics Developers Use to Displace Tenants

## 3. Offering of Cash

- Developer offers cash in exchange for tenants to sign to voluntarily terminate their lease and right to the apartment
- Offer posed as “take it now or you may lose out”

## 4. Issuing N13 or N12

- **N13**: Landlord wants to demolish the rental unit, repair it, or convert it to another use
- **N12**: Landlord wants unit for personal use (less common for renoviction, but still happens)

# YOUR RIGHTS AS A TENANT



1. Right to say NO - I don't want to move.
2. Right to 3 months rent + right to return to our units at same rent.
3. Right to force developers to prove to at LTB that they need to you to move out in order to do repairs.

# Process for LEGAL Renoviction:

## N13:

- Must be given 120 days before eviction date
- Tenant does not have to move out if they disagree with what the landlord has put in the N13 - do not sign anything!
- Tenants who receive N13s are entitled to compensation from the landlord in most circumstances: either **1 or 3 months rent** (depending on reason listed on form) by termination date OR **offer tenant another acceptable rental unit**

Notice to End your Tenancy  
Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use  
**N13**  
(Disponible en français)

To: (Tenant's name) include all tenant names	From: (Landlord's name)
Address of the Rental Unit:	

**This is a legal notice that could lead to you being evicted from your home.**

The following information is from your landlord

I am giving you this notice because I want to end your tenancy. I want you to move out of your rental unit by the following termination date:  /  /   
dd/mm/yyyy

**My Reason for Ending your Tenancy**  
I have shaded the circle next to my reason for ending your tenancy.

Reason 1: I intend to demolish the rental unit or the residential complex.

Reason 2: I require the rental unit to be vacant in order to do repairs or renovations so extensive that I am required to get a building permit and the rental unit must be vacant to do the work.

Note: You have the right to move back into the rental unit once I have completed the repairs or renovations. If you want to move back in once the work is done, you must give me written notice telling me you want to move back in. Also, you must keep me informed in writing any time your address changes.

Reason 3: I intend to convert the rental unit or the residential complex to a non-residential use.

**Details About the Work I Plan to do**  
I have described below the work I plan to do for the reason shown above, including specific details about how I will carry out the work.

Work planned	Details of the Work

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# Process for LEGAL Renoviction:

## 2. Tenants can challenge the case at LTB if:

- You do not believe your landlord is really going to do the work they claim.
- The work can be done without you moving out.
- Your landlord won't be able to get a building permit.
- The work your landlord wants to do does not require a building permit.

\*Fines for illegal evictions have been raised to \$50,000 (previously \$25,000) for an individual landlord and \$250,000 (previously \$100,000) for a corporation



# Process for LEGAL Renoviction:

**3. Tenants are allowed to formally request to move back into the suite at the same price as before.**

- If the tenant wants to move back in once the work is done, the tenant must give the landlord written notice that they want to move back in.



# Process for LEGAL Renoviction:

Your landlord needs to have a building permit.



## What requires a building permit?

- erect, install, extend, alter or repair a building
- demolish all or part of a building
- perform construction or alterations that result in a material change to a building or an accessory structure

# How to check if your landlord has a building permit:

- You can search the status of building permits on the City of Hamilton website:

<https://eplans.hamilton.ca/EPlansPortal/sfjsp?interviewID=Welcome>



## Public Search

Search for the following type of application: \*

Building Permits

Search by:

Property  Application number

Address Information

Enter the address of the property \*

SEARCH

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# How ACORN Can Help Tenants Fight Renoviction:



1. Fill out paperwork to challenge eviction at Landlord Tenant Board
2. Help you gather evidence.
3. Provide coaching for the landlord tenant board case
4. Public shaming / challenge why City is giving permit to renovictor
5. Public Shaming Campaign Against Landlord.
6. Get tenants together in the building to have a collective campaign

# What laws allow this to happen?

## **Municipal:**

- 1) Municipal Redevelopment Grants
- 2) City approves building permits for developers that are evicting tenants for renovations
- 3) Weak bylaw enforcement



# We need REAL Rent Control!



## Provincial

- Right now rents are attached to the *lease* and not the *unit*...
- Gives landlord incentives to get long term tenants out so they can jack up the rent as soon as the unit is vacant

ACORN is demanding  
**Vacancy Control!**



Thank you!

QUESTIONS?

Then we will  
proceed with our  
Chapter Meeting.



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