

T6

Tenant Application about Maintenance

THIS GUIDEBOOK IS MADE POSSIBLE IN
PARTNERSHIP WITH:



SPRC
SOCIAL PLANNING
& RESEARCH COUNCIL
OF HAMILTON



FUNDED BY:



Legal Lens

Legal Information

Legal information is exactly that – *information* on what the law says about a particular *law* or group of laws. Legal information can tell you the general layout of the law in a particular topic area, and offer an overview of what rights and responsibilities you have.

Legal information can be useful in identifying legal issues. It can also help navigate you to appropriate legal support, and point you in the direction of legal advice. This Guidebook is an example of legal information.

Legal Advice

Legal advice is given by a legal professional – a lawyer, a paralegal and at times, a community legal worker. Because of specialized and specific training in the field of law, a legal professional can offer insight into how a specific law or group of laws might apply to a specific person's situation.

Legal advice considers not only what the law says, but how it might be interpreted depending on a specific person's circumstances. This is why it is important to understand the important role of legal advice, and know when you might be in a situation that requires legal advice.

Guide to the RTA

RTA Provisions

Landlord Responsibility to Repair:

s.20 (1) A landlord is responsible for providing and maintaining a residential complex, including the rental units in it, in a good state of repair and fit for habitation and for complying with health, safety, housing and maintenance standards.

s. 20 (1).Subsection (1) applies even if the tenant was aware of a state of non-repair or a contravention of a standard before entering into the tenancy agreement.

Landlord Not to Interfere with the Reasonable Enjoyment of the Space:

s. 22 A landlord shall not at any time during a tenant's occupancy of a rental unit and before the day on which an order evicting the tenant is executed substantially interfere with the reasonable enjoyment of the rental unit or the residential complex in which it is located for all usual purposes by a tenant or members of his or her household.

Landlord not to Harass:

s. 23 A landlord shall not harass, obstruct, coerce, threaten or interfere with a tenant.

Offences Under the RTA

Offences Requiring Knowledge

233: A person is guilty of an offence if the person knowingly:

- (a) withholds the reasonable supply of a vital service, care service or food or interferes with the supply in contravention of section 21
- (b) alters or causes to be altered the locking system on any door giving entry to a rental unit or the residential complex in a manner that contravenes section 24 or 35

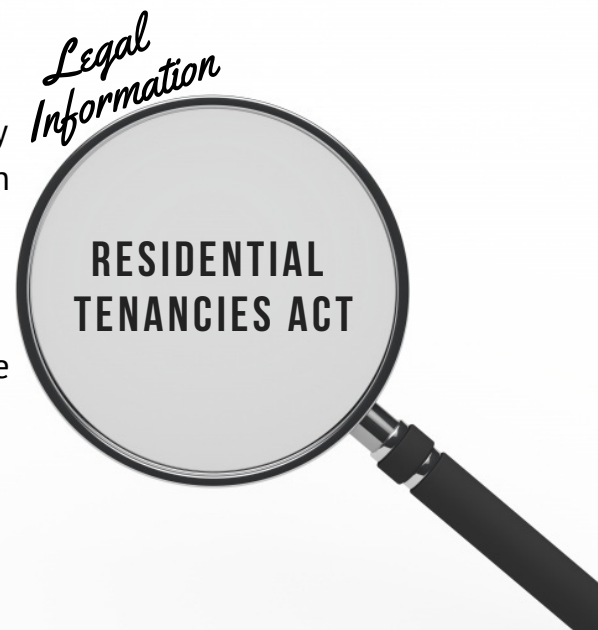
Other Offences

234: A person is guilty of an offence if the person:

- (a) enters a rental unit where such entry is not permitted by section 26, 27 or 142 or enters without first complying with the requirements of section 26, 27 or 142

Harassment, Interference with Reasonable Enjoyment

235 (1): Any landlord or superintendent, agent or employee of the landlord who knowingly harasses a tenant or interferes with a tenant's reasonable enjoyment of a rental unit or the residential complex in which it is located is guilty of an offence



Guide to the LTB

Applications to the Board

Both Landlords and Tenants communicate their concerns about the nature of living condition by way of application to the Landlord Tenant Board (LTB).

Two of the most common types of tenant applications are T2s and T6s.

A T2 is an application about tenant rights which includes violations to reasonable enjoyment clauses, harassment, changes to locks, illegal entrances by landlord and others, and vital service disruption.

A T6 is an application a tenant makes about repairs and maintenance.

Tenants can chose to file multiple applications against their landlord, if they have concerns in both areas covered by a T2 and T6. Tenants may also choose to file one application at a time.

Tenants can also choose to apply together, in order to combine applications with similar concerns under one document. There are specific gains and drawbacks to groups filing one application.

Before you file an application it is best to seek legal support. The Hamilton Community Legal Clinic offers support in form filing, and can schedule a meeting with you to help complete applications.

Board Power & Procedure

In order to file an application you must complete all questions included in the document and provide a payment authorization for the cost of filing the application.

The LTB will **NOT** contact you to schedule a hearing. If there are specific days you are unable to make, should a hearing be scheduled for those dates, there is space on the form to indicate such dates.

The LTB will communicate a date and a time for a hearing by way of letter.

Prior to your hearing be sure to contact either:

1. **The Hamilton Community Legal Clinic OR**
2. **Tenant Duty Counsel, through the Advocacy Centre for Tenants Ontario**

A legal professional can help you prepare for your hearing and answer any questions you may have.



T6

Application Guide: Step-by-Step

THIS GUIDEBOOK IS MADE POSSIBLE IN
PARTNERSHIP WITH:



SPRC
SOCIAL PLANNING
& RESEARCH COUNCIL
OF HAMILTON



FUNDED BY:



T6 Guidebook

Part 1: General Information

1 Address of the Rental Unit Covered by This Application

Street Number	Street Name	
<input type="text"/>	<input type="text"/>	
Street Type (e.g. Street, Avenue, Road)	Direction (e.g. East)	Unit/Apt./Suite
<input type="text"/>	<input type="text"/>	<input type="text"/>
Municipality (City, Town, etc.)	Prov.	Postal Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

This is the address where the concern(s) you are applying for **took place**.

You may either:

- 1) Still live in the exact location (building address AND rental unit number),
- 2) No longer live in the exact location (either you've completely moved out, or, you've changed units)

2 Tenant Names and Address

Tenant 1: First Name (If there are more than 2 tenants, complete a *Schedule of Parties* form and file it with this application.)

Tenant 1: Last Name

Tenant 2: First Name

Tenant 2: Last Name

Mailing Address (if it is different from the address of the rental unit)

Unit/Apt./Suite

Municipality (City, Town, etc.)

Prov.

Postal Code

Day Phone Number

Evening Phone Number

Fax Number

E-mail Address

Enter the name of the tenant who is applying to the Board, and include their current address, cell phone number/home phone number, and email address. Only include a fax line if you have one, otherwise, leave it blank.

If there are more than TWO tenants applying under this application, you must include a *Schedule of Parties for Multi-Tenant Application* form for as many tenants as required. Instructions for filling out a *Schedule of Parties for Multi-Tenant Applications* form can be found on page ____.

Note: do not confuse a Schedule of Parties form with a Schedule of Parties for a Multi-Tenant Applications form.

T6 Guidebook

Part 1: General Information

3

Landlord's Name and Address

First Name (If there is more than 1 landlord, complete a *Schedule of Parties* form and file it with this application.)

Last Name

Company Name (if applicable)

Street Address

Unit/Apt./Suite

Municipality (City, Town, etc.)

Prov.

Postal Code

Day Phone Number

Evening Phone Number

Fax Number

E-mail Address

Enter the name of the Landlord, their **mailing address**, business phone number and email address. If you cannot find this information easily, look at:

1. Your rental agreement - it should contain your landlord's full name, address and contact info
2. Any rental receipt or letter sent by the landlord/property management company

4

Questions about Your Tenancy

When did you move into the rental unit you are applying about?

dd/mm/yyyy

Do you still live in the rental unit? Shade the circle completely next to your answer.

Yes

No

► When did you move out?

dd/mm/yyyy

Enter in the date you moved into the rental - dd/mm/yyyy

If you still live there - shade yes

1. If you cannot find this information easily, you can find the day you moved in on your lease agreement
2. Ask your landlord for a copy of it, if you've misplaced it

If you have moved out, indicate the day you **moved out** in dd/mm/yyyy

T6 Guidebook

Part 1: General Information

5 Related Applications

If you or your landlord filed other applications that relate to this rental unit and those applications have not been resolved, list their file numbers below.

File Number 1

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

File Number 2

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Only complete this information if:

1. You have filed a different and previous application to the LTB which relates to a similar concern(s) as this application.
2. Your landlord has filed a different and previous application to the LTB which relates to a similar concern(s) as this application.

Look for this information in communication with the LTB about the status of the previous application.

T6 Guidebook

Part 2: Reasons for Filing This Application

6 I am applying to the Board because the landlord has not repaired or maintained the rental unit or the residential complex, or has not complied with health, safety, housing or maintenance standards.

Explaining your Reason

In the box below, describe the maintenance problems that led you to apply to the Board.

- What is the problem? If there is more than one problem, list each problem.
- Give the date each problem started.
- Has the problem been repaired? If so, give the date it was repaired and explain who repaired it.
- Explain who or what may have caused the problem.
- How did you inform the landlord about the problem?

Describe in Detail:

When completing this section of the application, you want to include:

1. Complete list of all repairs/maintenance concerns
2. For each problem, list an approximate date it started
3. Include for each problem communications with your landlord about the problem
4. Explain what might have caused the problem:
 - a. Ongoing disrepair/lack of general maintenance/old appliances etc
 - b. The problem started small but the landlord didn't do anything to repair it
 - c. Damage to internal/external property because of weather, action of the landlord/a landlord's agent etc

This is the section where you want to include evidence:

1. An organized table as shown on the next page
2. Photos of the disrepair, organized based on issue and worsening condition (if you have several photos)
3. Any copies of letters or emails you exchanged with your landlord about the issue(s)

Do not include information which is not specific to the repairs & maintenance issue, unless you believe it is related to the repairs & maintenance issue.

Sample Timeline - Disrepair

Part 2: Reasons for Filing This Application

Here is a sample of what to include in this section. Some things to remember:

1. Emphasis timelines
2. Establish a CLEAR relationship between your specific concern, a clear way you informed your landlord about your issue, and that their lack of action has lead to: a worsening of the condition, placed a burden on your reasonable enjoyment of your unit/residential complex, or continues to impact your health and safety or the health and safety of others.
3. Include information about the specific people who you communicated your concerns to including dates, times and nature of the communication with:
 - a. Your landlord
 - b. City By-Law officer
 - c. Public Health officer

<p>Amenity of Concern</p> <p>(Insert name of amenity and its location)</p>	<p>My _(name of amenity)_ located in my _(rental unit/residential complex), is in disrepair and has not been properly maintained by the landlord in accordance with their responsibilities per my rental agreement and the Residential Tenancies Act.</p>	<p>Additional Amenity as required</p>	<p>Additional Amenity as required</p>
<p>Nature of the Repair Concern & Date of Initial Concern</p> <p>(What is the problem and when did it start? If the problem has worsened, include approximate dates & condition)</p>	<p>My concerns with the _(insert name of amenity) _ began on _(insert approximate date when the issue started)_. My concerns with _(insert amenity) _ include: Optional: Due to a lack of attention by the landlord, the nature of the concerns have worsened. As a result of this, the following is a list of current concerns I have about the __(insert amenity name)_:</p>		
<p>Photos of the Repair Concern</p>	<p>I have attached a photograph of the amenity and its condition:</p>		
<p>Date of Initial Contact</p> <p>(When was the first time you contacted your landlord?)</p>	<p>Per the concerns about the condition of the amenity, I informed my landlord about For dated copies of the (letter/email), please see the attached page(s).</p>		

Sample Timeline - Disrepair

Part 2: Reasons for Filing This Application

In addition to the information you include above, you may wish to include a summary of the information discussed. The following is an example of a potential structure to the way you present the information.

Timelines	<p>Here is a complete timeline of events, related to my concerns about the state of repair & maintenance for the _ (insert name of amenity) _:</p> <p>On (insert date), I became aware of disrepair affecting the _(name of amenity)_. My concerns about the nature of the disrepair included: _ (list your concerns) _.</p> <p>As a result of this concern, I communicated with the landlord informing them of the nature of the disrepair, the location of the amenity, and a specific timeline which I believed to be sufficient in order to appropriately address the nature of the disrepair, so as to prevent the worsening of the condition of the amenity, and any potential health and safety risks which would accompany the disrepair.</p> <p>The initial communication with my landlord occurred on _ (insert date: dd/mm/yyyy) _ by way of (letter/email/phone call/text message).</p> <ul style="list-style-type: none"> • Option 1: The landlord's response occurred on _ (insert date: dd/mm/yyyy) _. The nature of the landlord's response included the following: _ (insert what your landlord said) _ • Option 2: The landlord did not respond to my initial communication. <p>Due to the nature of the disrepair and a lack of appropriate and timely action by the landlord, the conditions of the amenity have since worsened. The following is a compilation of the dates and details about the observed condition of the amenity:</p> <ul style="list-style-type: none"> • Insert photo evidence with clearly marked dates and details • Insert any testimony about other tenants who have witnessed the disrepair and its condition <p>The nature of the disrepair has led to a significant concern for my health and/or safety. The lack of appropriate response by the landlord to resolve the disrepair concern has led to the following impacts on my enjoyment of the unit/residential complex:</p> <ul style="list-style-type: none"> • You may include any information about the ways in which this disrepair has either made living in your unit/residential complex unfairly difficult, or harmful • You may choose to attach a doctor's note
-----------	---

A Note on Additional Pages:

- If you are submitting additional pages, be sure to number them
- If you are submitting copies of letters or photos, be sure to number them and specifically indicate the numbered page in the section where you discuss it (i.e you may find a copy of the initial letter of communication on page 2 of the attached documents for this section).

T6 Guidebook

Part 3: Remedies

The third part of the T6 application includes selecting remedies. There are some specific things to consider when deciding on remedies for yourself:

1. You may choose more than one remedy, but be intentional with your selection.
2. If you do not select a remedy - it will not be considered or ordered
3. Some remedies might require you to specify why you have chosen the remedy and attach additional information to substantiate your decision (i.e if you are seeking reimbursement for having done a repair yourself by hiring someone else, you will need to attach a receipt)

The following is an explanation of each remedy. Indicate as you go through and make a list of attached documents.

7 **Remedy 1:** The landlord must pay me a rent abatement of \$

My current rent is \$

I am required to pay rent by the month week other (specify) _____

Please explain: How did you calculate the rent abatement?

Rent abatement is a retroactive reduction in rent. For T6 applications, the rent abatement normally lasts for as long as the issues have been going on; unless the issue was a one time concern. A rent abatement can last for a maximum of one year. If the problem has not been resolved at the time of the hearing, the LTB may order an abatement of rent covering the period up to and including the month of the hearing, and may also consider ordering an ongoing rent abatement until the problem has been resolved.

8 **Remedy 2:** The landlord must pay me for the costs to repair or replace my property that was damaged, destroyed or disposed of because the landlord did not repair or maintain the rental unit or the residential complex.

The total costs are \$

Please explain: How was your property damaged, destroyed or disposed of? List each item and the cost to repair or replace it.

This remedy can be used to reimburse you for expenses as a result of the disrepair being left unattended or incomplete. An example can include, in the event your landlord does not address a bed bug issue for a long period of time, you've needed to have more property in your home replaced several times. You must attach all receipts that correspond with your claim

T6 Guidebook

Part 3: Remedies

- 9** **Remedy 3:** I had or will have out-of-pocket expenses because the landlord did not repair or maintain the rental unit or the residential complex. The landlord must pay me for these expenses.

These expenses total

\$

Please explain: How did you calculate the expenses?

This remedy can be used to reimburse you for expenses as a result of the disrepair, which has led to you needing to pay for additional services such as a storage locker, small appliance and/or any other expense of that nature.

- 10** **Remedy 4:** I did repairs, replacements or other work because the landlord did not repair or maintain the rental unit or the residential complex. I want the Board to authorize the work I did and to order the landlord to pay me for my costs.

The total costs are

\$

Please explain: What work did you do? How did you calculate the costs?

This remedy can be used to reimburse you for work you have already paid to have someone else do to repair your issue. Include a total amount, and any receipts you have.

- 11** **Remedy 5:** I want the Board to allow me to do the repairs, replacement or other work that is necessary and to order the landlord to pay me for my costs.

Please explain: What work do you plan to do? How much will it cost? How did you calculate how much it will cost? Be specific.

Unlike the previous remedy, this remedy can be used to have the Board allow you to do repairs and maintenance work and have the landlord pay you. If you have selected this option, be sure to include a copy of any projected costs a licensed worker has estimated, and include 2-3 different estimates from different companies.

- 12** **Remedy 6:** I want the Board to order the landlord to do the repairs, replacement or other work that is necessary.

Please explain: What work must the landlord do? Be specific.

If you would like your landlord to fix the issue(s) you've raised in this application, state the specific work you would like your landlord to do. For example - if your refrigerator is not working, you may ask your landlord to fix or replace your refrigerator.

T6 Guidebook

Part 3: Remedies

- 13** **Remedy 7:** I want the Board to order that the landlord cannot increase the rent for this rental unit until the landlord completes the work necessary to fix any serious maintenance problems that the landlord has been ordered to do or will be ordered to do.

This remedy can prevent your landlord from increasing your rent according to the guideline until the work is complete.

- 14** **Remedy 8:** I want the Board to end my tenancy on

		/			/				
--	--	---	--	--	---	--	--	--	--

dd/mm/yyyy

Choose this remedy if you would like the Board to end your tenancy.

- 15** **Remedy 9:** I want the Board to order other remedies. I have described those remedies below.

Please explain: What else do you want the Board to order?

Only use this remedy if you have specific things you would like your landlord to do, that are not covered in other remedies. An example might include pain and suffering as a result of the disrepair or condition of the unit and/or residential complex.

A final note on remedies

Remedies are an important part of the application, so it is best to think about what you believe would be a feasible and important outcome out of this application. Select remedies you believe you have sufficient evidence and grounds to request.

However, the Board has the ultimate authority to decide if the remedies you are seeking will be applied. The Board reserves the right to not include any of the recommended remedies you have applied under, and/or not make any orders to your landlord.

T6 Guidebook

Part 4: Signature

16 Tenant/Representative's Signature

		/			/				
--	--	---	--	--	---	--	--	--	--

dd/mm/yyyy

Who has signed the application? Shade the circle completely next to your answer.

- Tenant 1
 Tenant 2
 Legal Representative

Be sure to sign and date the application - any applications which do not have this portion completed would be considered incomplete and would be returned.

If two tenants have applied under this application, have only one sign and date the application and indicate which tenant has done this. Tenant 1 and Tenant 2 correspond with the same names and contact information as they did in Part 1.

If you have retained a Legal Representative, they must fill out the section below this, which includes their contact information.

Additional Forms

THIS GUIDEBOOK IS MADE POSSIBLE IN
PARTNERSHIP WITH:



FUNDED BY:



Schedule of Parties

There is space for three (3) additional parties to be named per form. Make additional copies of the form as required.



Tribunals Ontario
Landlord and Tenant Board

Schedule of Parties
(Disponible en français)

Print or type in uppercase.

Party's Name and Address

- Tenant
- Co-op Member
- Landlord
- Co-op
- Subtenant
- Superintendent
- Landlord's Agent

First Name

Last Name

Street Address

Unit/Apt./Suite

Municipality (City, Town, etc.)

Prov.

Postal Code

Day Phone Number

Evening Phone Number

Fax Number

Located at the bottom of the form, is a place to indicate the number of total pages, and the page number of each additional page - fill this in accordingly if you require additional copies of this form because of the number of parties who are respondents.

Under section 185 of the *Residential Tenancies Act, 2006*, the Landlord and Tenant Board has the right to collect the personal information requested on this form. We use the information to resolve your application. After you file the form, your information may also be available to the public. If you have questions about how the Board uses your personal information, contact one of our Customer Service Officers at **416-645-8080** or **1-888-332-3234 (toll free)**.

OFFICE USE ONLY

File Number

Page __ of __

Schedule of Parties for Multi-Tenant Applications

There is space for two (2) additional parties (tenants) to be named per form. Make additional copies of the form as required.



Tribunals Ontario
Landlord and Tenant Board

Schedule of Parties for Multi-Tenant Applications
(Disponible en français)

Print or type in uppercase.

Party's Name and Address

- Tenant
- Landlord
- Subtenant
- Superintendent
- Landlord's Agent

First Name [Grid]

Last Name [Grid]

Street Address [Grid]

Unit/Apt./Suite [Grid]	Municipality (City, Town, etc.) [Grid]	Prov. [Grid]	Postal Code [Grid]
------------------------	--	--------------	--------------------

Day Phone Number ([Grid]) [Grid] - [Grid]	Evening Phone Number ([Grid]) [Grid] - [Grid]	Fax Number ([Grid]) [Grid] - [Grid]
---	---	---------------------------------------

Important: If you are a tenant, then you must also sign this part of the form.

Signature:	<input type="radio"/> Tenant	<input type="radio"/> Representative	Date
[Signature Line]			[/ / Grid] dd/mm/yyyy

If you are a representative signing on behalf of a tenant, then you should attach a sheet to this form which includes your name, mailing address, phone number, fax number and e-mail address.

<input type="radio"/> Tenant	<input type="radio"/> Landlord	<input type="radio"/> Subtenant	<input type="radio"/> Superintendent	<input type="radio"/> Landlord's Agent
First Name [Grid]				

For every tenant applying under the same multi-tenant application, be sure to clearly indicate their name, full address, and phone number. It is necessary that **each applicant (tenant) sign their name indicated in the signature portion, and date the application.** If a representative, such as a licensed provider of services

Located at the bottom of the form, is a place to indicate the number of total pages, and the page number of each additional page - fill this in accordingly if you require additional copies of this form because of the number of parties who are respondents.

Under section 185 of the Residential Tenancies Act, 2006, the Landlord and Tenant Board has the right to collect the personal information requested on this form. We use the information to resolve your application. After you file the form, your information may also be available to the public. If you have questions about how the Board uses your personal information, contact one of our Customer Service Officers at 416-645-8080 or 1-888-332-3234 (toll free).

OFFICE USE ONLY	File Number
	[Grid]

[Empty Box]

Page __ of __

Request for Accommodations

The form to request accommodations at the LTB can be found at the end of every application form, just before the payment section.



Tribunals Ontario
Landlord and Tenant Board

**Request for French-Language Services
or Request for Accommodation**
(Disponible en français)

Use this form to ask the Landlord and Tenant Board (LTB) to provide French-language services or to let the LTB know you need accommodation under the Ontario *Human Rights Code*.

Part 1: Request for French-Language Services

- Check this box if you want the dispute resolution process (e.g. case conferences and hearings) to be conducted in French.

Part 2: Request for Accommodation under the Ontario *Human Rights Code*

- Check this box if you need accommodation under the Ontario *Human Rights Code* to participate in the dispute resolution process. The LTB will provide accommodation for *Code* related needs to help you throughout the application and hearing process in accordance with the Social Justice Tribunals policy on accessibility and accommodation. You can get a copy of the policy at sjto.ca.

Please explain: What accommodation do you need?

Per section 1 of the *Ontario Human Rights Code*, there is a legal duty placed on the Landlord Tenant Board to accommodate the needs of all persons who use Board services. Section 1 of the *Code* defines applicable code grounds, which includes disability. Per section 10, subsection 1, the definition of disability includes both physical and mental conditions/disorders.

In the RTA's provisions about Board proceedings, section 183 states:

- The Board shall adopt the most expeditious method of determining the questions arising in a proceeding that provides all persons directly affected an adequate opportunity to know the issues and be heard on the matter

Thus, part of the Board's requirements per the *Code* and their own procedure, include the provision of accommodations to those protected under code grounds, so that they may participate within the proceedings of the Board fully.

Under the LTB's Interpretation Guideline 17 - Human Rights, the Board recognizes several instances where accommodations might be required, and outlines information about how the Board is to deal with such requirements. The Board is required to consider accommodations when they are submitted in writing with the application, and on the day of the hearing (including during the hearing).

Request for Accommodations

1. Accommodations Requested in Writing by Tenants/Parties

Include a written request for accommodation as part of your application, if you know ahead of time that you will require certain accommodations. **When providing written request, you do not need to disclose your disability explicitly (i.e there is no requirement to disclose or name a diagnosis), but be sure to include a list of accommodations which would allow your participation.**

Examples of accommodations the Board has previously provided:

- assistance in bringing physical evidence to a Member of the Board because of a physical disability
- assisted those with a speech or hearing impairment by requiring all parties to speak slowly and loudly, or have the chairs in the hearing room positioned to enable lip reading
- allowed the use of a supportive devices for those with visual impairment
- allowed consumption of food or drink during the Hearing for those with diabetes
- when required allowed for multiple breaks during the hearing, longer hearing, and/or additional time to present evidence
- allowed personal supports (such as a social worker or family member) to sit with parties
- allowed for tenants specifically to consult with on-site Tenant Duty Counsel where available before proceeding to a hearing

The Board reserves the right to request medical documentation to substantiate an accommodation request - be prepared to submit a letter from your doctor, and communicate ahead of time with them to see if they can prepare a letter specifically for your accommodation request.

2. Accommodation Request on the Day of Hearing

On the day of the hearing you are able to request accommodations. **Be sure to request accommodations ahead of time if possible, in writing when you submit your application.**

On the day of the hearing, if you require accommodations, you have the opportunity to approach the **member** of the Board to make your request known. The **member is called an adjudicator**, they are the designated person who will be in charge of your hearing, and will listen to your case. You also have the opportunity to request time to speak with Tenant - Duty Counsel during the proceeding for accommodation related concerns.

Fee Waiver

Eligible tenants can apply to have their application fee waived at the LTB at the time of submission.

Both the RTA and LTB's Board rules include provisions for fee waivers.

Tenants are eligible for fee waivers if they fall under one of the following two categories:

1. Their primary source of household income is from one of the following income support programs or a combination of these programs:
 - a. Ontario Works
 - b. Ontario Disability Support Program
 - c. Old Age Security Pension with the Guaranteed Income Supplement
 - d. War Veteran's Allowance
 - e. Canada Pension Plan
2. If gross monthly income is less than the amount indicated on the chart. The household size includes dependent children and spouse if applicable.

Number of People in Household	Gross Monthly Household Income
1	Less than \$1,650
2	Less than \$2,475
3	Less than \$2,840
4	Less than \$3,390
5 or more	Less than \$3,940

How Fee Waivers Work

- Attach a completed fee waiver to the FRONT your application and submitted it by mail/fax or in person at the LTB or Service Ontario site.
- The Board has the right to request proper documentation to substantiate your eligibility under either of the two categories above - you must be able to produce documentation on their request
 - You do not need to include this information at the time of filing.
- You may choose to include payment information as part of your application in the event your fee waiver is denied to allow for quick processing
- If your fee waiver is denied and you haven't provided payment information, you have three business days from the day the Board communicates your denial to provide payment information. Three business days begin and include the day you recieved the denial.

Fee Waiver


The following is a guide to filing out the fee waiver request:



Tribunals Ontario
Landlord and Tenant Board

Fee Waiver Request
(Disponible en français)

1

If you want the Landlord and Tenant Board (LTB) to waive fees, you **MUST** complete this *Fee Waiver Request* and attach it to the **FRONT** of the application or request form(s) you want to file and/or the description of what you want the LTB to provide. 

Part 1: General Information

First Name:	Last Name:	
Mailing Address:		Daytime Phone Number:
Email Address:		

Complete all information and ensure it matches with the information enclosed in your application

2

Part 2: Reason for Request

What is the primary source of your household income?

Select either Reason 1 or Reason 2. Then, provide the information requested under the reason you selected.

Note that your household means you, your spouse and dependent children. Your household income includes all of the income (before taxes and deductions) for all people living in your household.

- Reason 1 – Income Support:** Select this reason if the primary source of your household income is one or more of the income support programs listed below.

Check the box(es) next to your household's primary source of income.

- Ontario Works
- Ontario Disability Support Program (ODSP)
- Old Age Security Pension (OAS) together with Guaranteed Income Supplement
- War Veterans' Allowance
- Canada Pension Plan

Under Reason 1 - Income Support, you may indicate one or more of the support programs listed.

Note: you may only select reason 1 if the income support program is your primary source of income

Fee Waiver

The following is a guide to filing out the fee waiver request:

3

Reason 2 – Other: Select this reason if your gross monthly household income is less than the amount set out in the table below.

Select the appropriate circle to indicate the number of people in your household, including yourself:

1 2 3 4 5 or more

The combined gross monthly income from all sources (before taxes and deductions) for my household is:

\$

								.		
--	--	--	--	--	--	--	--	---	--	--

Refer to the table included earlier in this section for income eligibility cutoffs. Remember, household income is dependent on the number of members of your household - this includes dependents (children, or otherwise), and/or spouses. Be sure to include a total gross monthly income calculation.


4

Part 3: Declaration

Instructions: Do not sign your *Fee Waiver Request* until you are sure that you understand what you are declaring here.

To the best of my knowledge, the information in this *Fee Waiver Request* is complete and accurate.

I understand that it is an offence under s. 234 of the *Residential Tenancies Act, 2006* to file false or misleading information in my *Fee Waiver Request*.

 I understand that I may be required to provide financial documents to prove the information in the request if I am asked to do so by the LTB.

I understand that personal information contained on this form is collected under the authority of s. 181.1 of the *Residential Tenancies Act, 2006*. This information will be used to determine fee waiver eligibility. Any questions about this collection may be directed to a Customer Service Officer at **416-645-8080** or toll-free at **1-888-332-3234**.

Signature:	Date:
------------	-------

The LTB will provide you with a copy of your approved or denied *Fee Waiver Request* form to notify you of whether or not it has been approved. If the request is denied, the LTB will not process the attached request until payment is received.

Be sure to read through the declarations provisions and understand them before you sign and date. The LTB has the right to request documentation to prove the information you've indicated. When attending your hearing, be prepared to have this information on hand if requested. If the LTB contacts you about submitting additional information, be prepared to provide it.

If your fee waiver is denied and you have not provided payment information in the application, the application will not be processed until you have done so.

If your financial situation changes during your LTB application, you may submit a fee waiver request, but it will only apply to fees due from that moment forward. You will **not** get retroactive reimbursement.

Resources

THIS GUIDEBOOK IS MADE POSSIBLE IN
PARTNERSHIP WITH:



FUNDED BY:



Resources

LTB Website

The Landlord-Tenant Board website has information on rights and responsibilities for both landlords and tenants. It can be accessed at: <http://www.sjto.gov.on.ca/ltb/>

On the LTB website you can access information on:

1. Renter's rights
2. Brochures on specific topics
3. More information on how the LTB might consider a specific housing situation
4. Access to forms and applications that both landlords and tenants can use
5. Information about the hearing process
6. An easy to use FAQ section
7. Important information about changes to legislation

StepsToJustice.ca

StepsToJustice.ca is a component of Community Legal Education Ontario (CLEO), which offers legal information in an accessible format. The StepsToJustice.ca website allows for users to type a specific question they have, or description of an issue, and directs them to relevant legal information.

This website is accessible in both English & French and has a live chat option which can help guide the process of finding relevant information based on a topic or situation.

Resources

Hamilton Community Legal Clinic

The Hamilton Community Legal Clinic (HCLC) can offer legal advice in the area of Housing law.

The Hamilton Community Legal Clinic has an intake line, which can be reached at: 905-527-4572. The office is open Monday-Friday from 8:30 am -3:30 pm, with the exception of Wednesday when it is open from 8:30 am -12 pm.

Tenants may contact this line to be connected with a staff member who will make detailed notes about their situation and inquiry. If the conditions of the call have a component of immediacy, a person may be connected to legal advice immediately. Otherwise, a representative from the clinic will follow up with the necessary information within a 24-48 hour turn around time.

The Hamilton Community Legal Outreach Program takes place across various parts of the city. Staff lawyers from the Legal Clinic rotate between different sites during the month and are able to provide tenants with legal information and advice onsite. For a copy of the calendar please visit: <https://www.hamiltonjustice.ca/hlo>

Resources

Centre for Equality Rights in Accommodation

The Centre for Equality Rights in Accommodation is a not-for-profit charity that defends housing rights and human rights by educating individuals and communities, advancing progressive and inclusive housing law and policy, and providing legal information and services to marginalized Ontarians.

CERA provides legal information and assistance to Ontario renters on who face eviction and/or human rights issues in rental housing. There are no in person meetings or walk ins.

CERA assists renters who are:

- Facing human rights-based discrimination when attempting to access rental housing;
- Facing human rights-based harassment in their rental housing;
- Require accommodations around a human rights ground such as disability;
- Would like general information about the Ontario Human Rights Code or Tribunal
- Providing timely information about the eviction process at the Landlord and Tenant Board;
- Providing legal information about all stages of the eviction process;
- Connecting renters with resources to help them prevent an eviction and stabilize their housing.

Phone: 416-944-0087 | 1-800-263-1139

Email: cera@equalityrights.org |

Facebook: www.facebook.com/CERAOntario/Human Rights

Resources

Advocacy Centre for Tenants Ontario

The Advocacy Centre for Tenants Ontario (ACTO) works for the advancement of human rights and justice in housing for low-income Ontarians through legal advice & representation, law reform, community organizing, training and education.

The Advocacy Centre for Tenants Ontario (ACTO) is a specialty community legal clinic with a provincial mandate to advance and protect the interests of low-income tenants. They specialize in housing issues related to tenants in Ontario. ACTO is a non-partisan and non-governmental advocacy organization.

Client community includes a broad range of people living on low incomes who do not own their homes including residential tenants, members of non-profit housing co-operatives, homeless people and those who rent homes not subject to the Residential Tenancies Act.

ACTO also manages the Tenant Duty Counsel Program (TDCP) across Ontario.

On the ACTO website, tenants can find a wide variety of useful renting information, including detailed tip-sheets based on specific renting situations.

Tip-Sheets can be accessed at:

<https://www.acto.ca/for-tenants/tip-sheets/>