



A Woman's Guide to Rental Housing

Finding and Keeping Safe & Affordable
Rental Housing in Waterloo Region

Social Action and Advocacy Committee
of YWCA of Kitchener-Waterloo and
YWCA of Cambridge

Available on the internet
at YWCA of Cambridge website:
www.golden.net/~ywcaofcam

There are many barriers that make it hard for women to find and keep safe and affordable housing. However, there is hope.

- Don't panic. You don't have to do it by yourself and you are not alone.

- Ask for help. Resources are available. Some of the answers are in this guide. If you can't find them here try the **Community Information Centre of Waterloo Region** (579-3800) or **Information Cambridge** (740-3030).

- If you need help translating this pamphlet, check with the **K-W Multicultural Centre** or **YMCA of Kitchener-Waterloo Cross Cultural and Community Services**. In Cambridge call **YMCA of Cambridge Immigrant Services**. Some social service agencies also have multicultural support.

A Resource List of names, phone numbers and addresses (when appropriate) is included with this guide. Names printed in bold type in this document will be found in the Resource List. The list will be updated periodically.

An apartment hunting checklist is also included. You can tear it out of the guide and make copies of it to take with you on apartment hunting trips.

While all the information in this Guide has been obtained from authoritative sources and has been carefully verified to ensure its accuracy, the Social Action and Advocacy Committee cannot be held responsible for any errors, omissions or misinterpretation of the information provided.

The Social Action and Advocacy Committee is a committee organized by the YWCAs of Kitchener-Waterloo and Cambridge, and made up of community members and agencies from throughout the Region. The mandate of the Committee is to address inequities on behalf of women and children in a manner that is consistent with the YWCA mission, values and beliefs.

In 2001, the Social Action and Advocacy Committee conducted research into the housing needs of women in our communities, and generated a report titled *The Status of Housing for Women in Waterloo Region*. The report concluded that women have a particular need for, and face particular challenges in, finding and keeping housing that is safe and affordable. *A Woman's Guide to Rental Housing* was created to help women overcome some of those challenges.

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IF YOU ARE IN IMMEDIATE PHYSICAL DANGER, CALL 911

Emergency Shelter Situations

I need emergency shelter for my children and myself.
Where can we go? (All emergency shelter telephone calls are answered 24 hours a day.)

- ↔ For shelter from an abusive situation call Women's Crisis Services of Waterloo Region:
 - ⇒ Anselma House (Kitchener 742-5894)
 - ⇒ Haven House (Cambridge 653-2422)

- ↔ For women seeking temporary housing:
 - ⇒ YWCA Mary's Place (Kitchener 744-0120)
 - ⇒ Argus Residence (Cambridge 650-0452
 - for 16-24 year old women without children)

How long can I stay at a shelter?

- ↔ It depends on the shelter. Shelters are short term but don't be afraid to ask.

Do I have to pay anything to stay at a shelter?

- ↔ No, not in shelters for abused women.
- ↔ There may be a charge for YWCA Mary's Place and Argus Residence but many people qualify for assistance.

Special Needs Situations

I have a special need. Can someone help me find a good place to live?

- ↔ Yes. You may qualify for specialized housing services and support if you:
 - ⇒ Have mental health challenges
 - ⇒ Are a senior
 - ⇒ Are new to Canada
 - ⇒ Have physical disabilities or developmental challenges
 - ⇒ Are between the ages of 16 and 25 and/or facing an unplanned pregnancy

- ↔ See the Resource List included in this pamphlet or call the **Community Information Centre of Waterloo Region** (579-3800) or **Information Cambridge** (740-3030) for the names and phone numbers of agencies that might help.

IF YOU ARE IN IMMEDIATE PHYSICAL DANGER, CALL 911

Finding a Permanent Place to Live

What Kind of Housing Is Available?

What is community housing?

- ↪ In general, if your rent is subsidized or you want to rent a subsidized apartment or house, then you will live in a community housing unit. This includes non-profit housing, co-ops, or units where the landlord receives a rent supplement.
- ↪ You apply for this housing through the **Waterloo Region Community Housing Access Centre**.

Is there special needs housing available?

- ↪ Yes, special needs housing is available for people who need support for independent living.

What is private market housing?

- ↪ If it is not community housing, emergency housing or special needs housing, it is privately owned rental units usually operated for profit.

How Do I Start?

How much can I afford?

- ↪ It is ideal if your rent is no more than 1/3 of your total income. For example:
 - ⇒ Your income is \$1000/month before taxes.
 - ⇒ \$1000 divided by 3 = \$333.33.
 - ⇒ Your rent should not be more than \$333.
- ↪ If your rent is too high, you may have trouble paying for other necessary things.
- ↪ The rental housing situation is very difficult. You might not be able to find a place that you can afford that has everything in it that you want. Be aware of the things that are most important to you and of the things that you can give up.

- ↪ If you want to find out more about community housing, contact the **Waterloo Region Community Housing Access Centre**.

Where should I look?

- ↪ For emergency housing, call one of the shelters.
- ↪ For community housing, call the **Waterloo Region Community Housing Access Centre**.
- ↪ For special needs housing, call the agency that supports your needs.
- ↪ For private market housing,
 - ⇒ Talk to people - Ask family, friends, or people you know from work, place of worship, school or social group if they know of any places available.
 - ⇒ Check with **Lutherwood-CODA's Housing Action Centre**.
 - ⇒ Check the bulletin boards at grocery stores and community centres.
 - ⇒ Check the Classified Ads in the daily and weekly newspapers.
 - ⇒ You can read newspapers at the library or on the internet free of charge. You do not need a library card to read the newspapers or use the internet in the library. Libraries also have maps and usually bus schedules. Ask the staff for help if you need it.
 - ⇒ You can access the internet at Community Access Program sites throughout Kitchener, Waterloo and Cambridge. Call the **Community Information Centre of Waterloo Region** or **Information Cambridge** to find a site.
 - ⇒ There are free Rental Guides available around the community.
 - ⇒ Look around neighbourhoods for signs advertising units 'FOR RENT'.

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How do I know if a neighbourhood or building is safe?

- ↪ Trust your instincts. Does the neighbourhood feel safe?
- ↪ Is the building well maintained and clean?
- ↪ Is the building secure? Does it have a controlled entry?
- ↪ Does the building have fire exits, fire alarms and fire extinguishers?
- ↪ Can you see any sign of pests?

How much money will I have to pay up front?

- ↪ You will probably need to pay 2 months' rent before you can move in. A landlord is allowed to ask for first and last month's rent. If you are renting by the week, your landlord can only ask for first and last week's rent.
- ↪ The landlord must use this money as a rent payment. It cannot be used to repair damage, replace lost keys or anything else. Your landlord is required to pay interest on your last month's rent.
- ↪ Don't forget to get a written receipt from your landlord for any payment that you make.
- ↪ You may need a record of rental payment for your income tax return.
- ↪ Landlords cannot ask for a damage deposit or rental fee. A landlord cannot ask you to buy something in the apartment in order to get the apartment.
 - ⇒ For example, your landlord cannot say that you have to buy the curtains before you can sign the lease.
- ↪ Landlords cannot ask for a deposit for keys or access cards.

I can't pay first and last month's rent. Are there options?

- ↪ There may be services that can help you. Try a local rent bank, Ontario Works (if you qualify for benefits) or your social services case worker.

Looking at Places

What should I do?

- ↪ If you need emergency housing, try to find a temporary place to stay and give yourself time to look for a permanent place to live. Moving twice can be very expensive.
- ↪ Take your time. Try to find the place that is right for you, that meets your needs, that is affordable and safe.
- ↪ Try to visit more than one unit.
- ↪ Ask questions. Find out about the neighbourhood, building, unit, rental agreement terms (written or verbal) and the landlord before making a choice.
- ↪ Trust your instincts.
- ↪ Have your references ready.
- ↪ Take your chequebook with you. You may want to pay the deposit.
- ↪ Always get a receipt for any payment that you give to your landlord.
- ↪ Read and understand any lease before you sign it. If you have a verbal agreement with your landlord, make sure you understand all the details. Ask questions. If you don't get an answer, ask again.
- ↪ Keep a copy of any document that you sign.
- ↪ Get help if you need it. Free legal advice is available if you qualify. Check with **Waterloo Region Community Legal Services (the legal clinic)**. Information is also available through **Community Legal Education Ontario (CLEO)** pamphlets or their website.

What should I NOT do?

- Do not respond to pressure or irritation from landlords or agents.
- Do not be pressured to take a unit that is not the same as or is more expensive than the one you want. Make sure you are getting the unit that you expect.
- Do not sign anything that you do not understand.
- Do not give false information on an application form.

What questions should I ask when looking at a place?

- Any question that you think of is worth asking.
- Ask again if you don't get an answer.
- There is a [checklist](#) included with this guide with lots of suggested questions. You can make copies and take it with you when you look at places.

Can someone help me fill out an application?

- Ask friends, family, someone at your place of worship, neighbourhood association or a social service agency worker to help.

Can someone go with me to see places?

- Check with your family, friends, place of worship, social group or neighbourhood association for people willing to go with you. Social service agencies generally do not offer this service but it never hurts to ask.

Do I have to sign a lease?

- It is the landlord's decision. Some landlords require a written lease. Some do not.
- If you don't sign a lease, you still have a rental agreement with your landlord. A verbal agreement is as legal and binding as a written one.
- A written lease gives you evidence of the terms of your rental agreement in case of a dispute or disagreement between you and your landlord.

Can a landlord ask for a damage deposit, key deposit or commission?

- No. The Tenant Protection Act says that a landlord cannot ask for these things. The landlord can only ask for the last month's rent in advance. The landlord must use this money as a rent payment during your last month of tenancy in this unit. The landlord is required to pay 6% interest (per year) on the last month's rent. The landlord can ask you to increase your last month's rent deposit if your rent increases.
- Your landlord can ask for you to pay the cost of replacing keys or locks if you request the change. You are not required to pay for the cost of re-keying or replacing locks if the landlord requires it.

Can a landlord check on my income and my credit?

- Yes. Any information on an application form is subject to verification. If you do not provide the information requested, a landlord may not want to rent to you.

Are there questions I don't have to answer?

- Yes. For example, the landlord is not entitled to know if you are married or if you have ever been arrested.

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Can a landlord refuse to rent to me?

- Yes, but according to the Ontario Human Rights Code, it is illegal for a landlord to refuse to rent to you only because of your race, gender, marital status, sexual orientation, age, nationality, religion, country of origin, or colour.
- Normally landlords cannot discriminate if you are disabled, if you are pregnant or will have children living with you, or if you are receiving social assistance.
- Community housing can discriminate in certain ways. For example, one kind of community housing may only help women with children. A private landlord cannot discriminate in that way.

Who can I call if I think a landlord has discriminated against me?

- There are agencies that deal with this. Try **Waterloo Region Community Legal Services (the legal clinic)**, any centre for equal rights or the **Ontario Human Rights Commission**.

I've had trouble with landlords in the past. How can I get references?

- Go back to previous landlords and try to work out the problem. If the problem is serious, you might try mediation. Talk to **Community Justice Initiatives**.
- Ask a friend or non-relative who is respected in the community, like a clergy member, law enforcement officer or social service worker to give you a personal reference.

Where can I get inexpensive furniture or additional funds to move or start up my new rental unit?

- Financial assistance may be available through **Ontario Works**.
- For further information contact the **Community Information Centre of Waterloo Region, Information Cambridge** or the [Resource List](#) for agencies that could help.

Keeping My Current Housing

Tenant's Rights and Responsibilities

What are my rights and responsibilities as a tenant?

- ↪ You have the right to the free enjoyment of your apartment as long as you:
 - ⇒ Pay your rent on time
 - ⇒ Don't interfere with other tenants' ability to enjoy their units
 - ⇒ Follow the terms of your written or verbal rental agreement
 - ⇒ Obey the law
 - ⇒ Keep the unit clean
 - ⇒ Repair any damage that you, your family or your guests make in the unit. You are responsible for your own actions and the actions of any resident, guest or subtenant.
 - ↳ For example, if your children mark up the walls, you should clean the walls.
 - ↳ The landlord is responsible for the maintenance of the building and for keeping any appliance that came with your unit in good working order. For example, if your plumbing stops working, you should call your landlord.
 - ↳ If the damage was caused by the landlord's failure to do repairs or maintenance, the **Ontario Rental Housing Tribunal** may order the landlord to compensate you for those damaged or destroyed items.
- ↪ Do not disconnect the smoke alarms.
- ↪ Make sure that the batteries in the smoke alarms are working.
- ↪ Do not change the locks without the landlord's permission.

Won't my landlord's insurance cover property damage?

- ↪ The landlord usually has insurance to cover damage to the building caused by fire, weather, etc. The landlord's insurance will not cover any damage to your personal property like your furniture, dishes or clothes. Tenant insurance is available.

I've heard about a tribunal. What is it? What can it do for me?

- ↪ The **Ontario Rental Housing Tribunal** was created by the Tenant Protection Act. You go to the Tribunal to settle disputes between you and your landlord over things like rent, maintenance, privacy and harassment. The Tribunal holds hearings where landlords and tenants present evidence. The Tribunal then issues Orders that both the tenant and landlord must obey.
- ↪ If both parties agree, the Tribunal may assign a mediator to help resolve the dispute. A mediator does not make decisions but works with the parties to make issues clear, discuss options and achieve a mutually acceptable solution.

Do I have to write my landlord post-dated cheques?

- ↪ No. Your landlord cannot require you to give cheques dated months in advance.

What if I'm late in paying my rent?

- ↪ If you are late paying your rent, your landlord can issue a notice that gives you 14 days to pay the rent or move out. **DO NOT IGNORE THIS NOTICE!** If you don't pay the rent or move, the landlord can take the case to the **Ontario Rental Housing Tribunal** for an Eviction Order.

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- If you are served with an Eviction Order, DO NOT IGNORE THIS ORDER. Talk to a lawyer, **Waterloo Region Community Legal Services (the legal clinic)** or take action yourself.
- If you are required to pay for a parking space and do not make that payment, you may lose your parking privilege and your vehicle may be towed at your expense.

I can't afford the rent payment this month and still pay other expenses. Is there help available?

- Pay your rent first if you can. Talk to your landlord. You may be able to make a deal.
- In general, assistance for other needs is more readily available. Call the **Community Information Centre of Waterloo Region** or **Information Cambridge**.

Can my landlord increase my rent at any point? What is the process involved?

- Generally, in private market housing,
 - ⇒ The rent agreed upon at the time of signing the lease or rental agreement cannot change for one year. After a year's time is up, the landlord may increase your rent. The landlord must give at least 90 days notice in writing of any rent increase.
 - ⇒ Rent increases are controlled by the Ontario government. Your rent can be increased by a set percentage each year. Under certain circumstances rent increases can be appealed to the **Ontario Rental Housing Tribunal**.
 - ⇒ If you have a dispute with your landlord about rent, do not ignore the problem. Take action. You may have to take it up with the **Ontario Rental Housing Tribunal**. You can do this yourself or contact a lawyer.

- **CLEO (Community Legal Education Ontario)** publishes very informative pamphlets about landlord/tenant law. You can find these pamphlets at **Waterloo Region Community Legal Services (the legal clinic)** or you can get them on the internet from the CLEO website.
- In community housing, your rent may change with your situation. For example, the rent may change if your income changes. You may be required to change units if the number of people living in the unit changes. You must notify your landlord promptly of any changes in your household income or the number of people living in your unit. Failure to do this can result in the loss of your subsidy.

Landlord's Rights and Responsibilities

What are my landlord's rights and responsibilities?

- Your landlord is required to obey the law as set out by the Tenant Protection Act and must follow community by-laws. If you think your landlord is in violation of the Tenant Protection Act, you can:
 - ⇒ File the appropriate documents with the **Ontario Rental Housing Tribunal** yourself
 - ⇒ Talk to **Waterloo Region Community Legal Services (the legal clinic)**
 - ⇒ Seek a private lawyer.
 - ⇒ **CLEO (Community Legal Education Ontario)** provides pamphlets that talk about the rights of tenants and landlords.
- Your landlord is required to maintain and repair the building and its major systems like the furnace, water pipes and electrical wires.

- ↪ Your landlord is responsible for keeping any of the appliances that come with the apartment, like the refrigerator, stove and radiator, in good working order.
 - ⇒ If you break these things, you may be responsible for the repair but talk to your landlord first.
- ↪ Your landlord must ensure fire safety in the building. Your unit must have a smoke or heat detector and the hallways should have emergency lighting. Exits should be clearly marked.
- ↪ Your landlord is required to provide access to vital services such as fuel, hydro, water and natural gas. You may have to pay the utility company for use of these services, but your landlord cannot disrupt them for any reason.
- ↪ Your landlord is required to pay 6% interest per annum on any last month's rent paid when you rented the apartment.
- ↪ You can bring your own application to the **Tribunal**.
 - ⇒ You will have to show evidence of the problem - take pictures if you can.
 - ⇒ You will also have to show evidence that the landlord knew about the problem and didn't fix it.
 - ⇒ A report from your **local property standards office** could help establish the facts of your case.
- ↪ The **Tribunal** may issue a work order to get repairs done or paid for. They may require your landlord to pay back or reduce some of your rent and to pay the cost of replacing or repairing your possessions damaged or lost due to the maintenance problem.
- ↪ **Waterloo Region Community Legal Services (the legal clinic)** may be able to help if you qualify for their services.
- ↪ Talk to your landlord before you do any maintenance or repairs.
- ↪ Do not assume that the landlord will pay you back for any money you spend on maintenance or repairs unless you have a written agreement.

Maintenance and Repairs

What if my landlord does not follow through on the repairs or does not maintain the building? Who can I call?

- ↪ First, speak to your landlord and identify repairs needed. Keep notes when you talk to your landlord. Note the date, what the problem was and how the landlord responded.
- ↪ You should put your concerns in a brief letter to the landlord. Keep a copy of the letter for yourself. The landlord needs a reasonable time to make the repairs.
- ↪ If the repairs are not done, call the **local health inspector, building inspector, or fire department**. You may also apply to the **Ontario Rental Housing Tribunal** for a Work Order or Rent Abatement.

Do I have to pay the rent if my building is not maintained or the landlord doesn't fix the problems in my unit?

- ↪ Yes. If you don't pay your rent, your landlord can go to the **Ontario Rental Housing Tribunal** and ask for an eviction notice.

My landlord says that my rent will be reduced if I do a repair. Is that ok?

- ↪ It is ok IF it is occasional maintenance or a specific repair and you have an agreement with the landlord before doing the work.
- ↪ Make sure that you have an agreement in writing that states the work to be done and any other conditions that you and your landlord want to include. The agreement should be dated and signed by both you and your landlord.
- ↪ Keep a copy of that agreement.

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Privacy

When can a landlord enter my home?

- ↪ At any time of day or night without written notice IF:
 - ⇒ There is an emergency (for example, a fire or burst pipe)
 - ⇒ You agree to let your landlord in at a specific time
 - ⇒ The landlord knocks and you voluntarily let the landlord in
 - ⇒ You agree in your lease/tenancy agreement that your landlord will clean the unit at specified times.
- ↪ Between 8:00 a.m. – 8:00 p.m. without written notice IF:
 - ⇒ Your landlord is showing the unit to a possible renter (if you have given your landlord a notice that you are moving out). The landlord must try to inform you that this will be taking place.
- ↪ Between 8:00 a.m. – 8:00 p.m. with written notice that is provided 24 hours in advance and explains the reason(s) your unit is being entered:
 - ⇒ To make repairs or to do work in the unit
 - ⇒ To show the unit to a new possible owner(s), banker or insurance agent
 - ⇒ For any reason given to the landlord by the lease agreement.

What can I do if I think my landlord is violating my privacy?

- ↪ Disputes about privacy are settled by the **Ontario Rental Housing Tribunal**. A tenant can make a complaint to the **Tribunal** within one year of the incident. The **Tribunal** might issue an Order preventing the landlord from interfering with a tenant's privacy. It might fine the landlord, terminate the lease or order a reduction in rent.

Can my landlord change the locks? Will I be charged for a new set of keys?

- ↪ A landlord can change the locks as long as you are provided with a replacement key. You do not have to pay for the new keys when the landlord has decided to replace the locks.

Can I change the locks?

- ↪ If you want the locks changed, speak with your landlord first. You may request a change of lock from the landlord but you may be required to pay the cost of that change. The landlord has a right to a copy of the new key.

Harassment

I think my landlord may be harassing me.

What is harassment?

- ↪ It is illegal for your landlord, property manager, superintendent or landlord's agent to harass you. Harassment can take many forms including:
 - ⇒ Threatening you in any way
 - ⇒ Turning off necessary services like heat, natural gas, or water
 - ⇒ Entering your apartment without notice
 - ⇒ Knocking on your door or calling late at night or frequently
 - ⇒ Locking you out
 - ⇒ Making sexual suggestions or advances
 - ⇒ Trying to stop you from organizing or being active in a tenants' association.

Who can I call if I am being harassed?

- ↳ Help and advice are available.
 - ⇒ If you or your family members are threatened, or are actually in physical danger, call the police and then talk to a private lawyer, **Waterloo Region Community Legal Services (the legal clinic)** or the **Ontario Human Rights Commission**.
 - ⇒ Remedies you might receive for harassment include:
 - ↳ having the person stop the offending behaviour,
 - ↳ having some of your rent money returned as payment for any injury or damage, including stress, that you may have experienced because of the harassment,
 - ↳ having your rent reduced.
 - ⇒ If the harassment is not physically threatening, call **Waterloo Region Community Legal Services**. They can help you file a complaint with the **Ontario Rental Housing Tribunal**. They can also explain what you can expect from the **Tribunal** process. You can file the complaint yourself. You do not need to have a lawyer, though you may want one.
 - ⇒ You may also file a complaint with the **Ontario Human Rights Commission**. The **Centre for Equal Rights in Accommodation** may also be of some assistance.

Moving Out

Giving Notice and Subletting

Do I have to move out when my lease expires?

- ↪ No. You can stay if you want to. You and your landlord can make a new lease agreement (written or verbal) if you both agree. If you don't make a new lease agreement you are considered, by law, to have a month-to-month lease agreement.

How much notice do I have to give if I want to move out?

- ↪ If you have a fixed-term lease, such as one year, then you must give 60 days notice before the end of your lease. For example, if you have a lease that expires on December 31, you must give notice before November 1.
- ↪ If you are renting on a month-to-month basis, you must give 60 days notice before the last day of the final month of the tenancy. For example, if you want to move out at the end of May, you must give notice by April 1. Your landlord will assume that you will stay in the apartment until May 31 and will expect you to pay the rent due for the whole month. Your last month's rent deposit can be used to pay your last month's rent.
- ↪ If you are not renting month-to-month you still need to give notice. You can find out how much notice by checking with your landlord or calling **Waterloo Region Community Legal Services (the legal clinic)**.

How do I give notice?

- ↪ You can give your notice of moving out to your landlord.
- ↪ The notice must be in writing. Be sure to include the date the letter is written and the date you plan to move.
- ↪ Keep a copy of this notice. You may want to make a note of the day you delivered or mailed the notice to your landlord.

Can I move without giving notice?

- ↪ If you move without giving proper notice, you may be responsible for the rent for the notice period. For example, if you pay rent by the month and leave the unit on January 1, but don't tell the landlord, you may be responsible for the rent until the end of February.
- ↪ The landlord has to take reasonable steps to find a new tenant.
- ↪ If the apartment is rented before the notice period expires, the landlord cannot collect any more rent from you.

Can I move out before my lease is finished?

- ↪ If you choose to leave you may be responsible for the rent due for the lease period.
- ↪ Your landlord may allow you to assign your lease or to sublet your unit.

What is the difference between an “assignment” of my lease and a “sublet”?

- ↪ When the landlord allows someone else to take over your lease and you do not intend to return to the unit, the lease is “assigned”, that is, given to someone else. The important thing in an assignment is that the *landlord has consented to let you out of your obligations* and to let someone else take possession of the rental unit.
- ↪ When you allow someone else to occupy and pay the rent in your unit, but you intend to come back to it before the end of the lease term, then the unit is a “sublet.” *You remain responsible for the lease.*
 - ⇒ You, the original tenant, act as landlord to the subtenant. You are still responsible to the landlord for the unit – including the rent and any damage done to the unit by the subtenant or any guest or visitor of the subtenant.

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- ↳ For example, if your subtenant has a party and a guest puts a hole in a wall, the subtenant is responsible for fixing the wall. If the subtenant doesn't have the wall fixed, you can sue the subtenant to recover the damages. However, you must fix the wall because you are still responsible to your landlord for any damage to the apartment.

Can I sublet?

- ↳ Before subletting your unit, you must have consent from your landlord. It is your responsibility to find a suitable subtenant to live in your unit. The landlord needs a good reason to deny the subtenant.
- ↳ If you live in community housing, you cannot sublet or assign your lease.

Will I get my rent deposit returned to me when I leave?

- ↳ Yes. A landlord must pay you 6% interest on the deposit for every year that you live in the unit. Some landlords make this payment every year in cash or by reducing a rent payment by the amount of the interest earned.
- ↳ The landlord will use your rent deposit as the rent payment in the last month that you occupy the unit. If your rent has increased during your tenancy, your landlord may ask you to "top up" your deposit. If you have not increased your last month's rent deposit and your rent has increased, you will owe your landlord the difference between your deposit and any interest you are owed and your current rent.
 - ⇒ For example, if your rent was \$500/month when you moved in and you gave your landlord a \$500 last month deposit. Then your rent was increased to \$550 but you did not give your landlord any more money as a deposit. During your last month, you

would owe your landlord \$50 (\$550 rent - \$500 deposit = \$50 remaining). Any interest owed to you will either reduce the amount owed or the landlord will give you a cheque.

What happens to my belongings if I am not able to move them when I leave the unit?

- ↳ You should have your belongings out of the unit on the day that you agreed to leave. The landlord can dispose of anything you leave behind.

Evictions

What are some reasons that my landlord can evict me?

- ↳ You do not pay your rent or are always late in paying your rent.
- ↳ You, any resident or guest commit an illegal act that has an effect on the tenancy and is committed anywhere on the property. Under certain conditions, you can be evicted even if you have not been charged or convicted of the act.
- ↳ You, any resident or guest impair the safety of others, interfere with the rights or privileges of others or disturb others on the premises.
- ↳ You, any resident or guest cause damage in the unit or building.
- ↳ You cannot be evicted merely for having a pet. Your pet can be cause for eviction if it disturbs or harms someone else in the building or is banned by law or a by-law.
- ↳ You give false information about your income or you do not report changes in your income (if you are living in a subsidized unit).

Can the landlord terminate my lease even if I don't do anything wrong?

- Yes, under certain circumstances and with certain restrictions. The landlord can terminate a lease IF:
 - ⇒ The landlord or a new purchaser, or a relative of the landlord or new purchaser, plans to live in the unit
 - ⇒ Major renovations are going to be done
 - ⇒ Your building or unit is being demolished
 - ⇒ The building is being converted to certain other uses
 - ⇒ There is protection and possible compensation for tenants in cases of demolition, conversion to condominiums and renovations. Talk to **Waterloo Region Community Legal Services (the legal clinic)** or a private lawyer if you are being asked to leave in these situations.

What is the eviction process?

- A Notice of Termination is the first step in the eviction process. You can receive a Notice of Termination at any time during the year, even in the winter. The Notice is to tell you that your landlord has a problem with you, what the problem is and how long you can stay in the unit. You can:
 - ⇒ Try to fix any problems. For example, pay any rent due or repair any damage.
 - ⇒ Talk to the **Ontario Rental Housing Tribunal** about mediation services.
 - ⇒ Look for a new place to live.
- If you do not fix the problem and come to terms with your landlord or vacate the unit by the termination date, the landlord may apply to the **Ontario Rental Housing Tribunal** for an Eviction Order. The landlord must give you a copy of that application and the Notice of Hearing.
 - ⇒ **DO NOT IGNORE THIS NOTICE.** In some cases, you will have to fill in the Dispute Form attached to the notice.

- ⇒ If you dispute the eviction, you must notify the **Ontario Rental Housing Tribunal** by returning the Dispute Form to the **Tribunal** WITHIN 5 DAYS OF THE DATE THAT IT WAS ISSUED.
- ⇒ If you miss the 5 day deadline, a Default Order may be issued against you.
- ⇒ Check with the **Ontario Rental Housing Tribunal** to see if an Order has been issued against you.
- ⇒ If an Order has been issued, contact the **Tribunal** or **Waterloo Region Community Legal Services (the legal clinic)** immediately to see if you can challenge the Order.
- The **Tribunal** will hold a hearing to determine what will happen next. **GO TO THIS HEARING.** It is your chance to tell your side of the story.
- If the **Tribunal** orders you to move, you must move.
- If you don't move by the date set by the **Tribunal**, the landlord may call the Sheriff to remove you. You have 48 hours to remove your belongings. During that time the landlord has to keep your possessions safe and allow you a chance to get them out.

Who can help me if I'm evicted?

- You can fight the eviction yourself, but legal advice is recommended.
- **Community Legal Education Ontario (CLEO)** provides pamphlets with lots of information about tenants and the law. You can find them at **Waterloo Region Community Legal Services (the legal clinic)** or on CLEO's website. (You can access the web at Community Access Program sites or at the local library.)
- Try **Waterloo Region Community Legal Services (the legal clinic)**. You have to qualify for their services if you want them to represent you. They may be able to give you valuable information over the phone even if you don't qualify for their services.

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- The **Tribunal** provides a lawyer who will give you advice on the day of your hearing.

Is there someone I can contact who will mediate between my landlord and me?

- If you have a **Tribunal** hearing scheduled, the **Tribunal Mediator** may be able to assist even before the actual hearing date. Contact the **Ontario Rental Housing Tribunal** or **Waterloo Region Community Legal Services** (the legal clinic) to see if they can help you.
- If your landlord agrees to work with you to resolve the problems, **Community Justice Initiatives** offers mediation services for landlords and tenants. If you are a low-income tenant and apply for mediation, the service is free.

Notes

Alphabetical Index for Agencies Named in Guide

(The Community Resources guide lists agencies by function. This list contains only those agencies listed specifically by name in A Woman's Guide To Rental Housing.)

Anselma House	742-5894
Argus Residence	650-0452
Centre for Equal Rights in Accommodation	1 (800) 263-1139
Community Information Centre of Waterloo Region	579-3800
Community Justice Initiatives	744-6549
Community Legal Education Ontario ..	1 (888) 590-2536
Haven House	653-2422
Information Cambridge	740-3030
K-W Multicultural Centre	745-2531
Lutherwood-CODA Housing Action Centre ..	743-2460
Ontario Human Rights Commission ...	1 (800) 387-9080
Ontario Rental Housing Tribunal	1 (888) 332-3234
Ontario Works	883-2100
Property Standards	
Cambridge	740-4613
Kitchener	741-2330
Waterloo Region Community Housing Access Centre	575-4833
Waterloo Region Community Legal Services ...	743-0254
YMCA of Cambridge Immigrant Services	621-1621
YMCA of Kitchener-Waterloo Cross Cultural and Community Services	579-9622
YWCA of Cambridge	650-0800
YWCA of Kitchener-Waterloo	576-8856
YWCA Mary's Place	744-0120

Apartment/Room Checklist

(You might not be able to find a place that you can afford that has everything in it that you want.
Be aware of the things that are most important to you and of the things that you can give up.)

Street Address: _____ Unit # _____

Landlord: _____ Landlord's Phone Number: _____

Number of Rooms: _____ Number of Bathrooms: _____

Rental terms

How much is rent? _____ When is rent due? _____

Do I have to pay first and last month's rent? Yes No

How much money will I need to move in? _____ When can I move into the unit? _____

Is there a lease? If so, how long is the lease? _____

Do I understand the conditions of the lease? Yes No

Would the landlord like references? Yes No

What is included in rent? Heat Hydro Cable Parking

If I decide to move out, how much notice will the landlord need? _____

Notes

The Location

- Is the neighbourhood safe?

Is the apartment/room near things I need, like:

- Bus Routes?
- A Grocery Store/Mall?
- Doctor's and Dentist's Offices?
- Laundromat?
- Playground, green space, park?

The Apartment Building

Does the building meet my needs? For example:

- Is the building quiet enough?
- Is the building well-maintained inside and out?
- Is there any sign of mould, mildew, water damage, or graffiti?
- Is there any sign of pests like cockroaches?
- Is there a place to do the laundry in the building?
- Is there storage space in the building?
- Is the entrance locked?
- Is there a buzzer system?
- Is there enough lighting around the building for when it is dark?
- Are there fire extinguishers in the hallways and public spaces?
- Are the exits clearly marked?
- Are there smoke alarms?

The Apartment Unit

Does the building meet my needs? For example:

- Is it furnished or unfurnished?
- Does it have enough bedrooms?
Are they big enough?

- Is there carpeting or wood flooring?

Are the floors clean?

- Are there smoke detectors? Do they work?
- Are the walls in the unit in good condition?

Do I feel safe in the unit?

- Do the doors in the unit have working locks?
- Do the windows have screens and locks?
- Is there a deadbolt on the front door?
- Is there a peephole?
- Will the landlord pay to have the locks changed?

Do the appliances work?

- Stove and oven
- Refrigerator
- Air conditioner (if there is one)
- Lights

Do the water, electric and heating systems work?

- Are there safe working outlets?
- Who controls the heating?
Is the thermostat in the unit?
- Do the heater vents work?
- Are there working phone jacks and cable outlets?
- Does the water run clean?
Is the water pressure good enough?
- Do the toilet and shower work? Do they leak?
- Do the walls, floors or ceilings show any water damage?
- Does it look clean?

The Landlord

- Do I feel comfortable speaking to, and asking questions of, the landlord?
- Does the landlord respond politely and with respect?
- Do I know anything about this landlord?
Do I know anyone who might have information about this landlord?

This guide was written by
C. Deaun Moulton.

The resource list was written by
Melissa Punambolam

The following community members and agencies
participated in the creation of this guide:

YWCA of Kitchener-Waterloo

YWCA of Cambridge

C. Deaun Moulton

Iliana Pressman

Kitchener-Waterloo Sexual Assault Support Centre

Madeleine Poynter

Melissa Punambolam

Waterloo Regional Homes for Mental Health Inc.

Women's Crisis Services of Waterloo Region

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