

Legislative  
Assembly  
of Ontario



Assemblée  
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**Official Report  
of Debates  
(Hansard)**

SP-30

**Journal  
des débats  
(Hansard)**

SP-30

**Standing Committee on  
Social Policy**

Protecting Tenants  
and Strengthening Community  
Housing Act, 2020

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament  
Thursday 2 July 2020

**Comité permanent de  
la politique sociale**

Loi de 2020 visant la protection  
des locataires et le renforcement  
du logement communautaire

1<sup>re</sup> session  
42<sup>e</sup> législature  
Jeudi 2 juillet 2020

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Chair: Natalia Kusendova  
Clerk: Christopher Tyrell

Présidente : Natalia Kusendova  
Greffier : Christopher Tyrell

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## CONTENTS

Thursday 2 July 2020

Protecting Tenants and Strengthening Community Housing Act, 2020, Bill 184, Mr. Clark / Loi de 2020 visant la protection des locataires et le renforcement du logement communautaire, projet de loi 184, M. Clark .....	SP-847
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
SOCIAL POLICY**

**COMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE**

Thursday 2 July 2020

Jeudi 2 juillet 2020

*The committee met at 1000 in room 151 and by video conference.*

PROTECTING TENANTS  
AND STRENGTHENING COMMUNITY  
HOUSING ACT, 2020  
LOI DE 2020 VISANT LA PROTECTION  
DES LOCATAIRES ET LE RENFORCEMENT  
DU LOGEMENT COMMUNAUTAIRE

Consideration of the following bill:

Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020 / Projet de loi 184, Loi modifiant la Loi de 1992 sur le code du bâtiment, la Loi de 2011 sur les services de logement et la Loi de 2006 sur la location à usage d'habitation et édictant la Loi de 2020 abrogeant la Loi sur la Société ontarienne d'hypothèques et de logement.

**The Chair (Ms. Natalia Kusendova):** Good morning, everyone. The Standing Committee on Social Policy will now come to order. We are here for clause-by-clause consideration of Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020.

We have the following members in the room: We have MPP Gill, myself and MPP Morrison. We also have members joining us via Zoom, and we already did our attendance check this morning. We are joined by Brad Warden from the office of legislative counsel, as well as staff from Hansard, and broadcast and recording.

To make sure that everyone can follow along, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. Since it could take a little time for your audio and video to come up after I recognize you, please take a brief pause before you begin. As always, all comments by members and witnesses should go through the Chair.

Before we begin, I propose that consecutive sections with no amendments or notices be grouped together, unless any members would like to vote on a section separately. Do members agree?

MPP Morrison.

**Ms. Suze Morrison:** So if we do want a vote, we just indicate when we get to those sections that we want to pull

them out and vote against them, or separately, when we get there?

**The Chair (Ms. Natalia Kusendova):** Correct.

**Ms. Suze Morrison:** Thank you.

**The Chair (Ms. Natalia Kusendova):** Do all members agree on Zoom? Yes? Thank you very much.

Since the majority of the bill is set out in schedules, I propose that we stand down sections 1, 2 and 3 of the bill and commence with schedule 1, section 1. Do members agree?

MPP Morrison.

**Ms. Suze Morrison:** We're not at the amendments yet?

**The Chair (Ms. Natalia Kusendova):** No.

**Ms. Suze Morrison:** Sorry; this is my first time through clause-by-clause, so I'm going to ask a lot of questions to make sure I don't miss anything.

**The Chair (Ms. Natalia Kusendova):** That's totally okay. So we would stand down sections 1, 2 and 3. There are no amendments in those sections. We will consider schedule 1, section 1, go through it, and then at the very end we'll go back to sections 1, 2 and 3.

**Ms. Suze Morrison:** Thank you.

**The Chair (Ms. Natalia Kusendova):** Are there any brief comments on the bill as a whole before we proceed to schedule 1, section 1? Seeing none, we can dive straight into it.

Schedule 1, section 1: We have seven sections in schedule 1, and there are no amendments. Is there any debate on schedule 1, sections 1 through 7? No debate. Are members ready to vote? Those in favour, please raise your hand. Those opposed—do we have MPP Hogarth?

MPP Hogarth, if you could please start your video. Wonderful.

I will ask the question one more time. Those in favour of schedule 1, sections 1 through to 7, please raise your hand. Is everyone raising their hand? Thank you. Those opposed—

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Ms. Hogarth, can you hear us?

MPP Martin.

**Mrs. Robin Martin:** MPP Hogarth is telling me her Internet is not working. She can't vote if she can't be heard, so she's going to use her phone.

*Interjections.*

**The Chair (Ms. Natalia Kusendova):** MPP Hogarth, can you hear us now?

Since we are having some technical difficulties, we will conduct the vote through a roll call process. I will start by asking, “Are members ready to vote?” and the Clerk will call out each voting member’s name and you can reply “aye” for a vote in favour or “nay” for a vote against or “abstain” if you would like to abstain from voting on the matter. We are asking you to actually say “abstain” so that we can know for sure that the reason you haven’t answered isn’t because of technical difficulties. Does everyone understand? Okay, great.

Back to schedule 1, sections 1 through to 7: Are members ready to vote? Yes.

**The Clerk pro tem (Ms. Tonia Grannum):** MPP Martin?

**Mrs. Robin Martin:** Aye.

**The Clerk pro tem (Ms. Tonia Grannum):** Mr. Burch?

**Mr. Jeff Burch:** Abstain.

**The Clerk pro tem (Ms. Tonia Grannum):** Mr. McDonell?

**Mr. Jim McDonell:** Yes.

**The Clerk pro tem (Ms. Tonia Grannum):** Mr. Blais?

**Mr. Stephen Blais:** No.

**The Clerk pro tem (Ms. Tonia Grannum):** Mr. Tabuns?

**Mr. Peter Tabuns:** Abstain.

**The Clerk pro tem (Ms. Tonia Grannum):** Ms. Karahalios?

**Mrs. Belinda C. Karahalios:** Yes.

**The Clerk pro tem (Ms. Tonia Grannum):** Ms. Hogarth?

**The Chair (Ms. Natalia Kusendova):** Ms. Hogarth, can you raise your hand to indicate “aye” if you hear us?

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Thank you.

**The Clerk pro tem (Ms. Tonia Grannum):** Okay, Ms. Hogarth is—

**The Chair (Ms. Natalia Kusendova):** Aye.

**The Clerk pro tem (Ms. Tonia Grannum):** Okay, Mr. Gill?

**Mr. Parm Gill:** Yes.

**The Clerk pro tem (Ms. Tonia Grannum):** And Ms. Morrison?

**Ms. Suze Morrison:** Abstain.

**Mr. Parm Gill:** Christine raised her hand. I guess you heard her?

**The Clerk pro tem (Ms. Tonia Grannum):** Yes, we’ve got her.

Abstain?

**Ms. Suze Morrison:** Abstain.

**Mrs. Robin Martin:** I don’t think MPP Hogarth heard. I’m communicating with her on email. That’s how she knew to raise her hand. She said she can see herself on the screen, but nobody else. I don’t know—

**Mr. Parm Gill:** We can see her.

**The Chair (Ms. Natalia Kusendova):** We can see her.

**Mrs. Robin Martin:** But she can’t see anyone else, just herself. It’s strange. I don’t know what that—I’m not technically savvy. I’m just relaying the message.

**The Chair (Ms. Natalia Kusendova):** If I could just declare this vote: Schedule 1, sections 1 through to 7, is carried.

And now we can probably take a recess to try to—

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Mr. Tabuns, go ahead.

**Mr. Peter Tabuns:** Chair, can you tell us the breakdown of that vote, for, against and abstentions? What are the numbers?

**The Chair (Ms. Natalia Kusendova):** It wasn’t a recorded vote. No one asked for a recorded vote, so, technically, it was carried. But if—

**The Clerk pro tem (Ms. Tonia Grannum):** It was carried, yes.

**The Chair (Ms. Natalia Kusendova):** Yes. Next time, if you want a recorded vote, I’m more than happy to do that. Just ask for a recorded vote.

**Mr. Peter Tabuns:** Okay. Thank you.

**The Chair (Ms. Natalia Kusendova):** You’re welcome.

Members, my apologies, but we will have to take a five-minute recess to try to connect with MPP Hogarth. Thank you.

*The committee recessed from 1008 to 1016.*

**The Chair (Ms. Natalia Kusendova):** Welcome back. We are now resuming our clause-by-clause consideration of Bill 184. The committee is now in session.

We are now moving on to consider schedule 2 of the bill. Since we have no amendments for sections 1 through to 5, we’re going to vote on them together. Is there any debate on schedule 2, sections 1 through to 5? No debate. Are members ready to vote? Great.

Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 2, sections 1 through to 5, carried.

We are now moving on to schedule 2, section 5.1, and we have an amendment proposed by the NDP. MPP Morrison.

**Ms. Suze Morrison:** I move that schedule 2 to the bill be amended by adding the following section:

“5.1 The act is amended by adding the following section:

“Minimum rent-geared-to-income households

“10.3 The total number of rent-geared-to-income housing units in housing projects designated under this act shall not be less than the total number of rent-geared-to-income housing units in designated housing projects that existed before the day section 5.1 of schedule 2 to the Protecting Tenants and Strengthening Community Housing Act, 2020 came into force.”

**The Chair (Ms. Natalia Kusendova):** Is there any debate?

**Ms. Suze Morrison:** Our intent here with this amendment is to ensure that, as non-profit housing providers exit out of agreements through the HSA, we don’t lose a net number of RGI units to our system, so that if housing providers exit out of their agreements, that those rent-

geared-to-income units are replaced elsewhere in the system to make sure that we're maintaining a net number of subsidized housing units in the province of Ontario.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Yes, recorded vote.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Members, my apologies. We're going to go back to schedule 1 because we carried schedule 1, sections 1 through to 7, but we did not carry it as a whole. So is there any debate on schedule 1 as a whole? No? Are members ready to vote?

Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 1 carried.

We are now moving on to schedule 2, sections 6 through to 13. That's schedule 2, sections 6 through to 13. Is there any debate? Are members ready to vote?

Those in favour, raise your hand. Those opposed, raise your hand. I declare schedule 2, sections 6 through to 13, carried.

Now we are considering schedule 2 as a whole.

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** My apologies. Schedule 2, section 14: Is there any debate? Are members ready to vote? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 2, section 14, carried.

Schedule 2 as a whole: Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 2 carried.

Schedule 3, sections 1 through to 15: Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 3, sections 1 through to 15, carried.

Schedule 3 as a whole: Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 3 carried.

Schedule 4, sections 1 and 2: Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, sections 1 and 2, carried.

We are now moving on to schedule 4, section 2.1. We have an amendment proposed by the NDP. MPP Morrison.

**Ms. Suze Morrison:** I move that schedule 4 to the bill be amended by adding the following section:

"2.1 Section 6.1 of the act is repealed."

**The Chair (Ms. Natalia Kusendova):** I'm sorry, but the NDP amendment on page 2 is out of order, as section

6.1 of the Residential Tenancies Act, 2006, is not open in this bill.

**Ms. Suze Morrison:** I'd like to request unanimous consent of the committee to consider the motion.

**The Chair (Ms. Natalia Kusendova):** Is there unanimous consent from the committee to considering the motion? No, there is no unanimous consent, therefore this amendment is out of the order.

We are now moving on to schedule 4, sections 3 and 4. Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, sections 3 and 4, carried.

We are now moving on to schedule 4, section 5. We have an amendment proposed by the NDP. MPP Morrison.

**Ms. Suze Morrison:** I move that section 5 of schedule 4 to the bill be amended by striking out "one month's rent" in subsection 49.1(1) of the Residential Tenancies Act, 2006 in the portion before clause (a) and substituting "three months' rent".

**The Chair (Ms. Natalia Kusendova):** Is there any debate? Go ahead, MPP Morrison.

**Ms. Suze Morrison:** What we have done here is increased the amount of compensation that the tenant would receive for a no-fault eviction where the purchaser needs the unit. This is something that we heard over and over again in committee from tenants and from tenant advocates, that one-month's rent compensation was not enough to adequately compensate tenants who are being displaced from their homes and having to enter back into a housing market where, without rent control provisions in the province of Ontario, market rents have inflated much, much higher than the rents that they may currently be paying in their existing unit—and to recognize that one-month's rent compensation was simply not enough. This increases that amount of compensation to three-months' rent, again, on the advice of tenant advocate organizations, including the Advocacy Centre for Tenants Ontario, in addition to the dozens of tenants who appeared before committee during hearings.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** The government will be opposing this motion. The motion would actually require small landlords to pay a tenant three months' rent in compensation of an eviction because a purchaser is moving into the unit. This may unduly burden small landlords. Therefore, we will be opposing this motion.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Tabuns.

**Mr. Peter Tabuns:** I appreciate the motion that was put forward by my colleague. I think that people need to be aware that there's widespread abuse of this right to take over a unit and move out tenants. I was contacted after we had had the hearings on this bill by a resident in my riding who's living in the upper portion of a two-unit house. Both he and the downstairs resident were approached and told that they were going to be threatened with eviction because the landlord was going to be moving into their unit unless they made a substantial payment.

I think it's entirely fair for us to try and make sure that when landlords are thinking of doing this, that they do it seriously and not simply as a way of intimidating the residents, the tenants. This amendment would give tenants somewhat more protection against those—what can I say—intimidation plays by those landlords who don't act in good faith. Most do, but a lot unfortunately are acting in bad faith, and tenants need protection from them.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

**The Chair (Ms. Natalia Kusendova):** Recorded vote.

**Mr. Peter Tabuns:** Recorded?

**The Chair (Ms. Natalia Kusendova):** We will have a recorded vote.

### Ayes

Burch, Morrison, Tabuns.

### Nays

Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost. We are now moving on to schedule 4, section 6.

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Right. We are now considering schedule 5, section 5. Shall schedule 5, section 5, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare this section carried.

We are now moving on to schedule 4, section 6. We have an amendment proposed by the official opposition on page 4. Go ahead, MPP Morrison.

**Ms. Suze Morrison:** I move that section 6—

**The Chair (Ms. Natalia Kusendova):** I'm so sorry. MPP Martin, did you want to speak? MPP Martin?

**Mrs. Robin Martin:** Hi. Sorry. You said "schedule 5, section 5" when we just voted. I don't know if it matters, but just so we're all clear, we were voting on schedule 4, section 5.

**The Chair (Ms. Natalia Kusendova):** So why does it say "5" here?

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** It's a typo? Sorry, there is a typo in my script. So it is schedule 4, section 5.

**Mrs. Robin Martin:** I don't know if it matters.

**The Chair (Ms. Natalia Kusendova):** Should we redo the vote?

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Okay. We will redo the vote. I'm so sorry; there was a typo in my script. Shall schedule 4, section 5, carry? Those in favour, please raise your hand. Those opposed, please raise your hand.

I declare schedule 4, section 5, carried.

Moving on to schedule 4, section 6, we have an amendment proposed by the NDP on page 4. Go ahead, MPP Morrison.

**Ms. Suze Morrison:** I move that section 6 of schedule 4 to the bill be amended by striking out "one month's rent" in subsection 52(2) of the Residential Tenancies Act, 2006 in the portion before clause (a) and substituting "three months' rent".

**The Chair (Ms. Natalia Kusendova):** Is there any debate? Go ahead.

**Ms. Suze Morrison:** Again, what we've tried to do in this amendment is that this would now require three months' rent compensation, instead of just one, for no-fault evictions involving a demolition or conversion, where the unit is part of a complex with fewer than five units. Again, this is a recommendation that's come to us from tenant advocates across the province as well as from tenants themselves. We heard over and over again in committee, in the hearings, that when it comes to no-fault evictions—we see widespread abuses of these types of evictions that force tenants out of their homes and out into a rental market where there may be a several-hundred-dollar gap in the rents that they're currently paying compared to the rents that are now market rents, because we have no vacancy rent control in the province of Ontario. One month's compensation is simply not enough to deter the practice of bad-faith evictions, and to also make sure that tenants are adequately compensated for the substantial increase in rents they are going to have to pay when they go back out to market.

1030

**The Chair (Ms. Natalia Kusendova):** Thank you. Before we proceed, MPP Babikian has joined us. Can you please introduce yourself and let us know which city in Ontario you're calling from?

**Mr. Aris Babikian:** MPP Babikian, Toronto.

**The Chair (Ms. Natalia Kusendova):** Thank you very much.

MPP Gill.

**Mr. Parm Gill:** The government will be opposing this motion. This motion would require landlords of small buildings to pay three months' rent in compensation to the tenant in order to evict—or demolition or conversion to non-residential use. This, again, may unduly put a burden on small landlords. Therefore, we will be opposing this motion.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

**The Chair (Ms. Natalia Kusendova):** We will have a recorded vote.

Shall the amendment to section 6 of schedule 4 carry?

### Ayes

Burch, Morrison, Tabuns.

### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are now moving on to section 6 of schedule 4. We have an amendment proposed by the official opposition, on page 5. MPP Morrison.

**Ms. Suze Morrison:** I move that section 6 of schedule 4 to the bill be amended by striking out clause 52(2)(c) of the Residential Tenancies Act, 2006.

**The Chair (Ms. Natalia Kusendova):** Is there any debate? MPP Morrison.

**Ms. Suze Morrison:** If a landlord seeks to evict for a repair or renovation, they must provide a tenant—oh, no, this is the wrong—number 5. My understanding is that number 5 is actually housekeeping related to number 4. Apologies.

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Are you standing down the—

**Ms. Suze Morrison:** This is the motion on page 5 that we're looking at? I just want to confirm.

**The Chair (Ms. Natalia Kusendova):** Yes.

**Ms. Suze Morrison:** Okay. I withdraw. Apologies.

**The Chair (Ms. Natalia Kusendova):** Withdrawn.

Shall schedule 4, section 6, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 6, carried.

We are now moving on to schedule 4, section 7. We have an amendment proposed by the NDP, on page 6. MPP Morrison.

**Ms. Suze Morrison:** I move that section 7 of schedule 4 to the bill be amended by striking out “one month’s rent” in subsection 54(3) of the Residential Tenancies Act, 2006 in the portion before clause (a) and substituting “three months’ rent”.

**The Chair (Ms. Natalia Kusendova):** Any debate? MPP Morrison.

**Ms. Suze Morrison:** This would require three months’ compensation instead of just one for a no-fault eviction involving repairs or renovation, where the unit is part of a complex with fewer than five units. Again, what we’re trying to address here is the widespread issue of renovations across the province of Ontario, where tenants are forced out of their homes for renovations and are often unable to return afterwards, when the landlord decides it’s more profitable, because of a lack of rent control in the province of Ontario, to try to get another tenant in, paying a much higher rent than the tenant who was forced to temporarily vacate their home as a result of renovations. We see, again, widespread abuses of this practice across the province. One month’s rent, we heard over and over again, is simply not enough to deter the incredibly profitable practice of renovations. This increases that to three months’ compensation to try and deter bad-faith evictions for renovations.

But again, I want to be perfectly clear that the real solution to renovations, as we heard in the public hearings, lies in addressing vacancy decontrol for rent. I have a motion later to address that. But again, we’re trying to

stop bad faith evictions for renovations and address the immense profitability of this practice in the housing sector.

**The Chair (Ms. Natalia Kusendova):** MPP Gill.

**Mr. Parm Gill:** Madam Chair, the government members will be opposing this motion. This motion would actually require small landlords with less than five units to pay three months’ compensation to the tenant in order to evict for repairs or renovations, which may put undue burden on small landlords. Therefore, we will be opposing it.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Morrison.

**Ms. Suze Morrison:** Just to reply to that last comment: I’d really like to see the government members considering the undue burden that is, in fact, put on tenants across this province who are being forced out of their homes to maximize the profit of bad-faith actors in the rental market system.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

**Ayes**

Burch, Morrison, Tabuns.

**Nays**

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this amendment lost.

We are now moving on to section 7 of schedule 4, and we have an amendment proposed by the NDP on page 7. MPP Morrison.

**Ms. Suze Morrison:** I withdraw. This is housekeeping related to number 6.

**The Chair (Ms. Natalia Kusendova):** Withdrawn.

We are now moving on to section 7 of schedule 4, and we have an amendment proposed by the independent Liberal member on page 8. Go ahead, MPP Blais. MPP Blais?

**Mr. Stephen Blais:** Yes, sorry. There was a delay in the request coming up.

I move that section 7 of schedule 4 to the bill be amended by adding the following subsection to section 54 of the Residential Tenancies Act, 2006:

“Work plans, repair or renovation

“(5) A landlord shall provide to a tenant who receives notice of termination of a tenancy under section 50 for the purpose of repairs or renovations a copy of the work plan and building permit for the repairs or renovations, if requested by the tenant.”

We heard from some advocates, both in testimony and after, that in order to avoid the use of this clause to evict tenants unnecessarily, the provision of documentation showing that a building permit or work plan has actually been done may be requested by the tenant and ensure that

the need for the eviction is there based on the work plan and the renovations.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** We will oppose this motion because section 50 of the RTA already states that a landlord may serve a notice of termination if they intend to do repairs or renovations that are so extensive that they require the building permit or a vacant possession of the rental unit. It may not always be practical to obtain a permit before giving notice. Some permits may not be issued until the unit is already vacant. Therefore, we will be opposing this.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote? Is this a recorded vote?

**Mr. Stephen Blais:** Yes.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 7, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 7, carried.

**1040**

We are now moving on to schedule 4, sections 8, 9 and 10. Is there any debate? Are members ready to vote? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, sections 8, 9 and 10, carried.

We are now moving on to schedule 4, section 11. We have an amendment proposed by the NDP, on page 9. MPP Morrison.

**Ms. Suze Morrison:** I move that subsection 11(1) of schedule 4 to the bill be amended by adding the following subsections to section 71.1 of the Residential Tenancies Act, 2006.

“Information respecting certain types of evictions

“(2.1) The board shall maintain a register of all applications for an order terminating a tenancy and evicting a tenant based on a notice of termination under sections 48, 49 and 50 and notify the minister of every such order that the board issues.

“Reports

“(2.2) On or before April 1 in each year, the board shall publish a report respecting the applications referred to in subsection (1) received during the previous year that includes,

“(a) the number of applications received, categorized by type of notice of eviction;

“(b) the addresses of the rental units associated with each application; and

“(c) the outcome of each application.

“Same

“(2.3) The report shall not include the names of any of the parties to an application.”

**The Chair (Ms. Natalia Kusendova):** Any debate? MPP Morrison.

**Ms. Suze Morrison:** What this amendment would do would be to enable the Landlord and Tenant Board to maintain a registry of no-fault eviction applications. This will give us good data on the types of no-fault evictions that are happening in the province and help us better understand the issues and abuses that are taking place in our housing sector.

To be quite frank, if a landlord is willing to lie to a tenant about the purpose of their eviction to illegally evict them, it would not be out of character for that same landlord to lie on the affidavit to the Landlord and Tenant Board. A registry of no-fault evictions would mean that we would not be forced to rely on the honesty of landlords who have a history of illegally evicting tenants to track and stop illegal evictions from taking place in the first place.

**The Chair (Ms. Natalia Kusendova):** MPP Gill?

**Mr. Parm Gill:** Section 11 of the bill achieves the same objective through a less onerous method for the Landlord and Tenant Board by requiring landlords to provide the board with information about any other instances where they have given no-fault eviction notices. This applies regardless of whether it is the same or a different unit, so therefore we will oppose this amendment.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Morrison.

**Ms. Suze Morrison:** Respectfully, through you, Chair, back to the government member: I don't agree that expecting landlords to be forthcoming and honest about their track record of illegal evictions on their applications is going to address the problem of illegal evictions continuing to happen. I think the onus is on the Landlord and Tenant Board to be responsibly tracking illegal evictions so we can identify, again, those bad actors in the system that aren't following the rules.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 11, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 11, carried.

We are now moving on to schedule 4, sections 12, 13 and 14. Is there any debate? Seeing none, are members ready to vote? Those in favour, please raise your hand.

Those opposed, please raise your hand. I declare schedule 4, sections 12, 13 and 14, carried.

We are moving on to schedule 4, section 15. We have an amendment proposed by the independent Liberal member, on page 10. MPP Blais.

**Mr. Stephen Blais:** I move that section 15 of schedule 4 to the bill be amended by adding the following subsection:

“(0.1) Subsection 78(1) of the act is amended by striking out ‘without notice’ in the portion before paragraph 1 and substituting ‘after giving notice.’”

Effectively, this would require that landlords provide notice to tenants that they’re seeking evictions under section 78.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** The motion is inconsistent with the intent of this section of the act, which is to allow a landlord to seek an ex parte eviction order where the tenant has failed to comply with a mediated settlement or repayment agreement that was developed in response to the previous application for the tenant’s eviction. Although the landlord is not required to give notice to the tenant of the application for an ex parte eviction order, the tenant would already have been given notice in the form of a previous eviction application mediators have amended and/or the repayment agreement. Therefore, we will oppose this.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote? We will have a—

**Mr. Stephen Blais:** Yes.

**The Chair (Ms. Natalia Kusendova):** —recorded vote.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 15, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 15, carried.

We are now moving on to schedule 4, section 16. We have an amendment proposed by MPP Blais, on page 11. MPP Blais.

**Mr. Stephen Blais:** I move that section 16 of schedule 4 to the bill be amended by,

- (a) striking out “if the tenant,” in the portion before clause 82(1)(a) of the Residential Tenancies Act, 2006;
- (b) striking out clauses 82(1)(a) and (b) of that act; and
- (c) striking out subsection 82(2) of that act.

In effect, this would allow residents to continue to raise issues of previous concern at their hearing.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** It has the same effect as voting against section 16 of the bill, so we will oppose this.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote? We will have a recorded vote?

**Mr. Stephen Blais:** Yes, please.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are still on section 16, schedule 4. We have an amendment, this time by the government. MPP Gill.

**Mr. Parm Gill:** I move that section 16 of schedule 4 to the bill be amended by striking out subsection 82(4) of the Residential Tenancies Act, 2006 and substituting the following:

“Transition

“(4) This section, as it reads on the day section 16 of schedule 4 to the Protecting Tenants and Strengthening Community Housing Act, 2020 comes into force, applies to any hearing held after that day that relates to an application that was filed before that day.”

**The Chair (Ms. Natalia Kusendova):** Any debate? MPP Morrison.

**Ms. Suze Morrison:** We will be opposing this amendment quite strongly. As I understand it, Bill 184 already has a prohibition on tenants raising new issues at an eviction hearing, and this amendment actually makes that way worse and will retroactively apply this to tenants who are facing eviction hearings during COVID-19.

#### 1050

We heard over and over and over again during the public hearings that tenants and tenant advocates across this province couldn’t understand why this bill and why now. Why, in the midst of a global pandemic, is Doug Ford and this government trying to pass a bill that will fast-track evictions at the board and strip away tenants’ rights to a hearing and to raise new issues regarding their evictions? We heard from tenants that there are sometimes very good reasons and very important information that tenants would like to raise at their eviction hearings before they are tossed out on the street. Notably, in the instance of COVID-19, many Ontarians are now staring down thousands of dollars of back rent over multiple months because they have lost their income, through no fault of their own, because of the provincial shutdown.

This bill, and this section of the bill specifically, was a bad idea when it was tabled before COVID-19, and we heard over and over again that it’s an even worse idea when taken into the context of COVID-19, knowing the staggering number of eviction orders that are being filed and are sitting in the queue at the Landlord and Tenant

Board. What you're doing with this amendment is you're basically giving landlords, who have spent the last several months getting in line at the board to evict their tenants who have been unable to pay the rent because of the pandemic, the ability to now fast-track and strip away rights from those tenants to fight those evictions at the board because of COVID-19.

While this government can try to pat themselves on the back and say, "Well, we've temporarily stopped evictions from proceeding at the board," you've created a mechanism through this amendment to allow these new fast-tracked measures that strip away tenants' rights to raise new issues at a hearing to now back to when the pandemic began. It's heartless, as far as I'm concerned. It strips away tenants' rights. It erodes the Landlord and Tenant Board process. I'm flustered because I cannot condemn this amendment strongly enough. So we will be voting against this. It leaves the door wide open for tenants to be coerced or harassed into take-it-or-leave-it repayment agreements that they'll have no ability to meet the obligations of, and it will strip tenants' abilities to defend themselves at these hearings.

**The Chair (Ms. Natalia Kusendova):** MPP Gill.

**Mr. Parm Gill:** This motion supports the requirement for tenants to provide advanced notice to a landlord of any new issues to be raised at an eviction hearing. I would strongly recommend for all members to support this important amendment.

**The Chair (Ms. Natalia Kusendova):** MPP Tabuns.

**Mr. Peter Tabuns:** I want to reinforce the argument made by my colleague the member for Toronto Centre. A few things: First of all, very few tenants have legal training or background. Many people are entirely new to this process. If you put in place a mechanism that requires them to advise landlords in advance of the hearing of the arguments that you're going to make and to strip them of the ability to respond at that hearing to the situations that they are placed in, you are putting them at a huge disadvantage. You're greasing the wheels so that they can be pushed out of their units even more quickly. That's a huge problem.

The second issue is that many, many people have lost a big chunk of their income or have lost income almost entirely over the course of this pandemic. It's no surprise that they would have trouble paying their rent, particularly in Toronto. But in other barely—what can I say—competitive rental markets, often rents are very high, and if people lost their jobs and are trying to live on the federal support, CERB, often their rents are equivalent to their total income. I don't know how they make things balance, but it may be that what they do is underpay their rent or pay it partially.

This provincial government didn't take the action that I think was necessary, that the NDP thought was necessary, to put in place a program of rent subsidies to protect tenants and to protect, in particular, small landlords. Big landlords are making huge profits out of this market. I don't think they need protection. But small landlords—no doubt in my mind that there will be people who will be

squeezed on mortgages. This government should have stepped in to help; it didn't, and now the way it's going to be addressing it is to push hundreds, if not thousands, of families out onto the street. That is a disaster. This amendment makes it much easier for those families to be pushed out on the street, pushed into shelters, where shelter space is available. I can't understand why the government is doing this. I'm urging them to back off and give people who have been hit hard by the pandemic the kind of support they're going to need to continue their lives.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin.

### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** Mr. McDonell, did you vote? Mr. McDonell, are you voting "aye" or "nay" for this amendment?

**Mr. Jim McDonell:** I'm voting "aye."

**The Chair (Ms. Natalia Kusendova):** Thank you. I declare this motion carried.

Shall schedule 4, section 16, as amended, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 16, as amended, carried.

We are now moving on to schedule 4, section 17. We have an amendment proposed by the government, on page 13. MPP Gill.

**Mr. Parm Gill:** I move that section 17 of schedule 4 to the bill be amended by adding the following subsection:

"(3) Section 83 of the act is amended by adding the following subsections:

""Refusal for certain arrears of rent

""(6) Without restricting the generality of subsections (1) and (2), if a hearing is held in respect of an application under section 69 for an order evicting a tenant based on arrears of rent arising in whole or in part during the period beginning on March 17, 2020 and ending on the prescribed date, in determining whether to exercise its powers under subsection (1) the board shall consider whether the landlord has attempted to negotiate an agreement with the tenant including terms of payment for the tenant's arrears.

""Application of subs. (6)

""(7) Subsection (6) applies with respect to any application described in that subsection that,

""(a) is made on or after the day subsection 17(3) of schedule 4 to the Protecting Tenants and Strengthening Community Housing Act, 2020 comes into force; or

""(b) was made before that day and was not finally determined before that day.

""Same

“(8) For greater certainty, subsection (6) applies whether or not a date has been prescribed for the purposes of that subsection.”

**The Chair (Ms. Natalia Kusendova):** Any debate? MPP Morrison.

1100

**Ms. Suze Morrison:** We will be voting against this government amendment to the bill. What this will do is it will force the Landlord and Tenant Board to only consider the points in the landlord’s favour and not consider those of the tenant. As it’s written, this amendment could allow landlords to put pressure on their tenants to enter into a take-it-or-leave-it repayment agreement, and if the tenant refuses, the board would be required to consider the pressure tactics and harassment of the landlord towards the tenant when deciding whether or not to evict.

This government specifically allowed landlords to continue threatening tenants with eviction notices during the COVID-19 pandemic, despite the so-called ban on evictions at the board. But we know that some landlords have also been intimidating and harassing their tenants during the pandemic, demanding illegal fees, multiple months of rent up front, and using other unethical tactics. To say to a tenant, “We’re going to force you into this to-be-determined mediation process” that’s really quite vague in the bill, and if the tenant doesn’t consent to that, the board is required to take that into consideration—it creates an unprecedented power dynamic that the landlord is going to be able to hold over their tenants and pressure them into repayment agreements they may not be able to meet as a result of COVID-19. It’s despicable that we’re considering this during a global pandemic, when we are about to face unprecedented mass evictions here in the province of Ontario.

Again, through no fault of their own, our tenants are facing months of back rent. They’re facing months of back rent not because they’re not trying their best, but because they’ve lost their jobs. They’ve lost their employment. The province has been shut down for months now. Whole sectors have been closed. We need to be supporting tenants to stay housed, not giving landlords a new tool to harass their tenants into signing repayment agreements or entering into a mediation process that’s not in their best interests, and forcing them to do so under duress.

It’s absolutely outrageous. So we will be opposing this amendment as well.

**The Chair (Ms. Natalia Kusendova):** Thank you. MPP Gill.

**Mr. Parm Gill:** Madam Chair, this motion ensures that if a tenant was unable to pay rent, say, after March 17, 2020, the day the provincial state of emergency was called, the Landlord and Tenant Board must consider whether the landlord tried to negotiate a repayment plan with the tenant before it orders an eviction. Many tenants have lost their jobs or are facing economic insecurity due to COVID-19. The government wants to ensure these tenants have a chance to maintain their tenancy by encouraging landlords and tenants to work together on a repayment plan.

I would ask my friends in the opposition to support this important amendment.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** Thank you. I declare this motion carried.

**Ms. Suze Morrison:** Sorry, apologies. I saw Mr. Blais on the screen and I believe he raised his hand during the support part of the motion.

**The Chair (Ms. Natalia Kusendova):** MPP Blais, are you voting “aye” or “nay” for this motion? Is that “aye” or “nay”?

**Mr. Stephen Blais:** I was voting “aye.”

**The Clerk pro tem (Ms. Tonia Grannum):** Maybe I should do it again, because I think—

**The Chair (Ms. Natalia Kusendova):** Okay, we will do this one more time.

#### Ayes

Babikian, Blais, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare this motion carried.

Shall schedule 4, section 17, as amended, carry? Those in favour, raise your hand. Those opposed, raise your hand. I declare schedule 4, section 17, as amended, carried.

We are now moving on to schedule 4, section 17.1. We have an amendment proposed by the official opposition on page 14. MPP Morrison.

**Ms. Suze Morrison:** I move that schedule 4 to the bill be amended by adding the following section:

“17.1 The act is amended by adding the following section:

“No evictions, COVID-19

“83.1(1) Despite any other provision of this act, but subject to subsection (2), no eviction order shall be granted until the end of the prescribed post-pandemic recovery period if the occupants of the rental unit have been adversely affected by any of the following in the previous 12 months:

“1. Loss of employment.

“2. Decrease in income.

“3. Illness or self-isolation due to exposure to COVID-19.

“4. Particular vulnerability to COVID-19.

“5. The need to care for a family member who has contracted COVID-19.

“6. The need to care for children who are out of school or day care.

“Exception

“(2) Where there are grounds for eviction that include urgent matters with serious health and safety implications, the board may grant an exception to the prohibition in subsection (1).”

**The Chair (Ms. Natalia Kusendova):** Is there any debate?

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Oh, I’m sorry, but this amendment is out of order because it is beyond the scope of the bill.

**Ms. Suze Morrison:** I would request unanimous consent of the committee to consider the motion.

**The Chair (Ms. Natalia Kusendova):** Is there unanimous consent of the committee to consider this motion? There is no unanimous consent. Therefore, I am ruling this amendment out of order.

We are now moving on to schedule 4, section 18. We have a notice from the NDP. Is there any debate? No debate.

Shall schedule 4, section 18, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 18, carried.

We are now moving on to schedule 4, section 19. We have an amendment proposed by the NDP on page 15. MPP Morrison.

**Ms. Suze Morrison:** Let me get to the right page again. Page 18?

**The Chair (Ms. Natalia Kusendova):** Page 15.

**Ms. Suze Morrison:** Page 15. Thank you.

I move that section 19 of schedule 4 to the bill be amended by striking out “or former tenant” wherever it appears.

**The Chair (Ms. Natalia Kusendova):** Thank you. Any debate? MPP Morrison.

**Ms. Suze Morrison:** What this would do is it would prevent a landlord from going after former tenants for compensation related to interference with reasonable enjoyment.

**The Chair (Ms. Natalia Kusendova):** Thank you. Any further debate? MPP Gill.

**Mr. Parm Gill:** Thank you, Madam Chair. Maintaining this amendment would allow landlords to recover costs incurred based on actions of former tenants by applying to the Landlord and Tenant Board rather than the courts. So we will be opposing this amendment.

**The Chair (Ms. Natalia Kusendova):** MPP Morrison.

**Ms. Suze Morrison:** I’d just like to add a little bit more context to why we’ve put this forward. We have heard from folks, including ACTO, who pointed out that the board is already backlogged and facing extreme administrative burden, and forcing them to handle cases involving former tenants will add a further backlog to our system. It makes no sense for the government to add to the board’s

burden, especially when we see an under-appointment of adjudicators and an underfunding of the system as a whole.

This will actually go against the government’s stated intent of being able to move hearings along at the board. We know that both tenants and landlords are waiting upwards of four months, six months to get scheduled hearing dates, and adding the ability for landlords to chase down back tenants for compensation at the Landlord and Tenant Board will only serve to further increase the backlog at the board, which could leave tenants facing even more than a six-month wait to bring orders for repairs against their landlords or for small landlords to process eviction hearings. It goes both ways.

Again, that’s why we’ve put this forward. We really don’t need to be adding to the board’s volume of cases when this is best sorted out elsewhere in our justice system.

**1110**

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** For the record, Madam Chair, we’ve appointed, I believe, 18 new adjudicators. This is all about speeding up the process, making it easier both for landlords and tenants. That’s what Ontarians expect us to do, and that’s exactly what we’re doing.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

**Ayes**

Burch, Morrison, Tabuns.

**Nays**

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are still on section 19 of schedule 4. We have an amendment proposed by the NDP, on page 16. MPP Morrison.

**Ms. Suze Morrison:** I move that section 19 of schedule 4 to the bill be amended by striking out “or was” in clause 88.1(1)(a) of the Residential Tenancies Act, 2006.

**The Chair (Ms. Natalia Kusendova):** Any debate?

**Ms. Suze Morrison:** Oh, apologies; this is house-keeping related to motion 15. I withdraw.

**The Chair (Ms. Natalia Kusendova):** Withdrawn.

We are still on section 19 of schedule 4. We have another motion proposed by the NDP, on page 17. MPP Morrison.

**Ms. Suze Morrison:** I move that section 19 of schedule 4 to the bill be amended by striking out “and” at the end of clause 88.1(1)(a) of the Residential Tenancies Act, 2006, adding “and” at the end of clause 88.1(1)(b) and adding the following clause to subsection 88.1(1):

“(c) the conduct of the tenant was not connected to their membership in a group protected by section 2 of the Human Rights Code.”

**The Chair (Ms. Natalia Kusendova):** Any debate? Ms. Morrison.

**Ms. Suze Morrison:** This came about on the recommendation of the Centre for Equality Rights in Accommodation, when they came to present to us.

The specific concern here is that this could allow landlords to pursue evictions that would be in conflict with the Human Rights Code. For example, the families of autistic children are at particular risk. If a landlord decides to pursue an eviction related to the interference of reasonable enjoyment of the tenants in the building that would be in conflict with the Human Rights Code, which protects folks from facing eviction as a result of disability or sexual orientation or gender identity—any of those protected rights under the Human Rights Code. This just further enshrines that these types of evictions will not be allowed to proceed if they are in conflict with the Human Rights Code.

**The Chair (Ms. Natalia Kusendova):** Any further debate? MPP Gill.

**Mr. Parm Gill:** Madam Chair, in adjudicating any application, the Landlord and Tenant Board already must interpret the Residential Tenancies Act in light of the Human Rights Code. Therefore, we will be opposing this.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Are members ready to vote?

**Ms. Suze Morrison:** Recorded.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 19, carry? Those in favour, please raise your hand—

**Ms. Suze Morrison:** Recorded.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare schedule 4, section 19, carried.

We are now moving on to schedule 4, sections 20, 21 and 22. There are no amendments. Therefore, we'll be considering these sections together. Is there any debate?

**Ms. Suze Morrison:** Sorry, can you repeat—

**The Chair (Ms. Natalia Kusendova):** Schedule 4, sections 20, 21 and 22.

**Ms. Suze Morrison:** We would like—  
*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Section 22.1 will be considered after.

**Ms. Suze Morrison:** Okay. We'd like to vote separately on sections 20 and 21 of schedule 4.

**The Chair (Ms. Natalia Kusendova):** Okay. Is there any debate on schedule 4, section 20? No?

**Ms. Suze Morrison:** Yes.

**The Chair (Ms. Natalia Kusendova):** Go ahead, MPP Morrison.

**Ms. Suze Morrison:** Apologies.

**The Chair (Ms. Natalia Kusendova):** That's okay.

**Ms. Suze Morrison:** This moves a lot faster than you think it will in real life.

**The Chair (Ms. Natalia Kusendova):** That's because we're doing such a good job.

**Ms. Suze Morrison:** I know we're moving quickly and efficiently, but it's hard to keep track of where we are. Sorry.

Under section 20 of schedule 4, under section 129 of the act, a landlord must reduce the rent after an expiry of an above-the-guideline increase order—oh, you know what? I'm looking at my notes for amendment 20, not section 20. We're just voting against section 20—apologies.

**The Chair (Ms. Natalia Kusendova):** That's okay.

Are members ready to vote? Those in favour of schedule 4, section 20, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 20, carried.

We are now considering schedule 4, section 21. Is there any debate?

**Ms. Suze Morrison:** Recorded vote.

**The Chair (Ms. Natalia Kusendova):** We will have a recorded vote. Shall schedule 4, section 21, carry?

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare schedule 4, section 21, carried.

We are now considering schedule 4, section 22. Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 22, carried.

We are now moving on to schedule 4, section 22.1. We have an amendment proposed by the NDP on page 18. MPP Morrison.

**Ms. Suze Morrison:** I move that schedule 4 to the bill be amended by adding the following section:

“22.1 The act is amended by adding the following section:

“No rent increase, COVID-19

“110.1. Despite any other provision of this act, no landlord shall increase the rent charged to a tenant for a rental unit, including a new tenant of that rental unit, until the end of the prescribed post-pandemic recovery period.”

**The Chair (Ms. Natalia Kusendova):** Any debate—oh, I’m sorry, but this amendment is out of order. It is beyond the scope of the bill.

**Ms. Suze Morrison:** I request unanimous consent of the committee to consider the motion.

**The Chair (Ms. Natalia Kusendova):** Is there unanimous consent to consider—there is no unanimous consent. MPP Tabuns, did you want to say something?

**Mr. Peter Tabuns:** I’m giving unanimous consent. Sorry, Chair. I think someone else may have voted another way.

**The Chair (Ms. Natalia Kusendova):** Unfortunately, there’s no unanimous consent. Therefore, I am ruling this amendment out of order.

I’m so sorry, but we have to recess for a few minutes, and we’ll be back in a few minutes.

*The committee recessed from 1119 to 1125.*

**The Chair (Ms. Natalia Kusendova):** I call the Standing Committee on Social Policy back to order to continue our clause-by-clause consideration for Bill 184.

Can we ask MPP Tabuns and MPP Blais to turn your video back on? Wonderful. Thank you very much.

We are now moving on to schedule 4, section 22.1. We have an amendment—

*Interjection.*

**The Chair (Ms. Natalia Kusendova):** Oh, we did that one already. It was out of order. My apologies.

So schedule 4, section 22.2: We have a motion proposed by the NDP on page 19.

**Ms. Suze Morrison:** This is a motion to scrap vacancy decontrol, which we heard—

**The Chair (Ms. Natalia Kusendova):** Please move the motion.

**Ms. Suze Morrison:** I move that schedule 4 to the bill be amended by adding the following section:

“22.2 The act is amended by adding the following section:

“Exception, s.113

“113.1 Subject to section 111 and despite section 113, the lawful rent for the first rental period for a new tenant under a new tenancy agreement for a unit that was previously rented is,

“(a) if the rental unit was rented in the last 12 months, any amount that is equal to or less than the last lawful rent charged or that ought to have been charged to the previous tenant; or

“(b) if the rental unit was not rented in the last 12 months, an amount that is equal to or less than the sum of,

“(i) the last lawful rent charged or that ought to have been charged to the previous tenant,

“(ii) all increases to the rent that the landlord would have been permitted to make under this act if the rental unit had been occupied, and

“(iii) all decreases to the rent that the landlord would have been required to make under this act if the rental unit had been occupied.”

**The Chair (Ms. Natalia Kusendova):** Is there any debate? MPP Morrison.

**Ms. Suze Morrison:** This is an amendment that would address the root cause of renovictions. We heard over and over again from both tenants and tenant advocates that the real root cause of renovictions in the province of Ontario is a lack of vacancy rent control. What that means is that when a tenancy turns over, a landlord cannot charge the new tenant more than the previous tenant was paying. What we see in Ontario is that when vacancy rent control was decontrolled, we see a gap in what long-term, good tenants are paying for their rents and what new tenants are paying. So we get a financial incentive for landlords to find every mechanism they can to evict long-standing, good-paying tenants because they can turn the unit over and charge substantially more per month based on the new market values.

Vacancy rent control addresses this problem by stabilizing rent prices and not allowing those big gaps when tenancies turn over. This removes any incentive for a landlord to illegally evict a tenant, it stabilizes rental prices and creates a much more equitable housing market for tenants, where they have more flexibility and more ability to move in the market, based on their needs. For example, if you’re a young couple and you’re renting a small, one-bedroom apartment in downtown Toronto—in my neighbourhood, the average price of a one-bedroom condo at 500 square feet is \$2,100 a month. So you sign a lease, you’re paying \$2,100 a month plus your annual guideline increases every year, but five years down the road, you decide you want to start a family and you now need to rent a two-bedroom apartment to accommodate your first child. But now the price of a two-bedroom—let alone moving to a similar one-bedroom apartment, which may now be \$400 or \$500 more a month than you’re paying in your current unit. The idea of being able to afford a two-bedroom, considering the increases in prices, is just simply unattainable. People have no mobility to move in the market without actual effective rent control, which is what we’re trying to bring in through this amendment. I really strongly encourage the members opposite to support us in this endeavour.

The last thing I’d like to say on this is that the profitization of tenant turnover is big money for big business landlords specifically. Just last year, we saw corporate landlord Starlight spend \$1.72 billion to take over the corporate landlord Continuum REIT and its 44 Toronto apartment buildings.

**1130**

Continuum’s CEO admitted that Starlight’s plan, their whole business model, depended on the displacement of existing tenants and replacing them with new tenants at a higher rent. So we have these large international corpora-

tions who are making billions of dollars off the displacement of Ontario residents. He even said, “We had a gap in our rents—between our in-place rents and our market rents—of over 30% and that was the reason for the strong order book on the IPO. The buyer recognized the value of that gap and was willing to pay for that gap.” In May, we also saw the United Nations warn that a business model based on displacing existing tenants in order to increase profits is, in fact, a human rights violation.

Landlords have the right to earn a fair and reasonable return on their investments. No one is saying that—but they don’t have the right to profit from the displacement of tenants in the midst of a housing crisis and in the midst of a pandemic on top of that. We heard over and over again from tenants in our committee hearings last week that this was the wrong bill before COVID-19 and it’s the wrong bill at the wrong time in the circumstances of COVID-19 as well. It behooves this government to really seriously take into consideration how we protect tenants, who are so vulnerable as a result of COVID-19 right now, from the immense profitable incentive that landlords have to displace tenants to jack up the rents.

Like I said, I really hope that the members opposite will support our motion to bring in real vacancy control in the province of Ontario.

**The Chair (Ms. Natalia Kusendova):** Thank you. MPP Gill.

**Mr. Parm Gill:** Thank you, Madam Chair. We will be opposing this motion. It would be contrary to the rent control systems that we have in place in Ontario. It may make it hard for some landlords to maintain their buildings and may incent some landlords to exit the rental housing business altogether, so we will oppose it.

**The Chair (Ms. Natalia Kusendova):** Thank you. MPP Tabuns?

**Mr. Peter Tabuns:** I want to build on what was set out by my colleague the member for Toronto Centre. I have seen some really grim renovations in my riding, driven by the knowledge on the part of the new landlords that they could double or triple the income from the buildings that they had purchased.

At 245 Logan in my riding, there are about 20 to 25 units, mostly occupied by low-income younger people and seniors on pensions. I talked to one gentleman in his late seventies who had lived in the building for 30 years. Because of rent control, his rent for his modest unit was under \$1,000 a month, and between CPP and Old Age Security and GAINS, he was actually able to maintain some stability and independence. He did not have a place to go to when a new landlord, a speculator, bought the building and gave him and all the other tenants notice that they were being pushed out.

What was very interesting was the new speculator-landlord had put out notices on the Internet posting these units at rents of \$2,300 to \$2,400 a month. The speculative gain you can make by driving tenants out is astounding. So the interest on the part of these landlords—speculators, predators—in driving people out to double and triple the revenue from the building is a relentless pressure.

Another person in that building was a man in his seventies who was undergoing chemo. He was fighting cancer, and all he wanted to do was live in his unit until he died. Well, he got driven out.

Building after building, I come across this. Akelius, another landlord, operating entirely within the law, aggressively makes buildings really uncomfortable to drive tenants out, because with vacancy decontrol, they know they can increase the revenue 10%, 20% or 30%, sometimes double, sometimes triple.

If you don’t do this, you may preserve the market for landlords, you may preserve the real estate value of buildings, but you’re certainly not going to preserve homes for tenants.

My colleague was reading out notes about a private company—I think it was Starlight—and their model for driving out tenants and driving up rents. I urge people who haven’t reviewed the Globe and Mail’s Report on Business this past year to go and look at articles about how private equity firms are moving into the Toronto rental market because it’s such a gold mine. And they’re doing it to us, they’re doing it to Hamilton, as people are driven out of Toronto, and they’ll do it to all other cities where there’s an opportunity to make a fortune. If you actually want to give tenants a chance to have some stability in their housing, you need to vote for this amendment. I think I’ve pretty much made my argument, Chair. Thank you.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are now moving on to schedule 4, section 22.3. We have an amendment proposed by the NDP on page 20. MPP Morrison.

**Ms. Suze Morrison:** I move that schedule 4 to the bill be amended by adding the following section:

“22.3 The act is amended by adding the following section:

“Notice to tenant

“129.1(1) A landlord shall, at least 90 days before the date specified under clause 129(b), notify a tenant to which clause 129(c) applies of,

“(a) the tenant’s right to a rent reduction; and

“(b) the amount of the rent reduction.

“Transition

“(2) If there are less than 90 days remaining before the date specified under clause 129(b) on the day this section comes into force, the landlord shall,

“(a) give the required notification within 90 days after the day section 22.3 of schedule 4 to the Protecting Tenants and Strengthening Community Housing Act, 2020 came into force; and

“(b) despite any other provision of this act, immediately return to the tenant any rent the tenant has paid above what the tenant would have been required to pay had the rent been reduced as required under clause 129(c).”

**The Chair (Ms. Natalia Kusendova):** Is there any debate? MPP Morrison.

**Ms. Suze Morrison:** What we’re trying to address here is a gap that we’ve identified with how above-guideline rent increases are resolved. An above-guideline rent increase is when a landlord comes to the Landlord and Tenant Board with a whole host of large capital repairs and downloads the costs of those repairs on to the tenant through what’s called an “above-guideline rent increase”; so it allows them to increase, temporarily, the rent above the annual guideline amount, which is normally the maximum that folks can increase the rent by, in order to offset the costs of those repairs and renovations.

These orders can have terms of about 15 years or so, and many tenants aren’t aware of the fact that these orders are actually temporary. So, once the order is issued, the above-guideline rent increase is only legal for the tenant for the typical lifespan of the renovations that were conducted that they’re paying for.

So what we see is that when these orders expire, it’s now 10, 15 years down the road and the long-term tenants in this building are often not notified that they’re actually owed a legal rent reduction at this point, and this would require that a landlord is required to give 90 days’ notice of legal rent reductions that the tenants are owed when above-guideline increase orders expire.

Really, this is just clarifying the landlord’s responsibility to notify the tenants of the rent increases that they’re owed once these orders expire. I will add that this has been a problem that we’ve noticed in my riding. We have one building in the Dundas and Sherbourne area that we knew had an expired AGI coming up. It’s very hard to track down these orders. The board doesn’t necessarily keep track of them. So it’s hard to go back, and it requires the tenants to keep track of original paperwork from the board orders from a decade ago and to have the understanding of how to read these orders properly to understand that they even expire. I had to go personally and knock on all of the doors in this building to identify all of the tenants who lived there at the time the order was put in place, identify all of those folks and then go after the landlord to implement the legal rent reduction that was now several months past due that they were legally owed.

1140

The most heartbreaking part of this story is that this is a building of largely fixed-income seniors, with maybe \$5 or \$10 of wiggle room in their budgets every month on just the bare necessities. These rent reductions would have meant something substantial to these tenants. One of the tenants that was owed a rent reduction actually died before we could achieve that legal rent reduction for them.

But my point here to the story is that it shouldn’t take an elected politician knocking on doors in a building to track down who is owed a legal rent reduction because the landlord hasn’t kept track of their own paperwork and doesn’t know, or thinks they’re going to get away with continuing to charge these substantially higher rents through the above-guideline increase process. Then their tenants are legally obligated to pay.

So what we’re trying to do is close that loophole. All we’re saying is that at the end of an AGI order, give three months’ notice to the tenants that they’re owed that reduction legally based on that order so that it doesn’t fall on tenants, who are often vulnerable—folks who may not speak English as a first language, whose English literacy may not be great, who are seniors or living with disabilities, who may not have the ability to keep track of that order for 10 years and then go after their landlord to get their legal rent reduction.

Then what happens when there’s conflict between what the reduction amount is supposed to be between a landlord and the tenant? We have to take a whole process into the Landlord and Tenant Board and then further slow down the board trying to adjudicate what should be an automatic reduction coming back off of folks’ rents.

Like I said, what we’re trying to do here is just make sure that landlords now have the responsibility to just give their tenants notice when these AGIs come back off of the rents so that tenants aren’t paying more rent than they’re legally required to.

**The Chair (Ms. Natalia Kusendova):** MPP Gill.

**Mr. Parm Gill:** This motion basically makes an unnecessary change to the Residential Tenancies Act, 2006, by adding another requirement for landlords. Tenants do not need advanced notice of the rent reduction from their landlords, as the rent reduction date is already set out in the Landlord and Tenant Board order which grants the above-guidelines rent increase. All tenants in a building, including large buildings, affected by the above-guideline increase would receive a copy of the order. Therefore, we will be opposing this.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Blais, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are now moving on to schedule 4, section 23. Is there any debate? Shall schedule 4, section 23, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, section 23, carried.

We are now moving on to schedule 4, section 24. We have an amendment proposed by the NDP on page 21. MPP Morrison.

**Ms. Suze Morrison:** I move that section 24 of schedule 4 to the bill be amended by striking out “within one year” in subsection 135.1(2) of the Residential Tenancies Act, 2006 and substituting “within five years”.

**The Chair (Ms. Natalia Kusendova):** Is there any debate? MPP Morrison.

**Ms. Suze Morrison:** What we’re trying to do here is extend the amount of time before an illegally applied rent increase becomes legal. What the government has attempted to do within Bill 184 is make it possible for a landlord to profit off of illegally obtained rents if that tenant unknowingly pays those rents for one year.

Again, we heard over and over from tenants and tenant advocates in committee, when we had our public hearings last week, that this is akin to fraud. When a landlord applies an illegal rent increase to a tenant, that rent increase is, by definition, illegal and fraudulently obtained. And what the government members are trying to achieve with this clause is a get-out-of-jail-free card for the bad actors in our housing system, in our rental market.

The only person who benefits from being allowed to make an illegal rent increase legal as long as no one notices for 12 months is a bad landlord. This does nothing to benefit or make things easier for good landlords, the small mom-and-pop landlords that are following the rules and not giving their tenants illegal rent increases. This literally only benefits the bad actors in the system. It’s almost like a challenge from the government, saying, “Go ahead and try it. See if you get away with it. If you sneak by your tenants for a full year with an illegal rent increase, you can keep the profits of that.” Tenant rights out the window—this government doesn’t seem to care.

What we’ve done in this motion is increase that amount of time from one year to five years, so that a tenant would have a five-year window to come back to the landlord and claim redress for, again, illegally obtained rent increases. Thank you.

**The Chair (Ms. Natalia Kusendova):** Thank you. MPP Gill.

**Mr. Parm Gill:** We will be opposing this motion, basically because this section avoids disputes about historic rent increases, where the landlord and tenant have been abiding by the rent increase for a long period of time. Maintaining this amendment would provide a consistent rule and limitation period in line with other provisions of the Residential Tenancies Act, 2006, so we will oppose it.

**The Chair (Ms. Natalia Kusendova):** Thank you. Further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded.

### Ayes

Blais, Burch, Morrison, Tabuns.

### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We are still on section 24 of schedule 4. We have another amendment proposed by the NDP, on page 22. Ms. Morrison.

**Ms. Suze Morrison:** I move that section 24 of schedule 4 to the bill be amended by adding the following subsection to section 135.1 of the Residential Tenancies Act, 2006:

“Exception

“(4.1) This section does not apply with respect to a rent increase that occurred as the result of a failure to reduce rent in accordance with any requirements set out in sections 128, 129 and 131.”

**The Chair (Ms. Natalia Kusendova):** Thank you. Any debate? Go ahead, MPP Morrison.

**Ms. Suze Morrison:** Excellent. Further to our debate on the previous amendment, this is an amendment with a similar goal, to address illegal rent increases, and states that there would be no statute of limitations on illegal rent increases that are due to a failure to reduce the rent as required under the act because of lower utility costs, lower property taxes or the expiry of an AGI period.

What this means is that, in situations where tenants are owed legal rent reductions, as in the examples I just stated, so the landlord receives a significant reduction in their property taxes, a significant reduction in the utilities that they’re paying—maybe the tenant is working really hard to become more energy-efficient and that’s lowering their utility bills substantially, or as I said in previous debate on a previous motion, the expiry of an AGI would lead to the tenant being owed a rent reduction. In any of those situations, if the landlord has not given notice to the tenant that they are owed these rent reductions and the tenant doesn’t know that they’re owed a rent reduction because the landlord never told them—how is a tenant supposed to know that the landlord has received a substantial tax reduction? They wouldn’t. How would a tenant know that the landlord of their all-inclusive unit, where they don’t receive a utility bill themselves—it’s paid for by the landlord, inclusive of their rent—has received a substantially reduced utility bill? Or how do they know that an AGI has expired from 10 years ago, again, if the landlord isn’t required to notify them?

### 1150

In those cases where, maybe 13 months after the fact, the tenant is going through records or the landlord makes an off-handed comment about how much he saved on his property taxes that year and the tenant asks around and inquires and realizes that, “Hold up, last year, 12 or 13 months ago, my landlord was supposed to give me a reduction on my rent because his property taxes went down,” the tenant wises up and realizes something that’s been taking place for just a little over a year that should never have happened in the first place.

Those tenants should be legally entitled to redress. The landlord has pocketed illegal rents that the tenant should never have been paying, and through no fault of their own

they did not know that they were owed a reduction because there's no responsibility to notify tenants in these situations. In fact, the government just voted down an amendment that would require, at the bare minimum, that landlords notify tenants when they are owed rent reductions in the previous amendment specifically related to above-guideline rent increases. So how are tenants supposed to ever catch on to these illegal rents? And then to put a statute of limitations of only one year on that period is just outrageous.

Tenants deserve to have their day at the Landlord and Tenant Board. They deserve to be treated fairly in the system. And if a landlord is making profit because their property taxes have gone down and they've not passed that on to their tenants, how is that fair? What we've done here is we've made it, in the wording of this motion, so that there is no statute of limitations specifically on these types of cases where the tenants were owed a rent reduction, so if it takes two or three years for the tenant to piece together and do their own research about the reductions that their landlords owed them legally, they still have an opportunity to go back and get redress for the overages of rent payments that have been collected by the landlord.

**The Chair (Ms. Natalia Kusendova):** MPP Gill.

**Mr. Parm Gill:** Madam Chair, a failure to reduce rent and a rent increase are two different things. Landlords are required by the Residential Tenancies Act, 2006 to reduce the rent—for example, for above-guideline increases—by the percentage increase outlined in the board order. Tenants can apply to the board if the landlord did not reduce their rent. This section was about disputes about historic rent increases where the landlord and tenant have been abiding by the rent increase for a long period of time. Maintaining the current language of the amendment would provide a consistent rule and limitation period in line with other provisions of the RTA for disputes related to rent increases. We will be opposing this amendment.

**The Chair (Ms. Natalia Kusendova):** Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Blais, Burch, Morrison, Tabuns.

#### Nays

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

We will now be voting on schedule 4, section 24, as a whole.

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare section 24 of schedule 4 carried.

We are now moving on to consider schedule 4, sections 25, 26, 27 and 28. Is there any debate? Seeing none—

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare schedule 4, sections 25 through to 28, carried.

We are now moving on to schedule 4, section 29. Is there any debate? Seeing none, those in favour, please raise your hand. Those opposed, please raise your hand. Thank you. I declare schedule 4, section 29, carried.

We are now moving on to schedule 4, section 30. We have an amendment proposed by the government on page 23. MPP Gill.

**Mr. Parm Gill:** Thank you, Madam Chair. I move that subsection 30(1) of schedule 4 to the bill be amended by striking out “if the parties consent to participating in the mediation or other dispute resolution process” at the end of subsection is 194(1) of the Residential Tenancies Act, 2006.

**The Chair (Ms. Natalia Kusendova):** Thank you. Is there any rebate? MPP Gill.

**Mr. Parm Gill:** This amendment supports the use of alternative dispute resolution to resolve disputes between landlords and tenants in advance of the Landlord and Tenant Board hearing. Tenants would still have a right to a hearing if they don't reach a settlement that works for them.

**The Chair (Ms. Natalia Kusendova):** Thank you. MPP Morrison?

**Ms. Suze Morrison:** Yes. Thank you. I certainly have concerns with this process in that it removes the requirement that both parties consent to the mediation or the ADR process. So this could force a tenant to participate unwillingly in a process that could result in them being evicted without a hearing.

Again, we want to make sure that tenants are getting what they see as their fair day in court when they go to the Landlord and Tenant Board to defend their rights and prevent an eviction potentially into homelessness and having a landlord force their hand into the mediation process, which then allows the landlord to bypass an eviction hearing. It forces them to take the right to a hearing away from tenants because only one party now has to opt in to this alternative dispute resolution process that this government hasn't actually clearly articulated in this bill.

This is going to be left largely to regulation and implementation at the board. We don't know what this dispute resolution process looks like, and landlords are going to be able to unilaterally take away the right for a tenant to have a hearing on an eviction if they don't participate in this mediation process; and it allows the landlord to proceed with the process regardless of the tenant's wishes, which takes away their right to a hearing.

I absolutely oppose this amendment and, please, strongly encourage the government members opposite to withdraw it.

**The Chair (Ms. Natalia Kusendova):** Thank you. Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** I declare this motion carried.

Shall schedule 4, section 30, as amended, carry?

**Ms. Suze Morrison:** Recorded.

#### Ayes

Babikian, Gill, Hogarth, Karahalios, Martin, McDonell.

#### Nays

Blais, Burch, Morrison, Tabuns.

**The Chair (Ms. Natalia Kusendova):** Carried.

We are now moving on to schedule 4, sections 31, 32, 33 and 34. Is there any debate?

**Ms. Suze Morrison:** Sorry, 31?

**The Chair (Ms. Natalia Kusendova):** Sections 31, 32, 33 and 34.

**Ms. Suze Morrison:** Can we vote on section 31 separately?

**The Chair (Ms. Natalia Kusendova):** Sure.

**Ms. Suze Morrison:** Thank you.

**The Chair (Ms. Natalia Kusendova):** Is there any debate on section 31? Seeing none—debate? Yes?

**Ms. Suze Morrison:** Yes.

**The Chair (Ms. Natalia Kusendova):** Go ahead, MPP Morrison.

**Ms. Suze Morrison:** Thank you so much. I specifically just want to get on the record that we're opposing section 31, which specifically allows for evictions without a hearing if a tenant fails to fulfill the terms of a repayment agreement, which as the government has just amended in this bill in the previous motion, that that negotiation of that

repayment agreement can be done without the consent of the tenant.

Instead of doing really anything at all to protect tenant rights in—

**The Chair (Ms. Natalia Kusendova):** Thank you. It is now 12 and we are mandated to recess until 1 p.m. Thank you very much.

*The committee recessed from 1200 to 1300.*

**The Chair (Ms. Natalia Kusendova):** Good afternoon, everyone. The Standing Committee on Social Policy will now come to order. We are here to resume our clause-by-clause consideration of Bill 184, An Act to amend the Building Code Act, 1992, the Housing Services Act, 2011 and the Residential Tenancies Act, 2006 and to enact the Ontario Mortgage and Housing Corporation Repeal Act, 2020.

To begin, we will start with our attendance check: MPP Martin, MPP Karahalios, MPP Burch, MPP McDonell and MPP Babikian.

And welcome, MPP Pang: Could you please state your name and which city in Ontario you are calling us from today?

**Mr. Billy Pang:** I'm MPP Billy Pang in Markham, Unionville.

**The Chair (Ms. Natalia Kusendova):** Wonderful. Thank you. In the room, we have MPP Gill, we have myself and we have MPP Morrison.

We are resuming where we left off. We left off debating on schedule 4, section 31. MPP Morrison.

**Ms. Suze Morrison:** As I was starting to say right before we broke for recess for lunch, I do just want to get on the record why we are opposing section 31 as a whole, and that's because it specifically does allow for evictions without a hearing if a tenant fails to fulfill the terms of a repayment agreement.

Instead of removing this requirement, in light of the looming eviction crisis that's been created by COVID-19, the government is taking what was already bad legislation that was tabled before the pandemic—and as far as I'm concerned, it should have been withdrawn completely in light of COVID-19. They're taking a bad piece of legislation and making it even worse for tenants who have been affected by the pandemic, giving their landlords even more power to intimidate tenants who are struggling, through no fault of their own because they have lost their jobs and their income as a result of the provincial shutdown, and pressuring those tenants into signing take-it-or-leave-it repayment agreements that they may or may not be able to actually meet the requirements of, and pressuring them into these agreements that then come with an automatic eviction trigger if they come up even a day late and a dollar short on these repayment agreements. It's absolutely disgraceful, and worse, we've seen this government table amendments today that make this section even worse than that, by allowing landlords to enter into mediation for these agreements without the consent of the tenant. It's disgraceful, and we will not be supporting section 31 as a whole.

**The Chair (Ms. Natalia Kusendova):** Further debate? MPP Gill.

**Mr. Parm Gill:** I just wanted to say that this section will encourage more landlords to work with tenants to negotiate repayment agreements without the need of a formal hearing. Tenants would still have the right to a formal hearing if they don't wish to settle through a repayment agreement. I just wanted to stress on that and make it clear for the benefit of the members of the committee.

**The Chair (Ms. Natalia Kusendova):** Further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Babikian, Gill, Karahalios, Martin, McDonell, Pang.

#### Nays

Blais, Burch, Morrison.

**The Chair (Ms. Natalia Kusendova):** I declare this section carried.

We are now moving on to schedule 4, sections 32, 33 and 34. Is there any debate?

**Ms. Suze Morrison:** Can we move section 24 separately, please?

**Interjection:** Thirty-four, you mean?

**The Chair (Ms. Natalia Kusendova):** We are on sections 32, 33 and 34.

**Ms. Suze Morrison:** Sorry, I'm getting my motion numbers mixed up with my section numbers again. Apologies, Chair.

**The Chair (Ms. Natalia Kusendova):** That's okay. No problem.

Is there any debate on sections 32 through 34? No debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare schedule 4, sections 32, 33 and 34, carried.

We are now moving on to schedule 4, section 35. We have an amendment proposed by the NDP on page 24. Go ahead, MPP Morrison.

**Ms. Suze Morrison:** I move that subsection 35(2) of schedule 4 to the bill be amended by striking out "\$250,000" and substituting "\$1,000,000".

**The Chair (Ms. Natalia Kusendova):** Debate? Go ahead.

**Ms. Suze Morrison:** Thank you so much. What this does is it increases the maximum fine, specifically for corporate landlords who violate the Residential Tenancies Act, from the proposed changes in Bill 184, which set the fines at \$250,000, and raises that to \$1 million. Our intent here really is to address the issues that we heard from tenants in large, corporately held buildings—the Akeliuses of the world, the Starlights of the world, these large international multi-billion-dollar corporations that own a substantial amount of our rental stock here in Ontario and across Canada and internationally as well.

As I mentioned in debate earlier on a previous motion, these are multinational corporations that, as we talked

about in the Starlight example, recently spent more than \$2 billion acquiring 44 properties in Toronto for the express purpose of—as their stated business model—forcing tenants out to jack up the rents for the next tenant. Quite frankly, a quarter-of-a-million-dollar fine to someone like Akelius or to someone like Starlight that is managing housing portfolios worth billions of dollars, and where the entire business model relies on exploiting the gaps that have been eroded in our residential tenancy law expressly to allow them to force their tenants out—a quarter of a million dollars to the Akeliuses and the Starlights of the world is, quite frankly, a slap on the wrist. This will not stop bad behaviour and bad actors from these large, multi-billion-dollar multinational corporations in our housing sector from abusing the law and taking the slap-on-the-wrist fine because, quite frankly, they can make more money. It doesn't matter. They can make that quarter of a million dollars back quite easily, as we heard in the quote that I read into the record previously from the CEO behind the Starlight deal.

Again, what we're trying to do here is increase the penalties. But this only applies to the bad actors in the system. The small landlords, the mom and pops, the good landlords are not going to be hurt by this. This is a fine for the worst repeat offenders in our system. I think that beefing up our fines under this section of the act would provide a real deterrent to bad-faith evictions, particularly considering the COVID-19 pandemic and in light of the government's unwillingness to support our earlier motion to implement rent control measures, specifically at vacancy turnovers—so, scrapping vacancy decontrol in the province of Ontario, which is the real solution. In the absence of the government's support of a rent control amendment to this bill, the only available option left to us is to increase the fines.

So again, I really encourage my colleagues opposite to support this amendment.

**The Chair (Ms. Natalia Kusendova):** Thank you. Further debate? MPP Gill.

**Mr. Parm Gill:** I think the member opposite knows full well that we're already increasing some of the fines to \$250,000. We do feel that this is unnecessary, to increase the maximum fine for a corporation to \$1 million. That is already being raised from, I believe, \$50,000 to \$250,000, so we will be voting against this amendment.

**The Chair (Ms. Natalia Kusendova):** Thank you. Any further debate? Seeing none, are members ready to vote?

**Ms. Suze Morrison:** Recorded.

#### Ayes

Burch, Morrison.

#### Nays

Babikian, Gill, Karahalios, Martin, McDonell, Pang.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 35 carry—MPP Martin, you wanted to say something? Go ahead.

**1310**

**Mrs. Robin Martin:** I don't think you counted MPP Blais's vote, who was in favour of this action passing.

**The Chair (Ms. Natalia Kusendova):** MPP Blais, are you "aye" or "nay"?

**Mr. Stephen Blais:** I voted against it.

**The Chair (Ms. Natalia Kusendova):** Okay. We're going to do that again.

#### Ayes

Burch, Morrison.

#### Nays

Babikian, Blais, Gill, Karahalios, Martin, McDonell, Pang.

**The Chair (Ms. Natalia Kusendova):** I declare this motion lost.

Shall schedule 4, section 35, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare section 35 of schedule 4 carried.

We are now moving on to schedule 4, sections 36, 37, 38, 39 and 40. Is there any debate? Seeing none, are members ready to vote? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare sections 36, 37, 38, 39 and 40 of schedule 4 carried.

We are now moving on to schedule 4, section 41. We have an amendment proposed by the government on page 25. MPP Gill.

**Mr. Parm Gill:** I move that subsection 41(2) of schedule 4 to the bill be struck out and the following substituted:

"(2) Subsection 3(2), sections 9 to 13, 18 to 21, 26 to 29, 32 and 34 and subsections 38(2) and (3) and 39(1) come into force on a day to be named by proclamation of the Lieutenant Governor."

**The Chair (Ms. Natalia Kusendova):** Any debate? Seeing none, are members ready to vote? Those in favour

of this motion, please raise your hand. Those opposed, please raise your hand. I declare this motion carried.

Shall schedule 4, section 41, as amended, carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare section 41 of schedule 4, as amended, carried.

Shall schedule 4, as amended, carry? Those in favour? Those opposed? I declare schedule 4, as amended, carried.

We are now going to consider section 1, section 2 and section 3 of the bill all together. Is there any debate? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare section 1, section 2 and section 3 of the bill carried.

We will now discuss the title of the bill. Is there any debate on the title of the bill? Shall the title of the bill carry? Those in favour, please raise your hand. Those opposed, please raise your hand. I declare the title of the bill carried.

Shall Bill 184, as amended, carry?

**Ms. Suze Morrison:** Recorded vote.

#### Ayes

Babikian, Gill, Karahalios, Martin, McDonell, Pang.

#### Nays

Blais, Burch, Morrison.

**The Chair (Ms. Natalia Kusendova):** I declare Bill 184, as amended, carried.

Shall I report the bill, as amended, to the House? Those in favour? Those opposed? Thank you. I will be reporting the bill to the House on Monday.

This concludes our business for today. Thank you to all of our members for participating and for your respectful dialogue. Thank you to our wonderful staff. Seeing that the weather is so beautiful, please go and enjoy. Thank you very much.

*The committee adjourned at 1315.*

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