

Written Submission to Standing Committee on  
Social Policy Regarding Bill 184, Protecting Tenants  
and Strengthening Community Housing Act, 2020

Patrick Plestid on behalf of the 100 Vaughan Road Tenants Association

June 26, 2020

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Dear Chair Natalia Kusendova, Vice-Chair Aris Babikian, and Members of the Standing Committee on Social Policy,

This document contains a written copy of remarks that I made on behalf of the 100 Vaughan Road Tenants Association before the Standing Committee on Social Policy on June 24, 2020. These comments were made with regards to Bill 184, Protecting Tenants and Strengthening Community Housing Act, 2020.

Below, I have also included several additional comments to address statements that were made by Members of the Standing Committee in the question period that followed my deputation.

- MPP Belinda C. Karahalios stated that her office hears from many landlords dealing with bad tenants as well as many tenants dealing with bad landlords; that a significant number of landlords are smaller landlords and not large corporate entities; and that Bill 184 strives to find a balance between the interests of landlords and tenants. I would ask

that MPP Karahalios and other Members of the Standing Committee consider the following:

- While the number of landlords in contact with an MPP's office may be approximately equal to the number of tenants, this is not reflective of Ontario's population. Roughly 4 million Ontarians live in rental housing. A small fraction of that figure are landlords. In viewing these two groups as equivalent, MPP Karahalios is equating the interests of tens of thousands of her constituents with the interests of a few hundred or, at most, a few thousand.
- It is true that a significant number of landlords in Ontario are smaller, non-corporate landlords. However, these landlords serve a far smaller number of tenants on a per-landlord basis. A smaller landlord may be expected to have 5, or 10, or 20 tenants. A larger corporate landlord may be expected to have 500, or 1,000, or even 20,000 tenants. As such, changes in Bill 184 that are intended to assist smaller landlords will disproportionately affect the tenants of larger landlords.
- In her comments, MPP Karahalios appeared to view a landlord dealing with a bad tenant as an equivalent situation to a tenant dealing with a bad landlord. Respectfully, this is simply not the case. The worst case scenario for most landlords dealing with a bad tenant is that they lose money on an investment property. The worst case scenario for most tenants dealing with a bad landlord is that they lose their home. Those are not equivalent risks.
- MPP Robin Martin stated that, while myself and other presenters discussed the bill in the framework of the Covid-19 crisis, that Bill 184 was introduced prior to the start of the

pandemic. She also stated that the legislature had consulted with tenants and tenant advocates in drafting the bill, citing ACTO's involvement. I would ask that MPP Martin and other Members of the Standing Committee consider the following:

- Regardless of when Bill 184 was introduced, the legislature passed the bill on second reading on May 27, more than two months into the Covid-19 crisis. At that time, the legislature had the opportunity to consider whether this bill was appropriate under the circumstances of the Covid-19 pandemic and the resulting economic emergency. As such, it is entirely appropriate to consider the passage of this bill as part of the government's response to the Covid-19 crisis.
- While the government may have consulted with tenants and groups such as ACTO on this bill, this does not mean that the government has adequately represented the interests of tenants in this bill. It should be noted that ACTO has forcefully condemned Bill 184 and has urged MPPs to reject this bill.
- MPP Babikian claimed that the Ontario government had not encouraged tenants to make legal arrangements for rent repayment with their landlord during the Covid-19 crisis, and that the government was only encouraging tenants to "talk to their landlords." This is false. Premier Ford, Minister Clark, and Ontario Housing have all explicitly encouraged tenants to come to private agreements with their landlords for rent repayment.
- Finally, MPPs Martin and Babikian objected to my comment that, if enacted, Bill 184 "would demonstrate that either this government does not understand the scope and the severity of the Covid-19 crisis, or it does not care how this affects everyday Ontarians." I was sorry to hear that MPPs Martin and Babikian took offense to my presentation.

However, I stand by my deputation, and believe I believe my words constitute a fair representation of Bill 184I. Due to the Covid-19 crisis, an unprecedented number of tenants are struggling to pay rent through no fault of their own, and face a severely precarious economy. Both tenants and landlords expect a record number of eviction applications following the end of the eviction freeze. For the Ontario government to pass a bill that puts tenants at significantly higher risk for eviction due to non-payment of rent, while offering minimal assistance to tenants struggling financially as a result of the Covid-19 crisis, would either require that the government (a) does not understand the consequences that the Covid-19 pandemic is due to have on the economy and to rental housing, or (b) understands these consequences and is choosing to increase the risk of eviction for tens of thousands of working families under these circumstances..

Thank you once again for the chance to speak before the Committee on June 24. Please find a written copy of my deputation below.

Sincerely,

Patrick Plestid,

Chairperson,

100 Vaughan Road Tenants Association

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Dear Members of the Standing Committee on Social Policy,

My name is Patrick Plestid, and I am speaking on behalf of the 100 Vaughan Road Tenants Association, which represents 28 tenants living in a 33-unit building in Toronto—St. Paul's.

Today, I would like to voice our association's concerns with Bill 184. Our membership is deeply and unequivocally opposed to this bill, and we are particularly alarmed that it is moving forward during the Covid-19 pandemic.

On March 26, in response to Ontario's Covid-19 outbreak, Premier Ford told tenants, "If you can't pay rent, and you're absolutely in crisis, then you don't have to pay rent." At the same press conference, he also said that, if anyone had to choose between putting food on their table or paying rent, that, "The government of Ontario will make sure that no one gets evicted," adding, "We're going to make sure we take care of those people."

Since then, Ontario has offered minimal assistance to renters who are struggling financially as a result of the pandemic. And while it has instituted a temporary freeze on evictions, it has taken no long-term measures to protect tenants from eviction once the freeze has ended.

Now, the Province is moving to enact Bill 184, a bill that will make it easier for landlords to evict tenants—including the very tenants that our Premier promised to protect.

While we have several concerns with this bill, our association wishes to highlight one provision in particular. Under Bill 184, tenants who agree to a rent repayment plan will lose their right to an eviction hearing in the future. If they miss a single installment, for whatever reason, their landlord will be able to evict them without a hearing, regardless of the circumstances.

Let's look at what that means for the kinds of families that the Premier spoke of in March.

Imagine a single parent who, prior to the pandemic, worked full-time as a bartender, and who lives in rental housing. During the pandemic, this tenant has lost their sole source of income. In the months since, they have struggled to find new work, and without access to child care during

the pandemic, they have had few opportunities to do so. Despite federal benefits, they remain unable to balance other critical expenses with rent.

Following the enactment of Bill 184, the landlord applies for an eviction. At this point, the tenant is back to working full-time. However, they owe a substantial amount of back rent. To avoid eviction, the tenant agrees to a rent repayment plan with their landlord.

Now, what happens if this tenant misses an installment?

Under the RTA as currently written, if the landlord decides to pursue an eviction, this tenant is guaranteed prior notice of eviction and an eviction hearing. If the tenant incurred a sudden and unavoidable one-time expense, or if they lost their job but have since regained employment, this can be explained at the hearing. As a result, the tenant may be saved from losing their home.

But if Bill 184 is enacted, the tenant can be evicted without a hearing. It does not matter why they missed the installment. It does not matter if the tenant can repay the installment in short order. If their landlord proceeds with an eviction, the tenant will have no opportunity to remain in their home.

That might seem like an isolated scenario. But in the wake of Covid-19, how many tenants will face similar situations if this bill is enacted?

Even the most conservative estimates say that around 10% of tenants in Ontario were unable to make rent in April. Roughly 1.6 million Ontario households live in rental housing. How many of these households are going to emerge from the pandemic owing rent? How many will have to then agree to a repayment plan to avoid an eviction? And of these households, how many can we expect to have trouble with one or two installments in the aftermath of the Covid-19 crisis? To avoid eviction, tenants will need to pay their current rent, plus these installments, and avoid

any kind of financial hardship, and they will need to do so amid a period of severe economic uncertainty.

We believe that this change to the RTA would be deeply irresponsible even under normal conditions. To make this change now would demonstrate that either this government does not understand the scope and the severity of the Covid-19 crisis, or it does not care how this affects everyday Ontarians.

It should be noted that our association has other serious concerns with Bill 184. For example, if a landlord has been so neglectful with regards to repairs and maintenance that it would render an otherwise valid eviction void, why is the Province making it harder for tenants to introduce these concerns at an eviction hearing? If a tenant is required to pay utility costs, why should landlords be allowed to withhold information about how these costs are calculated? And if the goal of Bill 184 is to make better use of LTB time and resources by reducing the number of formal hearings, as Minister Steve Clark has claimed, why does this bill shift rent repayment claims away from small claims court and to the LTB?

I'd like to close by underscoring the following point: If Bill 184 passes, there will be working people, including parents and children, who are made homeless as a result of this bill. And when that happens, it will be because the Ontario government decided—*in the midst of a pandemic and an economic crisis*—that it should be easier for these families to lose their homes.

Bill 184 would inflict serious damage to rental households in Ontario. It has no place in the Province's response to Covid-19. Our association urges you to reject this piece of legislation.

Thank you for your time.