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QUEEN'S PARK

New tenant bill could 'fast track' evictions post-COVID-19, hearing told

By **Victoria Gibson** Local Journalism Initiative Reporter

Wed., June 24, 2020 | ⌚ 3 min. read

Legislation proposed by the Ontario government could lead to an influx of evictions after the [COVID-19 pandemic](#) and disproportionately impact vulnerable populations, lawyers and tenant groups warned on Wednesday – during the first of three scheduled days of hearings on Bill 184.

Legal clinics, lawyers and tenant advocacy groups fear that a proposed change – allowing agreements like repayment schedules for missed rent during COVID-19 to be reached through alternate dispute resolution methods, then enforced without hearings at the province's Landlord and Tenant Board – could lead to a wave of renters in Ontario being turfed, as the province continues to face economic difficulties.

"The most vulnerable people may not be able to avail themselves of reviews or appeals, and will find themselves out on the street," lawyer Caryma Sa'd, who represents both landlords and tenants, told the standing committee on social policy.

She fears renters may agree to repayment plans without fully understanding their rights, and if tenants fell behind they wouldn't have a chance to explain themselves before being evicted.

"This is contrary to public health at this juncture, but also not good in terms of society," Sa'd said.



Advocacy for Tenants Ontario
@TenantAdvocacy



Organizations across Ontario have published this open letter urging the Ontario government to scrap [#Bill184](#) that will push tenants to the brink of economic eviction.
actoc.ca/bill-184-wrong... [#tenantrights](#) [#affordablehousing](#)

Bill 184: Wrong Bill, Wrong Time

The clients of Ontario's community legal clinics face daily struggles to pay the rent and life's other expenses. Ontario is home to over one-thi...

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Dania Majid, a lawyer for the Advocacy Centre for Tenants Ontario, pointed out that the bill was drafted before the pandemic, which she said has made renting more precarious for low-income tenants.

She commended the provincial government for halting residential evictions during the crisis, but argued that the dispute resolution contained in the proposed bill would "fast-track" evictions when those processes resumed.

"We need the eviction moratorium to continue," Majid said, warning that the board couldn't weather an "avalanche of evictions" once its work resumed. "No one should lose their home or be forced into an unaffordable repayment plan because of the economic lockdown."

The government is presenting the legislation as a tenant protection bill, and a spokesperson for Housing Minister Steve Clark stressed that tenants could still choose to have a hearing at the Landlord and Tenant Board. When an alternate resolution is reached, though, "everyone must abide by the terms."

Tenants could try to negotiate amendments to plans they'd agreed to, but if the landlord refused, they could seek an order to end tenancy without a hearing, the housing minister's office said.

At that point, a tenant could file a motion to set the eviction order aside, Clark's office said. That process was panned by lawyer Benjamin Ries in the hearings on Wednesday as "backwards."



Toronto ACORN
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Stop [#Bill184](#) - it erases tenants rights, and will lead to mass evictions and homelessness. ACORN Members are deputing, fliering, calling, doing everything they can to STOP this Bill!

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Tony Irwin, president of the Federation of Rental-housing Providers of Ontario, told the Star he understood that the board would still have oversight of granting eviction orders if a tenant lapsed on a repayment plan, even if it didn't need to hold a hearing first. He said the idea of allowing alternate dispute resolution channels seemed to be reasonable.

But as the hearings kicked off, a coalition of legal clinics and other groups released a joint letter. In it, they allege that the bill would lead to tenants being displaced, in part, due to the dispute resolution, which they argue could lead to tenants being "pressured to agree to terms they cannot meet."

The letter asked the government to extend the eviction moratorium until the province's economy and employment numbers recover.

It also asked the government to direct the board to make sure agreements were feasible, and "will not push tenants into homelessness or continued poverty."



Victoria Gibson is a Toronto-based reporter for the Star covering affordable housing. Her reporting is funded by the Canadian government through its Local Journalism Initiative. Reach her via email: victoriagibson@thestar.ca

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