



Does your landlord want you to move out?

In Ontario, it is usually against the law for your landlord to make you leave your home unless the Landlord and Tenant Board has made an "eviction order". This Board is a special court that deals with disagreements between landlords and tenants. On these pages, "Board" means the Landlord and Tenant Board.

A landlord must follow certain steps to try to get an eviction order. Your landlord must prove to the Board that there is a legal reason to evict you. By law, only some reasons can lead to eviction, for example, causing damage or not paying rent.

The information on these pages applies even if you live in public housing, or if your rent is subsidized or based on your income.

But it might not apply in some situations, for example, if:

- **you live in a place that is used for business,**
- **you share a kitchen or bathroom with the owner or the owner's close family member,**
- **you live in some types of temporary housing,**
- **you share space with or rent from another tenant,**
- **you are a member of a housing co-operative.**

Get legal advice if you are not sure.

What if I do not want to move out?

Usually, the first step your landlord will take to evict you is to give you a written notice that tells you to move. You do not have to leave, but you should get legal help.

If you do not move out, the next step your landlord must take is to apply to the Landlord and Tenant Board. You should receive a copy of the landlord's "Application" and a "Notice of Hearing" with the date, time, and place of the hearing.

It is very important to go to this hearing. If you do not, the hearing can go on without you and the Board will probably decide to evict you. It is best to get legal help before the hearing. If you cannot afford a lawyer, a community legal clinic may be able to help you.

You might get a lot of papers if your landlord is trying to evict you. If you have any difficulty reading and understanding any of these papers, show them to someone who can help. You may need to take legal action right away to stop the eviction.

What happens at the hearing?

At the hearing, a Board member listens to why your landlord wants to evict you and why you think you should not be evicted.

The Board member will make a decision at the end of the hearing or later. The decision is called an "order". Copies of the order will be sent to you and your landlord.

Sometimes you can make an agreement with your landlord to stop the eviction. This kind of agreement is often called a "settlement". An agreement can be made before or after the Board makes an order. Try to get advice from your own lawyer before signing any papers. Make sure you get a copy of anything you sign.

→ more on page 2 →



The Board can make an eviction order at any time of year, even during the winter.

Even if the Board makes an eviction order, you still might be able to stop the eviction. Get legal help right away.

Can I be evicted without a hearing?

In some situations, the Board can make an eviction order without a hearing. If this happens, you might not find out about it until the Board sends you a copy of the order. Then you must act very quickly to stop the eviction. Get legal help right away.

What if the eviction order is not stopped?

You must move out by the date given in the Board's order. If you do not, your landlord can tell a public official called the "Sheriff" to make you leave.

The Sheriff is the only person who is allowed to actually force you out or lock you out. It is against the law for your landlord, a security guard, or anybody else to do this. Your landlord cannot change the locks until the Sheriff comes and allows it.

What about all my stuff?

If you are evicted by the Sheriff, you have 72 hours to take all your things, even on a weekend or holiday. During these 72 hours, your landlord must keep your things safe in or near your place, and must let you get them any time from 8 in the morning to 8 at night.

These rules apply only if you are evicted by the Sheriff. In any other situation, you should take all your things with you when you move out. ❖

These pages give only general information. You should get legal advice about your own situation.

How to get help

211 Ontario is an information and referral hotline that gives help in many languages. They take calls 24 hours a day, 7 days a week. They can tell you:

- how to contact a community legal clinic,
- other places to get legal help and information, and
- how to contact a settlement agency or community agency for other kinds of help.

You could also try contacting a local library or a community legal clinic.

To contact 211 Ontario:

- ☎ Phone..... **211**
- ☎ TTY..... **1-888-340-1001**
- 💻 **211Ontario.ca**

For more help:

Developed by CLEO (Community Legal Education Ontario/Éducation juridique communautaire Ontario) in collaboration with the CLEO Six Languages Advisory Group, made up of 10 member agencies.

This project was funded by the Ontario Trillium Foundation and Legal Aid Ontario.

CLEO thanks Findhelp for giving telephone help to this project.

Visit www.cleo.on.ca to download these pages and other legal information.