

Demolitions, Conversions, Renovations and the Residential Tenancies Act



The *Residential Tenancies Act* (RTA) about the conversion, demolition and rental units, including the requirements compensating tenants and providing alternate accommodation.



Municipal Restrictions

Some municipalities have planning policies which restrict the conversion of rental housing. Landlords and tenants should always check with their local municipality about converting rental housing.

Condominium Conversion

- A landlord cannot require tenants to move out in order to convert a rental building to a condominium.

- In most cases, the tenant has lifetime security of tenure and the right of first refusal to purchase their rental unit after the building has been converted to a condominium.
- Lifetime security of tenure means that a tenant can continue to live in their rental unit for their entire life after the building becomes a condominium.
- Each tenant continues to be protected by guideline rent increases and can only be evicted for the reasons set out in the RTA,
- The right of first refusal means that if a prospective buyer offers to purchase the unit, the tenant has 72 hours to match the offer on the same terms and conditions. However, the tenant cannot be evicted if they do not match the offer. The tenant can continue to rent their unit.

Renovations or Major Repairs

- A landlord can require a tenant to move out in order to do renovations or major repairs, if it would be unsafe for the tenant to remain in their rental unit during the work, and a building permit is needed.
- A landlord must give a tenant 120 days notice of termination if the landlord requires the premises for repairs and it must be on a

proper N13 form from the Landlord and Tenant Board.

- The date for terminating the tenancy must be the day the period the tenancy ends or the end of a fixed term tenancy.
- The notice of termination must inform the tenant of their right of first refusal
- A tenant has the right of first refusal, which means that the tenant gets the first opportunity to occupy their rental unit at the same rent, plus any guideline increase that may have incurred, after the renovations or major repairs.
- If a tenant wishes to exercise their right of first refusal the tenant must put it in writing before vacating the rental unit.
- In a building with five or more rental units, if a tenant exercises their right of first refusal and decides to return to their rental unit, the landlord must pay the tenant compensation equal to the amount of rent the tenant would have to pay while the repairs were being done or three months rent, whichever is lower.
- In a building with five or more rental units, if a tenant does not exercise their right of first refusal and decides not to return to their rental unit, the landlord must pay the tenant compensation equal to three months rent or offer them another unit that is acceptable to the tenant.

- The compensation does not apply if the landlord is ordered by a government agency to make the renovations or major repairs.
- A tenant who receives a notice of termination for renovations and repairs may terminate their own tenancy anytime before the date specified in the notice. The tenant must inform the landlord of their intention to move in writing and 10 days must have past after the tenant received the original termination notice by the landlord.
- If a tenant moves out before a 120 days notice to terminate is given they are not entitled to the right of first refusal nor are they entitled to any compensation

Demolitions

- A landlord can require tenants to move out in order to demolish the rental building.
- In buildings with five or more units, the landlord must pay each tenant compensation equal to three months rent or offer them a unit in another building that is acceptable to the tenant.
- The compensation does not apply if the landlord is ordered to demolish the rental building by a government agency.

Other Conversions

- A landlord can require tenants to move out in order to convert their rental building to another use other than rental.
- In buildings with five or more rental units, the landlord must pay each tenant compensation equal to three months rent or offer another unit that is acceptable to the tenant.

Additional Information

- **Landlord and Tenant Board**
(416)-645-8080
Or visit:
<http://www.ltb.gov.on.ca/en/index.htm>
- **Call 311 and ask for City Planning Department** (to find out about the status of your landlords application for a demolition or conversion with the City of Toronto)
or visit:
<http://www.toronto.ca/planning/index.htm>
- **Call 311 to ask for your city councilor's contact information**
Or visit:
<http://app.toronto.ca/im/council/councillors.jsp>

The Federation of Metro Tenants' Associations is a non-profit organization which advocates for better rights for Tenants. Founded in 1974, we are the oldest and largest Tenant Federation in Canada. The FMTA is comprised of affiliated Tenant Associations and of individual Members. We have over 3,000 members and continue to grow.

We can be reached at:
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