

Maintenance and repairs

Every tenant has the right to a home
that is well maintained, in a building
that is clean and safe.





DOES THIS BOOKLET APPLY TO YOU?

This booklet is about tenants' rights under the **Residential Tenancies Act (RTA)**. The RTA applies to most rental housing in Ontario, such as rooms, apartments, houses, mobile home parks, and retirement homes.

But some rental housing is **not covered** by the RTA. For example, you might not be covered if you live in a place that is supposed to be used for business, share a kitchen or bathroom with the owner or a close family member of the owner, or live in some types of temporary or seasonal housing.

Also, the RTA does not cover some types of shared living. If you share rental housing or you rent from another tenant, we have an online tool at www.cleo.on.ca/roommates that can help you find out if you are covered.

If your housing is not covered by the RTA, the information in this booklet does not apply to you. If you are not sure, see page 7 to find out [where to get legal advice](#).

Maintenance and repairs

Your landlord is responsible for the maintenance and repair of your rented home. This includes things that came with your place, such as appliances, and it includes common areas, such as parking lots, elevators, and hallways.

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This means that your landlord must fix or replace anything that is in bad condition or does not work properly. It does not matter if your lease or rental agreement says something different or if you knew about the problem when you agreed to rent the place. The law says your landlord is responsible.

But, if you or your guests break anything on purpose or by being careless, usually you must fix it or pay for the repair.

Your landlord must also clean and maintain the common areas. These are areas both inside and outside the building that are not part of tenants' apartments. For example, your landlord must:

- keep halls, elevators, stairways, and the lobby clean,
- keep laundry and garbage rooms clean,
- pick up garbage outside the building,
- cut the lawn, and
- shovel snow and keep ice off the driveways and sidewalks.

It is up to you to keep your own apartment or rental unit clean, unless your lease or rental agreement says your landlord will do it.

If you rent a whole house, the law is not clear about who is responsible for outdoor work like lawn mowing and snow shovelling.

Cockroaches, mice, or other pests

If you have a problem with cockroaches, bedbugs, mice, or other pests, your landlord must take steps to get rid of them and to stop them from getting in.

Heat

Your landlord must give you enough heat in winter. Usually this means there must be enough heat to keep your apartment at least 20°C from September to June. The rules about this are slightly different for different places in Ontario.

You can call your town or city hall or municipal office to find out what the standards are where you live.

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If there are no local standards where you live, you can call the Investigation and Enforcement Unit (IEU) at 1-888-772-9277. The IEU's web site address is <www.mah.gov.on.ca/ieu>. See page 7 for [more information about the IEU](#).



Utilities and other vital services

Your landlord is not allowed to cut off or interfere with any vital services. This includes things like your supply of water, electricity, or heat. It also includes food or care services if you get these from your landlord or another service provider.

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If any of these things happen, you should get legal help or contact the Investigation and Enforcement Unit (IEU) at 1-888-772-9277. The IEU's web site address is <www.mah.gov.on.ca/ieu>. See page 7 for more information [about the IEU](#) and [about getting legal help](#).

What you can do to get things fixed

Tell your landlord

First, **talk to your landlord** about what is wrong and ask to have it fixed. Keep notes for yourself about when you talked to your landlord and what you talked about. There are blank pages at the end of this booklet that you can use.

It is sometimes helpful to take photos of the problem and put the date on them.

If your landlord does not fix the problem soon, **write a letter** asking your landlord to do the repair. Make sure to keep a copy for yourself. Or, if your landlord has a form for repair requests, fill one out and keep a copy.

Usually, it is safest to keep paying your rent while you are trying to get your landlord to deal with repair problems. If you do not pay all your rent for any reason, your landlord can try to have you evicted.

Ask your neighbours

Find out if other tenants in your building have similar problems. You might be able to get more done if you work together, especially if the problems are in common areas.

Call a government inspector

If your landlord does not fix the problem, you can call your local property standards or by-law department, or your town or city hall, municipal office, or local councillor. Many cities, towns, and municipalities have inspectors who can order your landlord to make repairs or to clean up your building.

If there are no inspectors or by-laws about housing standards where you live, you can call the Investigation and Enforcement Unit (IEU) at **1-888-772-9277**. The IEU's web site address is <www.mah.gov.on.ca/ieu>. See page 7 for [more information about the IEU](#).

Apply to the Landlord and Tenant Board

If your landlord does not fix the problem, you can apply to the Landlord and Tenant Board. The Board is like a special court that decides disputes between tenants and landlords.

When you apply, the Board will schedule a hearing where you and your landlord can each present your case to a member of the Board.

It is up to you to convince the Board member about the problem. It is very important to bring evidence to your hearing, for example, witnesses, photos, audio or video recordings, inspectors' reports, work orders, letters, or anything else that can help you prove your case to the Board member. You might want to make notes and take them to the hearing so you can remember everything you want to say.

If the Board agrees that there is a problem, the Board could order your landlord to:

- do any needed repairs or maintenance,
- not raise your rent until the repairs are done,
- give you back some of your rent for the time the repairs are not done,
- pay you back if you had to pay for the repairs or do them yourself,
- pay to fix or replace any of your property that was damaged because of the repair problem, or

- pay any reasonable expenses you had because of the repair problem, for example, if you had to eat in a restaurant because your fridge or stove was broken.

You can also ask the Board to let you move out without giving proper notice, if the conditions are very bad. The Board can also make any other order that it thinks is reasonable.

It is best if you apply to the Board within one year of noticing the problem. In some cases, you might be able to apply later than this.

You can apply to the Board even if the problem has already been fixed or if you have moved out.

A community legal clinic or lawyer can help you apply to the Board. See the section on the next page for information about [getting legal help](#).

The Advocacy Centre for Tenants Ontario (ACTO) has a tip sheet called **T6 Application about Maintenance**. It explains how to fill out the application form and prepare for a hearing with the Board. To find the tip sheet online, go to www.acto.ca and click on “Tenant Info”.

Where to get help

For legal help or advice, you can contact a community legal clinic or a lawyer.

You can usually find the **community legal clinic** for your area by looking under “Legal Aid” in your phone book. You can also check Legal Aid Ontario’s web site at www.legalaid.on.ca or phone them:

- Toll-free outside Toronto 1-800-668-8258
- In Toronto 416-979-1446
- Toll-free TTY 1-866-641-8867
- TTY in Toronto..... 416-598-8867

You can contact the **Landlord and Tenant Board** for application forms and for general information about landlord and tenant issues. The Board cannot give you legal advice.

The Board’s web site address is www.ltb.gov.on.ca. You can call the Board at 416-645-8080 or 1-888-332-3234.

The **Investigation and Enforcement Unit (IEU)** is a provincial government office set up to help make sure that:

- landlords and tenants follow the Residential Tenancies Act, and
- landlords follow provincial maintenance standards in places where there are no local standards.

You can call the IEU at 1-888-772-9277 or visit their web site at www.mah.gov.on.ca/ieu.



Notes



Notes

This publication contains general information. It is not a substitute for getting legal advice for your particular situation.

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