

Dear City Council Members and Staff,

Thank you for allowing me to speak with you today.

My name is Jacquie Wells and I am a member of the Waterloo Region chapter of ACORN.

I am also a former resident of [REDACTED], where I lived for 11 years. I cannot express to you the degree of anxiety and psychological stress and torment that I endured for years, as I worried year after year about the possible nightmare scenario of losing my home to a no-fault eviction such as a renoviction or demolition, which I had been reading about for years in the news.

To my personal horror, this fear became reality when the now infamous slumlord [REDACTED] bought my apartment building last fall. Using a numbered company to distance and anonymize himself was not enough to hide the truth. Things immediately turned for the worst- all culminating in renoviction notices being issued to tenants this past winter, among other harassment and abuse tactics intended to make life miserable for all tenants.

Due to my own personal circumstances, I have since moved out of the building, though not due to renoviction. However, I am realistic enough to know that I am still not safe and cannot get relief because as a tenant I am still at risk of a renoviction or demoviction happening to me anywhere that I live, so long as I remain a renter.

The reality is that no tenant, anywhere, is safe from losing their home to either a demolition or a renoviction at any time. This is decaying the fabric of our community and IT WILL CONTINUE as landlords seek to capitalize on existing loopholes in the law to get rid of long term tenants in the name of maximum profit-seeking.

Inevitably, it costs us all because with rents being far out of reach for many low and moderate income people, this leads to a rise in crime, mental health crises, addiction, and homelessness. People can't keep their lives together when their home is constantly at risk of being lost.

While I support the Rental Replacement Bylaw being passed, notably absent are any protections against renoviction. Also notably absent is any reference to or explanation of why you have not consulted with Hamilton City Staff and Council about their legal reasons for passing their renoviction bylaw.

Kitchener City Staff indicated that they feel the renoviction bylaw cannot stand legal scrutiny because of its perceived interference with the Municipal Act. However, legal opinion provided by ACTO and Raven Law point to legal provisions for a renoviction bylaw because it supports existing provincial law found in the Residential Tenancy Act, particularly with respect to protecting tenants from no-fault eviction due to renovation by the landlord. It is a glaring oversight that Staff have not referenced or responded to these legal opinions, which provide thorough explanation of the legal justification for a municipal renoviction bylaw relating to the provisions for municipalities found in the Residential Tenancy Act. The reticence on the part of

Kitchener City Staff to not include renoviction protections due to concerns about legal challenges from landlord interest groups does not stand up under close scrutiny.

Indeed, just yesterday, Sunday June 16, CBC reported that the City of Toronto is now pursuing a renoviction bylaw like the one recently passed in Hamilton. Although they cited the real possibility of legal challenges posed by landlords, the fear is not stopping them from examining the matter further in pursuit of real tenant protections. Just because there is a fear of a legal threat does not mean that the legal case would have any merit or that a renoviction bylaw is in fact not able to withstand a legal challenge.

In the current state of housing emergency that we find ourselves in, we need to be pragmatic. We must ask, what is the relative cost to the City and its residents in this situation? Is it the threat of a potentially nonviable legal challenge put forth by landlords? Or is it actually that without strong tenant protection against renoviction, the City will be paying downline costs both financial and otherwise, resulting from citizens losing their homes due to no fault of their own?

Affordable housing is disappearing faster than it is being built, and while the Residential Tenancy Act provides protection for tenants against renovictions IN THEORY, enforcement is weak to non-existent. A municipal bylaw to reinforce and underline those laws would not frustrate any legislation that already exists to protect tenants. And in fact, any fear on behalf of Staff or Council that landlords would take legal action against such a bylaw is an implicit admission that landlords want to continue to have the freedoms to abuse the law and exploit their tenants for their own profit. And if that is indeed the reality, then Staff and Council are not doing everything in their power to protect the most vulnerable among us in this community and are standing by and allowing the worst offences against the human right to housing continue to occur under your watch.

You may cite whatever opinions or fears about a renoviction bylaw that you have, but as one of your constituents, I am urging you to access every tool and resource at your disposal to investigate thoroughly the legal provisions available to support a municipal renoviction bylaw in Kitchener. Call your colleagues in Hamilton, consult the Raven Law and ACTO legal opinions in support of a renoviction bylaw, which are available on ACORN's website, and seek to more thoroughly understand every available avenue that you can take to protect us, the City of Kitchener residents, from the reality of losing our homes.

Thank you.

Sincerely,
Jacquie Wells