

Attachment D: What We Heard (Summary of Interviews)

In researching this report staff engaged with the following community based and tenant support and advocacy organizations:

April 15, 2025: the Region of Waterloo's Plan to End Chronic Homelessness Co-Creators
April 24, 2025: the Waterloo Region Social Development Center
May 2, 2025: ACORN (Association of Community Organizations for Reform Now) Canada
May 5, 2025: Waterloo Region Community Legal Services
May 8, 2025: Lived Expertise Working Group
May 12, 2025: Small Ownership Landlords of Ontario (SOLO)

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Plan to End Chronic Homelessness Co-Creators Meeting

Staff attended the April 2025 Co-Creators Meeting alongside staff from the City of Waterloo, to discuss the current condition of evictions in the Region of Waterloo. The Co-Creator community group represents a number of housing, homelessness and health care experts, as they work to implement the Regional Plan to End Chronic Homelessness. Staff spoke to the work and research that had been completed to date, including interviews with other municipalities.

Staff asked the group what barriers/challenges/gaps that they were currently seeing related to evictions, and from the items identified, what areas should be prioritized for action. The group identified the cost of housing to be of major concern, noting that this is particularly difficult as rent prices continue to rise, and income has remained the same. Participants expressed concern over the lack of affordable units, the loss of existing housing stock, and the influx of high end apartments and condominiums stating that this market does not meet the needs of the population.

The housing stock that is available was noted to often be in poor condition, where the landlord/property management has not kept up adequate maintenance. This has led in instances to fears of, and actualized impacts to the safety and health of residents. Participants described situations of mold, loss of heating/cooling, and concerns over the general structural integrity of their units.

This coincides with the group's perceptions and understanding of the Landlord Tenant Board and other legislative/legal frameworks. There was concern amongst participants over the representation of tenants at the LTB, and a perceived power imbalance favouring landlords. This imbalance has led some to not pursue legal action, and has had a silencing effect on tenants experiencing bad faith evictions. This has resulted in more informal evictions, and less reported data available for the LTB and subsequently public groups trying to compile information on the subject. Tenants stated that information and legal support was limited, and many did not know their rights, or have the opportunity to exercise them.

The participants emphasized the need for standardization in the rental process, and the need for increased resources and information to support tenants facing poor living conditions. Tracking of data was a priority for the group, to support and communicate the experiences of tenants.

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Waterloo Region Social Development Center

The Waterloo Region Social Development Center (SDC) is an advocacy and support agency which works directly with tenants as social and peer support workers. Staff spoke with representatives about the cases that the agency is seeing in the City of Kitchener with regard to both N12 and N13 evictions.

The organization provided insight into the tenant experience which was similar in nature to that which was described by the Co-Creators Group Discussion. The SDC further discussed the prevalence of N12 and N13 evictions, and noted that they had concern over the legitimacy of the application of such tools. While it was understood that there are valid reasons for the eviction of a tenant, the group had significant concerns over the prevalence of bad faith actors. They have provided anecdotes where the stipulations of the eviction notice (including required work, or a family member moving in) have not been met, and the right of first return has not been honoured.

There was an emphasis on tools to support and complement those which are already in place through the LTB. This includes additional legal resources, information, and other supports to make the process more equitable for tenants. One of the concerns with the process that was identified was the availability of temporary accommodation for tenants experiencing N13 evictions. While they acknowledge that the tenant has the first right to return to their previous unit, they noted that there is significant onus and uncertainty placed on the tenant to secure housing for a comparable price and condition, for an undefined rental length.

SDC representatives suggested to staff that there needs to be greater oversight applied to landlords, not only to directly hold them accountable, but to provide tenants with the opportunity to self-advocate when their rights are being infringed. This sort of tool was recommended to shift the power imbalance that the agency believes favours landlords. Any form of oversight would be intended to be associated with property standards and legal resources, and direct tenants to the appropriate channels for support.

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Waterloo Region Community Legal Services

Waterloo Region Community Legal Services (WRCLS) is a non-profit organization funded by Legal Aid Ontario which provides free legal services to low income residents. Staff spoke with WRCLS about their experiences with representing eviction cases at the LTB.

The representatives staff spoke to highlighted their limited resources and staff and emphasized that this area of work only represents one of many facets handled by WRCLS. They noted that they currently have 17 staff (including lawyers, paralegals, social workers etc.), and have been directly involved in providing representation or summary advice for 55 N13 LTB cases. Additionally, lawyers/paralegals from WRCLS regularly attend the LTB to support hearings where possible.

WRCLS is currently conducting a survey on renovictions which has, at the time of staff's discussion, received 21 responses. They found that the two most common reasons for eviction were N12 followed by N13 notices. In these cases, they found that the majority of tenants received some form of compensation, usually ranging from one month's rent to the equivalent of three months' rent. The most common form of rental unit of those surveyed was multi-unit residential buildings, followed by single detached dwellings.

The survey asked for information regarding the follow up of landlords/property managers with regard to the requirements of the given eviction forms. In the case of N12 evictions, the majority of respondents reported that the landlord, purchaser, or a family member did not move into the unit. Similarly, with N13 evictions, responses stated that the landlord either did not offer the unit back to the evicted tenant, or they were not aware of the status of the repairs/renovations.

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Association of Community Organizers for Reform Now Canada

ACORN (Association of Community Organizers for Reform Now) Canada is a national organizing body which advocates for numerous issues of equity in support of its low-and moderate-income membership. Staff spoke to the Waterloo Region chapter of the organization which has been active in the space of supporting residential tenants. The discussion sought clarity on the memberships' experiences with evictions including N13 and N12, and what benefits they saw in the by-laws which had been enacted by other municipalities.

ACORN members highlighted a rise in N13 notices, especially in older buildings where the members noted there was the biggest incentive for evictions to increase rental profits. These (pre-2018) buildings are subject to rent control and tend to have longer term tenants who are paying below market rent. The members noted that even in the circumstances where there are successful fines applied through an LTB hearing, the result of increased rent from the new tenants often surpasses any penalties. Finally, the ACORN members noted that from what had been reported to them, in the circumstances where the renovations were absolutely necessary and required vacant possession, the repairs were due to long term neglect on behalf of property management. It was stated that the majority of renovations would not require vacant possession, and those which do would be for a short period.

ACORN spoke to their involvement and support for the drafting of Hamilton's Renovation License and Relocation By-law and the intent and best practices of similar policies in Toronto, and London. The key elements of Hamilton's by-law that they noted should be replicated include: local government oversight, a qualified person confirming the scope of work requires vacant possession, accommodations/rent gap payments to tenants, the requirement for a building permit, and consequential fines for landlords who do not follow the necessary process.

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Lived Expertise Working Group

The Lived Expertise Working Group (LEWG) advises the City of Kitchener regarding the affordable housing actions and programs that address the challenges of people experiencing marginalization. LEWG members were asked about gaps and barriers that exist for tenants experiencing evictions, what they feel is effective about rental renovation license by-laws and recent successes at the landlord tenant board. The largest barriers identified included the Landlord Tenant Board and lack of supports for those defending themselves. Members also expressed concern that landlords were using coercive and intimidation tactics when attempting evictions, and that evictions are often experienced by vulnerable people including seniors and newcomers who may lack resources and knowledge to defend themselves.

LEWG members expressed that the benefit of license by-laws is that there is municipal oversight, proof that legislative requirements are being met and that the landlord is being held accountable. The group commented that a license allows the municipality to intervene in the relationship between the tenant and landlord and lessen the power imbalance. A license also helps to ensure that a tenant is informed of their rights. The group expressed a sentiment that it is the municipality's role to protect its citizens and house people.

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Small Ownership Landlords of Ontario (SOLO)

Staff met with a member of the Small Ownership Landlords of Ontario (SOLO) to discuss their perspective on the current conditions and challenges of small-scale rental management (duplex, triplex or other types of additional dwelling units). The representative owns a duplex in Kitchener and another rental property in Waterloo. Rental property ownership and management is not their primary source of income but rather is a secondary source of revenue and an investment for retirement.

This member highlighted the relationship that exists between small scale landlords and their tenants, emphasizing the personal nature of their interactions. Unlike larger corporate owned properties, this model requires landlords to play multiple roles, including direct involvement in leasing, maintenance and other aspects of property management.

The representative told staff about the difficult conditions of property management that were leading to landlords to leave the business, or which cause reluctance to become a landlord in the first place. Non-payment, property damage, and backlogs at the LTB were cited as some of the biggest threats to small scale landlords. In cases where there has been an extended hearing for the eviction of a tenant, landlords have gone months to years without income on their properties. The stated dissatisfaction with the LTB has led to some seeking alternative means for eviction, including cash payouts to tenants, or the use of N12 forms (to end tenancy for personal use). The landlord stated that increased non-market, supportive, and cooperative style housing options would likely fill the gap that exists in the housing spectrum, and reduce the strain on small ownership landlords.

Speaking to staff's exploration of licensing, the landlord stated concern over any additional costs (financial and time) being borne by small scale landlords. She noted that this would have a direct impact on the affordability of units and may further dissuade property owners from renting their additional dwelling units. She suggested that any regulation should exclude individuals operating small rentals and focus on larger property management corporations.

The representative suggested that licensing and further regulation of renovations, works at cross-purposes to other programs and incentives which seek to increase investment and encourage renovations to increase rental housing stock. Such programs include CMHC sponsored loans for secondary suites, and new regulations that encourage homeowners to add additional dwelling units.