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**IF YOU SPEAK FRENCH** *You have the right to get services in French from the Landlord and Tenant Board and the Human Rights Tribunal of Ontario. This includes the right to a hearing before a French-speaking Board or Tribunal member or having an interpreter arranged and paid for by the Board or Tribunal. You may also have the right to services in French from some of the other offices mentioned in this booklet.*

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# Contents

Does this booklet apply to you? . . . . .	next page
Harassment . . . . .	1
What you can do about harassment . . . . .	2
Discrimination . . . . .	4
What you can do about discrimination . . . . .	5
Privacy in your home . . . . .	6
Where to get help . . . . .	7



## DOES THIS BOOKLET APPLY TO YOU?

This booklet includes information 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.

There are types of rental housing that are **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, CLEO's online tool at [www.cleo.on.ca/roommates](http://www.cleo.on.ca/roommates) can help you find out if you are covered.

**If your housing is not covered by the RTA, much of the information in this booklet does not apply to you.** If you are not sure, see pages 7 and 8 to find out where to get legal advice.

**The information about discrimination in this booklet still applies to you, even if the RTA does not.**

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## Harassment

It is illegal for your landlord, or anyone acting for your landlord, such as a superintendent or property manager, to harass you. And, if another tenant is harassing you, your landlord must do something to stop it.

There are many different kinds of harassment. For example, your landlord might harass you by:

- cutting off important services, such as heat or electricity,
- knocking on your door or phoning you at unreasonable times,
- taking your things because you owe rent,
- entering your home without giving you proper notice,
- locking you out or changing your lock without giving you a key,
- making sexual suggestions or advances knowing that you do not want them,
- trying to stop you from organizing or being active in a tenants' association, or
- threatening to do any of the things listed above, or threatening to harm you.

Sometimes landlords harass tenants to try to get them to move out so a new tenant can move in and pay more rent. Sometimes harassment is a way to discriminate against tenants or to stop them from standing up for their rights.

**NOTE** *It is against the law for your landlord to harass you for any reason.*

## What you can do about harassment

Harassment can be hard to prove. It is a good idea to keep notes about what is happening. Here are some steps you can take.

- **MAKE A COMPLAINT TO THE INVESTIGATION AND ENFORCEMENT UNIT**

The **Investigation and Enforcement Unit** is an office of the government of Ontario. The Unit's job is to encourage landlords and tenants to obey rental housing laws.

If you make a complaint to the Unit, they can call your landlord and try to get the harassment to stop. In serious cases, they can lay charges that have to be dealt with in criminal court. For more information, you can contact the Unit at **1-888-772-9277** or go to their web site at [www.mah.gov.on.ca/ieiu](http://www.mah.gov.on.ca/ieiu).

- **CALL THE POLICE**

If the harassment is very severe or your landlord threatens to harm you, you could call the police. Use the non-emergency number for your local police department, unless someone's life or safety is in danger.

- **APPLY TO THE LANDLORD AND TENANT BOARD**

Another thing you can do is apply to the **Landlord and Tenant Board**. You should do this within one year of when the harassment happened.

This Board is a tribunal that settles disputes between landlords and tenants and enforces their rights. It is like a

court, but less formal. The Board can hold a hearing where a Board member will listen to both you and your landlord.

**NOTE** *Your landlord might deny that the harassment happened. So, it is important that you bring evidence that supports your complaint. Bring to the hearing:*

- *any documents, recordings, or photos you have,*
- *any witnesses who can confirm what happened, and*
- *your own notes that you made at the time the harassment was happening.*

After the hearing, if the Board agrees that your landlord harassed you, the Board can order your landlord to do things such as:

- stop harassing you,
- let you move without giving notice, if you want to do that,
- pay a fine to the government of up to \$10,000, or
- pay you some money. For example, your landlord might have to give back some of your rent or pay for your moving costs, if you moved out because of the harassment.

For more information, see the following tip sheets for tenants on the web site of the Advocacy Centre for Tenants Ontario (ACTO):

- **What Applications Can I File Against My Landlord?**
- **Your Hearing At The Landlord & Tenant Board**
- **T2 Application About Tenant Rights**

To find these tip sheets online, go to <[www.acto.ca](http://www.acto.ca)>, click on **TENANT INFO**, then **TENANT TIP SHEETS**.

It is a good idea to try to get legal help if you are going to apply to the Board. See the section called **Where to get help**, starting on page 7 for more information.

## Discrimination

If your landlord, anyone acting for your landlord, or anyone living in your building discriminates against you, they may be breaking an Ontario law called the Human Rights Code.

Discrimination happens if someone treats you unfairly because:

- of your race or colour, your birthplace or ethnic background, your religion, age, sex, disability, marital status, or sexual orientation,
- you are pregnant or have children, or
- you receive social assistance or welfare.

This list shows many, but not all kinds of discrimination.

Sometimes discrimination is direct. For example, a landlord might treat you badly because of your colour or religion. Or a landlord might make sexual advances knowing that you do not want them.

Other kinds of discrimination are less direct. For example, a landlord might refuse to put in a ramp or make other changes for a tenant who uses a wheelchair. There might be strict rules about noise that are harder for people with children to follow. Or a landlord might refuse to rent to



people who have no credit rating. This can be a problem for young people and for people who are new to Canada. Landlords who will not change things like these to meet the needs of tenants could be discriminating against those tenants.

**EXCEPTIONS** *In two situations, the Human Rights Code does not protect tenants who are looking for a place to rent. The law allows a landlord to:*

- *rent all the units in a building to tenants of one sex, and*
- *refuse to rent to a prospective tenant for any reason if the landlord or the landlord's family is going to be sharing a kitchen or bathroom with the tenant.*

## **What you can do about discrimination**

Like harassment, discrimination can sometimes be hard to prove. It is a good idea to keep notes about what has happened.

Some cases of discrimination can be dealt with by the Landlord and Tenant Board. In other situations, you may have to take your case to the Human Rights Tribunal of Ontario, or you may have to choose one or the other. It is usually best to get legal advice first. See the section called **Where to get help**, starting on page 7.

## Privacy in your home

The place you are renting is your home. Your landlord may own your place but must respect your right to have privacy.

The law says when your landlord has a right to enter your home. In most situations, your landlord has to let you know ahead of time.

**EXCEPTIONS** *The only times your landlord can enter your home **without** telling you ahead of time are when:*

- *there is an emergency, or*
- *your rental agreement says that your landlord gives you cleaning services.*

*Your landlord can also enter your place between 8 a.m. and 8 p.m. to show it to a new tenant if your landlord makes a reasonable effort to let you know when this will happen. This rule applies only if:*

- *you have given notice to move out,*
- *your landlord has given you a notice to move out, or*
- *you and your landlord have agreed that you will move out.*

Otherwise, your landlord must give you notice in writing 24 hours ahead of time and can come in only between 8 a.m. and 8 p.m. This rule applies if your landlord wants to:

- do repairs or inspect your place to see if any repairs are needed,
- show your place to a possible buyer, insurer, or mortgage lender,

- let a real estate agent show your place to a possible buyer,
- have a property inspection done before making your building into a condominium, or
- come in to your place for any reasonable purpose listed in your rental agreement.

Your landlord has a right to enter your place only for the reasons listed above. You can let your landlord in at other times and for other reasons, but that is up to you.

If your landlord disrespects your privacy repeatedly, that could be harassment. For information about what you can do about harassment, see pages 2 to 4.

## Where to get help

For legal help or advice, you can contact a community legal clinic or a lawyer. Across Ontario, **community legal clinics** give free legal help to tenants who have low incomes.

To find the nearest community legal clinic, go to Legal Aid Ontario's web site at <[www.legalaid.on.ca](http://www.legalaid.on.ca)>. Click on **CONTACT LAO** then **COMMUNITY LEGAL CLINICS**. Or call Legal Aid Ontario:

Toll-free . . . . . **1-800-668-8258**

Toll-free TTY . . . . . **1-866-641-8867**

Toronto area TTY . . . **416-598-8867**

You can also see CLEO's booklet called **Getting legal help: Community Legal Clinics in Ontario**. To view it online, go to <[www.cleo.on.ca](http://www.cleo.on.ca)> and click on **VIEW MATERIALS** then

**LEGAL SERVICES.** To find out how to order it, check the back cover of this booklet.

If you have experienced discrimination, you can also get legal advice and help from:

- **Human Rights Legal Support Centre**

- Toll-free . . . . . 1-866-625-5179
- Toronto area . . . . . 416-314-6266
- Toll-free TTY . . . . . 1-866-612-8627
- Toronto area TTY . . . 416-314-6651
- Web site . . . . . <[www.hrlsc.on.ca](http://www.hrlsc.on.ca)>

- **Centre for Equality Rights in Accommodation**

- Toll-free . . . . . 1-800-263-1139
- Toronto area . . . . . 416-944-0087
- Web site . . . . . <[www.equalityrights.org/cera](http://www.equalityrights.org/cera)>

The **Human Rights Tribunal of Ontario** deals with claims of discrimination under the Human Rights Code.

- Toll-free . . . . . 1-866-598-0322
- Toronto area . . . . . 416-326-1312
- Toll-free TTY . . . . . 1-866-607-1240
- Toronto area TTY . . . 416-326-2027
- Web site . . . . . <[www.hrto.ca](http://www.hrto.ca)>

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

- Toll-free . . . . . 1-888-332-3234
- Toronto area . . . . . 416-645-8080
- TTY users, call through  
Bell Relay services. . . 1-800-268-9242
- Web site . . . . . <[www.ltb.gov.on.ca](http://www.ltb.gov.on.ca)>

## Harassment and discrimination

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

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