

Simple Solutions to the Landlord and Tenant Board:

An Increase to Housing Availability in Ontario!

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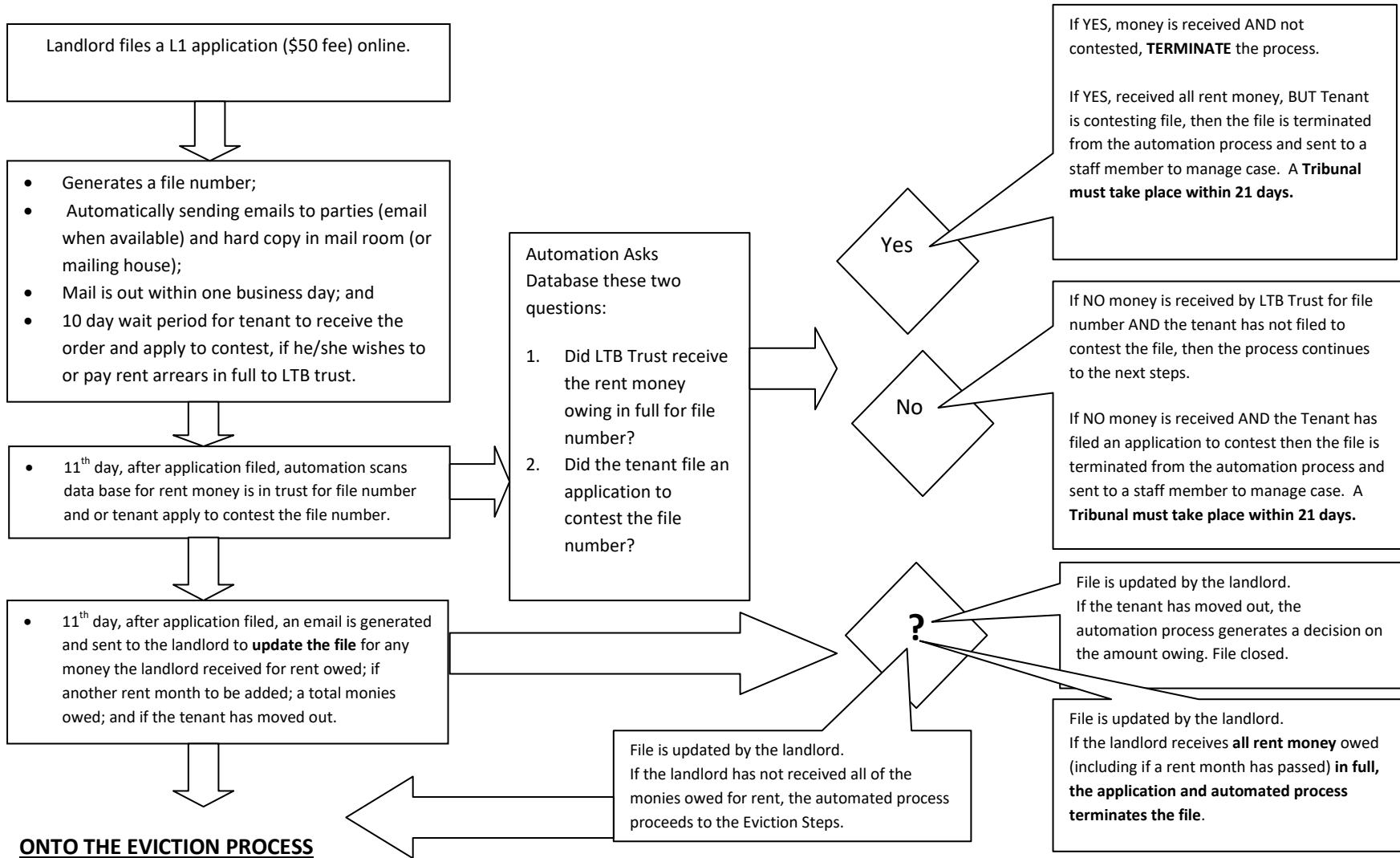
Dee Adrian, Near North Landlords Association

FORM	BRIEF DESCRIPTION	RECOMMEND CHANGES TO TIME ALLOTMENT	RECOMMEND CHANGES TO THE PROCESS &/OR PROCEDURES	FINANCIAL BENEFITS TO THE PROVINCE	WINS IN AFFORDABLE HOUSING
N4	<p>Notice to end tenancy for non-payment of rent.</p> <p>Did you know the VAST MAJORITY OF NOTICES ISSUED are for NON PAYMENT OF RENT?</p>	Five day waiting period before filing a L1		<ul style="list-style-type: none"> • SAVE MONEY – we estimate a 50% or more FTE decrease in LTB department. • SAVE MONEY - less overtime for staff and adjudicators • SAVE MONEY – reduced tribunal venue/travel/meals/adjudicator expenses • EARN MORE - MORE tax dollars from property owners because their loss is reduced; therefore more provincial revenue! 	<ul style="list-style-type: none"> • Immediate increase of supply of affordable housing on the market • More landlords will put apartments back onto the long-term market (from short-term). • Attract new investors to be in this business.
L1 AUTOMATED PROCESS WHEN UNCONTESTED ¹	<p>After serving the N4, a L1 – application is filed to end a tenancy and evict a tenant for non payment of rent.</p> <p>Did you know 71% OF THE APPLICATIONS issued through the LTB during the last fiscal year, 2017-18, was for NON PAYMENT OF RENT?</p>	<p>UNCONTESTED Application for non –payment of rent, the entire timeline from the application file day to the eviction date is 30 days.</p>	<ul style="list-style-type: none"> • Application filing fee be \$50 for property owner AND tenant = FAIRNESS 		
L1 AUTOMATED PROCESS, UNTIL CONTESTED ² (TENANT FILES APPLICATION)	<p>And did you know a vast majority of those applications for NON PAYMENT OF RENT WERE UNCONTESTED BY THE TENANT?</p> <p>Based on the information we are providing, we recommend the L1 application and entire process to the formal decision BE AUTOMATED, when a tenant does not contest the application.</p> <p>When an L1 application is contested by the tenant, the application, although it begins in the automation process will end and a staff member at LTB will intervene and manage the account until tribunal hearing.</p> <p>For applications for non payment of rent, we see the automation process immediately reduce the wait times for tribunals and decisions and to increase the availability of those apartments to be available to the market more quickly. And, in order to reduce fraudulent behaviour or stall tactics to continue to not pay rent, we recommend both tenants AND landlords pay the same fee pay \$50 filing fee.</p>	<p>CONTESTED Application filed by the tenant must be filed within a 10 day waiting period from the date the L1 application is filed on line by the landlord.</p> <p>When the tenant wishes to contest, he/she pays a \$50 tenant application fee and awaits a tribunal hearing.</p> <p>Tribunal hearings must take place within 21 days from L1 filing date.</p> <p>ENFORCEMENT OFFICERS (SHERIFFS) SHOULD BE PERMITTED TO BE BOOKED FOR THE DAY AFTER THE LTB'S DECISION ON AN EVICTION DATE.</p>	<ul style="list-style-type: none"> • Both tenant and property owner application fees be the same amount for non payment of rent. • To minimize stall tactics by the tenant to garner more free rent AND to minimize the loss of income for a property owner, a tenant who wishes to contest an application for non payment of rent MUST pay a nominal \$50 application fee. • When a tenant contests an application, whichever party is awarded a favourable decision, the other party will pay their application fee. • Tribunals are relatively quick and simple with non-payment of rent applications – adjudicators should have a hearing within 21 days of from filing a L1 for non payment of rent AND have the decision sent out within 10 days from the hearing. 		<ul style="list-style-type: none"> • With the fully automated L1 application, the results will have a quick turnaround, be consistent in decisions, have no biases and be accurate. • A reduction of approximately 65-70% in tribunal hearings. • GAIN THE PRIVATE LANDLORDS' CONFIDENCE IN THIS GOVERNMENT.

FORM	BRIEF DESCRIPTION	RECOMMEND CHANGES TO TIME ALLOTMENT	RECOMMEND CHANGES TO THE PROCESS &/OR PROCEDURES	WINS IN AFFORDABLE HOUSING
L1 MANUAL [SERVICE ONTARIO] PRESENT DAY PROCESS	<p>TIME LINE WILL DECREASE FROM OUR PRESENT DAY DECISIONS OF THREE, FOUR, SIX MONTHS TO 60 DAYS, MAX!</p> <p>With the implementation of the above recommendation to AUTOMATE NON-PAYMENT OF RENT APPLICATIONS (L1), WE ESTIMATE 80-90 PER CENT LESS L1 APPLICATIONS WILL BE PROCESSED THROUGH THE PRESENT PROCESS.</p> <p>An immediate benefit is the freeing up LTB staff to process the “manual”, contested, and more complicated applications in a more timely fashion.</p>	<p>FROM THE START OF THE PROCESS TO A DECISION, SHOULD TAKE NO LONGER THAN 60 DAYS.</p> <p>ENFORCEMENT OFFICERS (SHERIFFS) SHOULD BE PERMITTED TO BE BOOKED FOR THE DAY AFTER THE LTB’S DECISION ON AN EVICTION DATE.</p> <p>NEED PRIVATE BAILIFFS IF SHERIFF CAN NOT WITHIN TWO WEEKS OF EVICTION DATES.</p>	<ul style="list-style-type: none"> • A \$50 APPLICATION FEE FOR NON- PAYMENT OF RENT – L1. • TENANTS, WHO WANT TO FILE AN APPLICATION TO CONTEST, MUST ALSO PAY A \$50 APPLICATION FEE. 	<ul style="list-style-type: none"> • A MODERATE INCREASE IN THE AFFORDABLE HOUSING ON THE MARKET. • MODERATE RETURN OF INVESTMENT FOR PROPERTY INVESTORS. • LOWER RISK FOR NEW INVESTORS, INCREASES MARKET SUPPLY.
N5	<p>Notice to end tenancy for interfering with others, causing damage or overcrowding.</p>	<p>RECOMMEND AN APPLICATION TO EVICT, IF THE BEHAVIOUR HAS NOT STOPPED, ON THE 8TH DAY AFTER THE FIRST NOTICE.</p>	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Reducing the wait times, will instantly increase private housing into the market.
N7	<p>Notice to end tenancy for causing serious problems in the rental unit or residential complex.</p>	<p>THE TERMINATION DATE SHOULD BE LOWERED TO FIVE DAYS FOR REASONS ONE AND TWO (SERIOUSLY JEPORDIZED THE SAFTEY OF OTHERS AND WILLFULLY DAMAGING THE PROPERTY) AND APPLICATION FILED IMMEDIATELY.</p>		<ul style="list-style-type: none"> • Safety concern for other tenants in the building and or property owner and staff.
L2	<p>An application to end a tenancy and evict a tenant, with N5 and N7 (also N6, N8, N12 and N13, but not addressing these notices).</p>	<p>LOWER COMPLIANCE DATE TO FIVE DAYS FOR N7.</p>	<ul style="list-style-type: none"> • TRIBUNAL HEARING TO TAKE PRECEDENCE OVER ALL OTHER HEARINGS. • TRIBUNAL TO BE HELD BY PHONE, VIDEO, OR IN PERSON WITHIN 10 DAYS OF THE LTB RECEIVING AN APPLICATION. • EVICTION ORDERS (DECISIONS) NEED TO BE MADE WITHIN 48 HOURS. • SHERIFF CAN BE BOOKED IMMEDIATELY UPON A DECISION WITH AN EVICTION. 	<ul style="list-style-type: none"> • Reducing the wait times, will instantly increase private housing into the market.

L1 AUTOMATED PROCESS FLOW CHART

Note: N4 served and five days have passed without collected rent monies



Eviction Stages

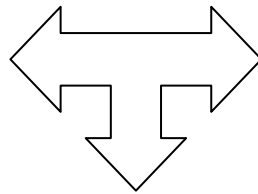
The automated process to generate an eviction begins. It will mail and email the eviction date to both landlord and tenant.

Ten (10) days for a tenant to move out.

A landlord can apply to have a sheriff evict a tenant immediately upon receiving an order to evict.



The tenant moves out on or before the eviction date on the order.



The earliest day a Sheriff could enforce an eviction, is one day after Eviction Order Date.

This is not automated, the Property Owner would need to go to his/her local court house and pay \$320 and reserve the service.

The LTB Trust fund issues a cheque for back rent money within two weeks of order and mails to the landlord.