

FREQUENTLY ASKED QUESTIONS ABOUT RENTING

Can a landlord refuse to rent an apartment to me because of: my place or origin, race, citizenship, religion, disability, age, sex, marital status, sexual orientation, or the fact that I am pregnant or have children, or the fact that I am receiving social assistance?

NO. The Ontario Human Rights Code makes it illegal for landlords to discriminate against you in any of the listed ways. The only exception to this rule is if you rent a room or an apartment where you live with the owner's family and share the kitchen and/or bathroom. In that situation a landlord can refuse to rent or can terminate a lease for any of the reasons stated above. You can be evicted without notice, unless you have a contract that states otherwise.

Can a landlord ask for first and last month's rent?

YES. Most landlords will require this. The last month's rent acts as a deposit, and the money is held as payment for the last month of rent.

Can the landlord charge a security/ damage deposit?

NO. A landlord cannot charge or collect a damage deposit that they would be using to pay for the cost of any damages done to the apartment; also the landlord cannot use the last month's rent deposit to cover damages in the unit. If the landlord finds that you have damaged the apartment or caused damage to the building, the landlord can give you notice to leave and/or ask you to pay for the cost of the damages.

What are my rights if I agree to rent a place without having seen it first?

You have the right to an apartment that meets the minimum health and safety standards. If possible, we do recommend that you actually look at the place before you enter any rental agreement.

I signed my lease even though the place was in poor condition. Do I have the right to ask the landlord to make repairs?

YES. The landlord has a responsibility to make sure your apartment meets the minimum health and safety standards. Any contact with your landlord should be documented in writing to avoid issues in the future.

Can a landlord enter my apartment at any time?

NO. The landlord is typically required to provide the tenant with 24 hours written notice before they enter the apartment. In most situations the landlord is only permitted to enter your apartment between 8am and 8pm. However, the law will allow your landlord to enter your apartment without notice in the case of emergency, or if you agree to let them in.

Who is responsible for maintaining the unit?

It is the landlord's responsibility to maintain the unit and ensure that it is in a good state of repair, even if the tenant was aware of problems in the unit before they moved into it, or, the landlord puts into the lease that the tenant is responsible for maintenance.

However, the tenant is responsible for keeping the unit clean, up to the standard that most people consider ordinary or normal cleanliness. The tenant is also responsible for repairing or paying for any damage to the rental property caused by the tenant, their guests or another person living in the rental unit.

What is a guarantor?

A guarantor is a creditworthy person a landlord will accept who undertake to “guarantee” all liabilities under the lease. If a parent signs in this capacity, for example, and one of your co-tenants fails to pay their share of the rent, the parent can be called upon by the landlord to make up the missing share. The guarantee is not just for your liabilities, but also includes all tenants named on the lease.

I signed a one-year lease. What happens if I leave before the lease expires?

If you leave the apartment before your lease is expired, the landlord could take action against you and your guarantors for any unpaid rent for the remainder of your lease, or until such time as a replacement tenant is found. If no new tenant is found, you may be liable for the full amount of the rent, plus other costs.

Do I need insurance?

Some students have lost possessions through fire or theft and have not had any insurance protection. It can be a considerable expense to replace your belongings without insurance. Tenants Insurance is for individuals renting from a property owner. This form of insurance covers you for a certain amount of money if any damage were to be done to your personal belongings (e.g. fire, earthquake, and other natural disasters). This form of insurance is not required; however, it is helpful as replacing items that have been damaged can be extremely costly.

For a list of reasons on why Tenants Insurance is a good idea, please visit http://www.ibc.ca/en/home_insurance/tenant_insurance/

You can purchase Tenant’s Insurance with any insurance agency. Simply search “tenants insurance provider” on the Internet for a list of agencies.