

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

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234-2024-2420

July 29, 2024

Nando Iannicca
Regional Chair & Chief Executive Officer
Region of Peel
nando.iannicca@peelregion.ca

Dear Nando Iannicca:

Thank you for your letter regarding Chartwell Heritage Glen Seniors Residence. I appreciate the time you have taken to write.

Our government is committed to ensuring the well-being of the people of Ontario and making sure tenants and landlords are treated fairly. We have taken decisive measures to strengthen protections for renters, while also putting in place measures to bring more rental housing supply online.

The *Residential Tenancies Act, 2006* (RTA) is the law that governs residential tenancies and rental housing in Ontario. The RTA offers various protections for tenants facing evictions. The sale of a rental property does not have the automatic effect of ending tenancies. The new owner would become the landlord and would be subject to the terms of the existing tenancies, as well as the RTA.

Under the RTA, every tenant facing eviction has the right to a hearing at the Landlord and Tenant Board (LTB). The LTB is the adjudicative tribunal that resolves disputes and provides information about the rights and responsibilities of landlords and tenants under the RTA independently of the government. To preserve its independence, neither the Minister of Municipal Affairs and Housing nor government officials are permitted to interfere in, or comment on, tribunal processes, cases or decisions.

The RTA also offers different protections for tenants facing certain specific types of evictions. For example, in cases where there is an eviction for a demolition versus an eviction for a renovation, tenants have access to different protections available to them through the RTA. Additionally, in the case of a demolition, municipal by-laws can set additional rules as well.

REFERRAL TO _____
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED _____

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Eviction Rules under the RTA

As mentioned, under the RTA, a landlord can only terminate a tenancy in accordance with the rules set out in the Act. The RTA outlines a landlord's obligation for ending a tenancy when a building is being demolished, renovated, or converted to a non-residential use. As you are aware, a landlord may give a tenant a notice to terminate a tenancy on the basis that the landlord plans to demolish a residential complex, such as a retirement home, or convert it to a non-residential use. The RTA provides for some existing protections for tenants if a landlord intends to demolish the rental complex.

This includes, that the landlord must provide the tenant with at least 120 days' notice in writing using the proper form from the LTB. In a property with five or more rental units, if the demolition was not ordered under another act, the landlord must either provide another rental unit acceptable to the tenant, or give the tenant an amount equal to three months' rent before the termination date in the notice.

A landlord may also give a notice to terminate a tenancy to do repairs or renovations to it that are so extensive that they require a building permit and vacant possession of the rental unit. Similar notice and compensation requirements would apply as above. In addition, a tenant has a right of first refusal to return to the unit following the repairs or renovations at the same rent as though there had been no interruption in the tenancy. If a tenant wishes to have a right of first refusal, they must notify the landlord of this in writing before vacating the unit.

If a tenant does not agree with a notice of termination, they do not have to move out. The landlord would then have to apply to the LTB to obtain an order terminating the tenancy. The LTB will hold a hearing and determine whether the tenancy should end.

The RTA provides that a landlord of a care home who gives a notice of termination for demolition or conversion is required to make reasonable efforts to find appropriate alternate accommodation for the tenant. The tenant is not obligated to accept the alternate accommodation, however if the tenant chooses to take the alternate accommodation found by the landlord then the landlord's compensation requirements do not apply.

Unless and until an eviction order has been executed by a court enforcement officer, a landlord is prohibited from withholding the reasonable supply of any care service or food that is the landlord's obligation to supply under the tenancy agreement.

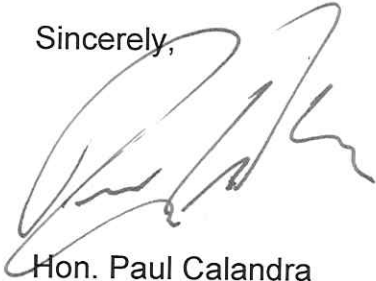
As mentioned above, municipalities also have the authority under the *Municipal Act, 2001* to regulate the demolition of multi-unit residential rental properties of six units or more, or conversion of these properties to a purpose other than the purpose of a residential rental property. The City of Mississauga may wish to explore their authority to regulate the demolition or conversion of retirement homes through the use of this authority.

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Our government will continue to take a responsible and balanced approach to rental housing in Ontario to help it remain affordable for tenants, while supporting landlords to ensure we retain and grow existing supply so everyone can find the home they need and can afford. We are committed to continuing to work with municipalities to support the community housing sector.

Once again, thank you for bringing your concerns to my attention. Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Calandra', written in a cursive style.

Hon. Paul Calandra
Minister of Municipal Affairs and Housing

May 13, 2024

Hon. Paul Calandra
Minister of Municipal Affairs and Housing
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Toronto, ON M7A 2J3
minister.mah@ontario.ca

Nando Iannicca
Regional Chair & CEO

10 Peel Centre Dr.
Suite A, 5th Floor
Brampton, ON L6T 4B9
905-791-7800 ext. 4310

Dear Minister Calandra:

Re: Residents Affected by the Chartwell Heritage Glen Retirement Residence Closure

Chartwell Heritage Glen retirement residence located on Glen Erin Drive in Mississauga will be closing and sold to a private housing developer. Peel Regional Council has heard how this closure is negatively impacting its residents who will need to find a new home in a matter of weeks.

Residents are faced with the prospect of paying nearly double their rent to find new housing. In today's market, it would take full time work at \$40 an hour – approximately double the income of an average retired senior – to afford the average rent in major urban centres in Ontario. These residents simply cannot afford this on their modest income. We also know that evictions and forced relocation can generate lasting health impacts and can be a source of stress for seniors leading to increased social isolation and premature death.

Both the financial and health effects of moving out Heritage Glen seniors could have repercussions on our already strained health care and social service systems managed by the Province and Peel Region. As a result, Regional Council passed a motion (Resolution 2024-268, attached) at its meeting on April 11, 2024 that urged Chartwell to better support these residents during this transition. The motion also asks your Ministry to establish a way of better managing the negative impacts of evictions resulting from the redevelopment of retirement residences and long-term care facilities into private housing.

The closure of Heritage Glen retirement residence highlights the immediate need for better governance around evictions and more affordable non-profit housing options, in particular for vulnerable seniors. As the population of seniors grows, and many existing retirement homes and long-term care owners increasingly opt to redevelop their properties, better action must be taken. We would like to see more not-for-profit long-term care and retirement homes built and encourage your government to find ways to incentivize this.

Nando Iannicca
Regional Chair & CEO

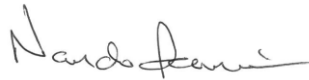
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It is also difficult for municipal housing service managers to respond on an emergency basis to situations like Heritage Glen. We are stretched beyond capacity during this housing affordability crisis with emergency shelters in Peel running at 400% capacity, and an estimated 91,000 households living in core housing. Peel Region only has enough resources to support 1 in 5 families in core housing need largely through its property tax dollars as only a quarter of our funding for housing services and supports comes from federal and provincial governments combined.

As such, I am writing to urge you to develop a strategy in collaboration with Service Managers and District Social Services Administration Boards to better manage the negative impacts of evictions resulting from the redevelopment of retirement residences and long-term care facilities. Such a strategy should consider incentivizing and prioritizing the expansion of public and not-for-profit retirement residences and long-term care.

If you have any questions or would like to discuss the matter, please reach out to me at 905-791-7800, ext. 4961.

Kindest personal regards,



Nando Iannicca
Regional Chair & Chief Executive Officer
Region of Peel

Attached: Resolution Number 2024-268, dated April 11, 2024