

Some tenants need changes to rules and practices to accommodate changing family situations or religious practices. Sometimes a tenant who is unwell or who disrupts others (either because of a disability or because that person is the target of discrimination) may need help. Landlords should assess their role to see if there are things they can do as a landlord to help the situation.

Landlords must work with you to find and put in place the most appropriate accommodation as soon as possible.

When your need affects others

Sometimes your needs or conduct may affect others. Landlords and housing providers must balance and manage the real concerns of all tenants. Even if a tenant's behaviour is disruptive (for example, noise related to children protected under family status), a landlord is expected to take steps to see if the situation can be resolved.

When the Code does not apply

The Code does not apply if you have a "personality conflict" with the landlord or another tenant that is not linked to a Code ground. Also, the Code does not apply if you share a bathroom or kitchen with the owner or the owner's family.

For more information

For more information on landlord and tenant rights and responsibilities in rental housing, see the Ontario Human Rights Commission's *Policy on Human Rights and Rental Housing*. This policy and other OHRC information are available on-line at: www.ohrc.on.ca

To make a human rights complaint

To file a human rights complaint (called an Application), contact the Human Rights Tribunal of Ontario at:

Toll Free: 1-866-598-0322
TTY: 416-326-2027 or
Toll Free: 1-866-607-1240
Website: www.hrto.ca

To talk about your rights or if you need legal help with a human rights complaint, contact the Human Rights Legal Support Centre at:

Toll Free: 1-866-625-5179
TTY: 416-314-6651 or
Toll Free: 1-866-612-8627
Website: www.hrlsc.on.ca

For more information on human rights in rental housing, see the Ontario Human Rights Commission's website at: www.ohrc.on.ca

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Human rights for tenants



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droits de la personne

Housing is a human right

International law says that people in Canada should be able to get good housing that they can afford. To help achieve this in Ontario, tenants and landlords (or housing providers) have rights and responsibilities under the *Human Rights Code*.

As a tenant, you have the right to equal treatment in housing without discrimination and harassment.

You cannot be refused an apartment, harassed by a housing provider or other tenants, or otherwise treated unfairly because of your:

- race, colour or ethnic background
- religious beliefs or practices
- ancestry, including people of Aboriginal descent

- place of origin
- citizenship, including refugee status
- sex (including pregnancy and gender identity)
- family status
- marital status, including people with a same-sex partner
- disability
- sexual orientation
- age, including people who are 16 or 17 years old and no longer living with their parents
- receipt of public assistance.

You are also protected if you face discrimination because you are a friend or relative of someone identified above.

Where do housing rights apply?

The *Code* applies to every part of buying or renting housing. When renting a place to live, the *Code* covers:

- applying to rent a unit
- tenant rules and regulations
- repairs and maintenance
- using related services and facilities
- your general enjoyment of the place you rent
- evictions.

Choosing tenants

The *Code* says what landlords can ask when choosing tenants:

- Rental history, credit references and/or credit checks may be requested. A lack of rental or credit history should not count against you.
- A landlord can ask you about your income, but they must also look at any available information on your rental history, credit references and credit rating (such as through Equifax Canada).
- Income information can only be considered on its own when no other information is made available, and only to make sure you earn enough to pay the rent.

- Unless you are applying for subsidized housing, it is illegal for landlords to apply a rent-to-income ratio such as a 30% cut-off rule (which means only considering people if the rent is less than 30% of their income).
- Landlords can only ask you for a “guarantor” (someone who promises to pay your rent if you can’t) to sign the lease if they have the same requirements for all tenants.

If you need accommodation for a disability or special need

When you have legitimate needs, based on *Code* grounds (such as disability or family status), landlords have a legal duty to provide accommodation to meet any special needs you may have. They must accommodate up to the point of undue hardship, based on cost, outside sources of funding or health and safety concerns.

You and your landlord share the responsibility for making the accommodation work. You must work together to try to solve problems and provide any information a landlord might need to make the accommodation. Your landlord must keep any medical or other personal information you provide private.

If you have a disability, for example, your landlord might need to make changes to units, a building entrance, sidewalks or parking areas to accommodate you.

