

Virtual Landlord and Tenant Board Hearings in Ontario

THE RISK OF INCREASING HOMELESSNESS FOR RURAL AND REMOTE
TENANTS

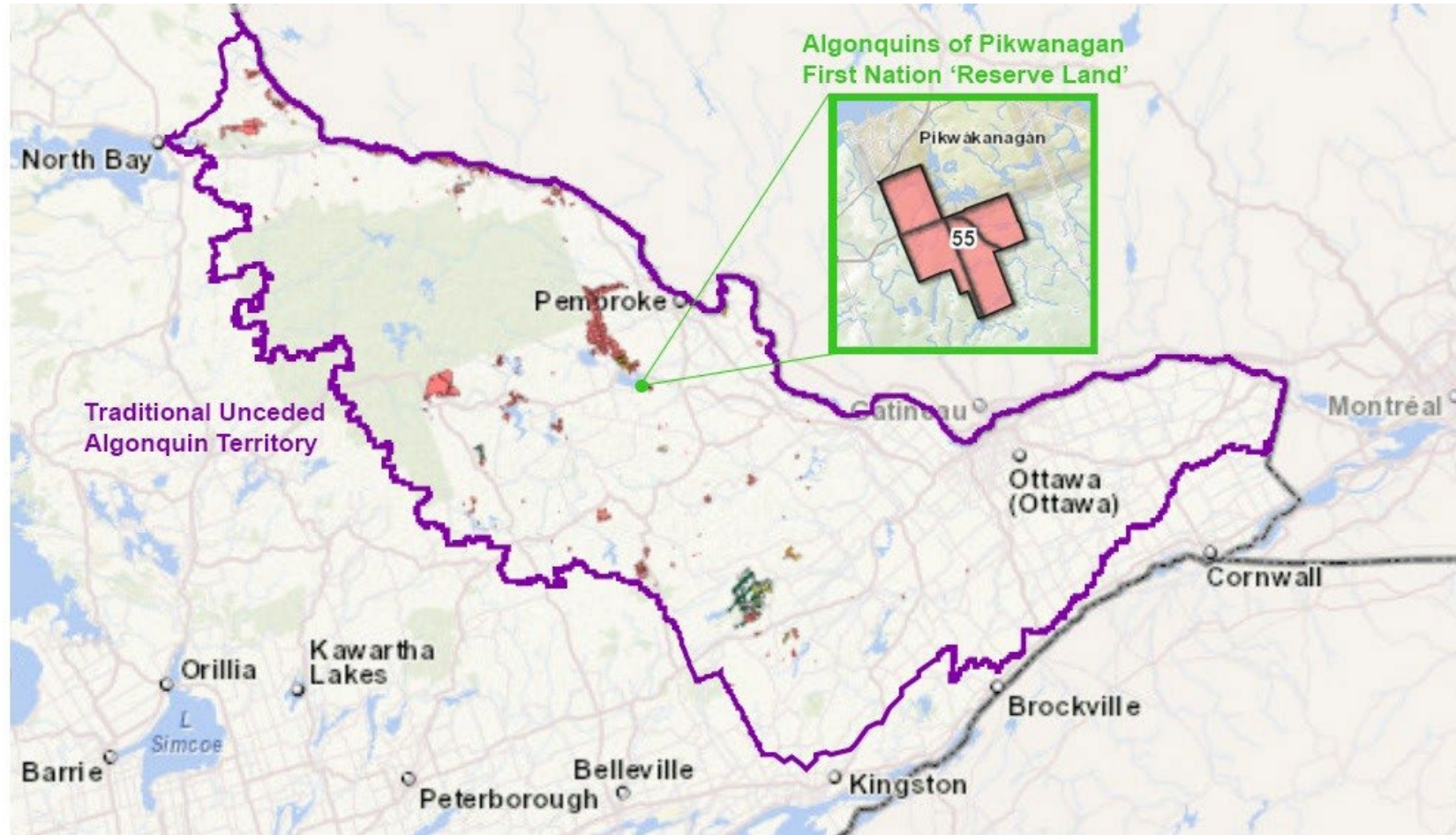


Road Map

- Land Acknowledgement
- Changes at Landlord and Tenant Board
- Problems – in rural context
- Solutions
 - Individual
 - Broad-based
- Conclusion



Land Acknowledgment



Map from article called The Indigenous People of the Ottawa Valley are Algonquin written by Aimee Bailey, Algonquin Citizen and found at <https://liplanarkrenfrew.ca/newcomers/learn-more-about-canada-local-communities/indigenous-people-of-the-ottawa-valley-are-algonquin>

Changes at the Landlord and Tenant Board

- Offices closed
- Virtual hearings
- Portal
- Faxes shut down – only one for urgent matters



Problems in Rural Context Leading to Increased Evictions

- Digital Divide
- Accommodation requests
- Public access terminals may be requested
 - Solely in urban locations (Ottawa, Hamilton, Toronto, London and soon Sudbury)
- Mobile phones may be requested



Individual Solutions – What you can do

- Community Legal Clinics through out Ontario
 - Legal Aid Ontario Website: <https://www.legalaid.on.ca/legal-clinics/>
- Advocacy Centre for Tenants Ontario
 - Website: <https://www.acto.ca/>
- Accommodation Request
 - LTB Website
 - <https://tribunalsontario.ca/en/request-an-accommodation/>
 - Human Rights Legal Support Centre Website
 - <https://www.hrlsc.on.ca/en/welcome>
- MPP Office

Individual Solutions – Where you can go

- Help to attend virtual hearings:
 - Counties & Municipalities
 - Libraries
 - Community Agencies
 - Mental Health Services
 - Ontario Works
 - ODSP



Individual Solutions – More Information

- ACTO
 - <https://www.acto.ca/>
- LTB
 - Website: <https://tribunalsontario.ca/ltb/>
 - Email: specific email per region
 - <https://tribunalsontario.ca/ltb/contact/>
- Human Rights Legal Support Centre
 - <https://www.hrlsc.on.ca/en/welcome>
- Steps to Justice
 - Website: <https://stepstojustice.ca/legal-topic/housing-law/>

The Digital Divide

There are over 1.5 million tenants in Ontario

How the forced switch to digital hearings has done more harm than good.

What happened?

Tribunals Ontario (which oversees the Landlord and Tenant Board, LTB) introduced a Digital First Strategy, a permanent move in the midst of the pandemic.

The implementation of the new Digital First Strategy included an overhaul of how matters are scheduled. Previously, all local matters were scheduled together according to different regions, regardless of file type. Now, matters are scheduled by file type, which creates mega hearing blocks with regions grouped together.



The challenges:

Rents are rising every month and the only protection some tenants have is rent control so long as they remain in their home

Almost 50% of tenants pay unaffordable rents



1 in 5 tenants spend more than 50% of income on shelter

Cost

May have to pay more for additional bandwidth or technology to participate

Don't always have the time or knowledge of the process to seek out legal advice on the day of their hearing

Inequity

Don't always have access to moderators or mediators to facilitate hearings or assist in resolving disputes. Mostly participate in hearings by phone (55.6%)

Tenants were not consulted as stakeholders before going digital

98% of tenants appearing before the LTB are unrepresented

Navigating the system is complicated and stressful

The issue:

The changes imposed as a result of the Digital First Strategy have left tenants falling through the cracks.

Previously, unrepresented tenants could show up on the day of their hearing and get support. Tenants were able to easily share physical documents and evidence to support their case and tribunal staff including, adjudicators, moderators/commissionaires, mediators and tenant duty counsel staff were all more accessible for participants in the in-person environment.

Many tenants struggled with physical, mental, social and economic barriers before the shift. The forced change to a digital-first strategy has amplified these issues, causing tenants to lose their homes.



Technology

Likely don't have access to the tools required to participate

May only have access to antiquated systems

Navigating the system requires knowledge, experience and access to specialized technology. Obtaining technology is expensive and using it is confusing.

75% of Toronto households with incomes under \$30,000 per year do not have home internet.

Lower income and rural households are more likely to have insufficient internet speeds to participate in a virtual 4 hour hearing

52% of all low income households in Toronto and 48% of those aged 60 and over had download speeds below what is considered the standard required by the CRTC.

What can be done to help?



Broad-based Solutions - Technology

- Better technological infrastructure
- Physical Places to Attend Virtual Hearings
- Terminals in rural areas with supports
- Tablets with data and support
- Access to Phones with unlimited time for a hearing date (at a minimum)



Broad-based Solutions – Accommodations

- Barrier Free Accommodation Requests
- Barrier Free Requests for In-person Hearings



Conclusion

- Problems
 - Digital Divide Placement (ACTO website)
- Individual and Broad-based solutions
 - Tip sheet available (hand-out on RCLC website)
- Actions you can take going forward



Questions?



**RENFREW COUNTY
LEGAL CLINIC**

Website: <https://www.renfrewlegalclinic.org/>