



THE DISTRICT OF THUNDER BAY
SOCIAL SERVICES ADMINISTRATION BOARD

Landlord and Tenant Board hearing wait times

POSITION PAPER

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The District of Thunder Bay Social Services Administration Board

Prepared for:

Hon. Doug Downey, Attorney General of Ontario
Hon. Steve Clark, Minister of Municipal Affairs and Housing

Brief

The District of Thunder Bay Social Services Administration Board (TBDSSAB) calls on the Minister of Municipal Affairs and Housing and the Minister of the Attorney General to address the long Landlord and Tenant Board (LTB) hearing wait times by fast tracking applications from landlords for priority applications related to high-risk issues (crime, behaviour, damages), as these have typically gone through extensive mediation efforts prior to the request for a hearing date.

Summary

The TBDSSAB recognizes that Community Housing is essential for the well being of many low-income individuals and families across Ontario. As such, TBDSSAB staff work to support successful tenancies and avoid evictions by using the parameters set out in our eviction prevention policy. However, attempted interventions aimed at maintaining a tenancy are not always successful. The TBDSSAB does not take the decision to move for an eviction lightly. However, there are situations that arise where eviction is necessary to protect the safety of other tenants, to avoid further damage to properties and to avoid stigmatizing Community Housing as a place that is unsafe or undesirable.

Background

Since January 1, 2021, the TBDSSAB has filed 212 applications with the LTB. Of these 212 applications, 124 are related to the non-payment of rent and the remaining 88 are related to interference with reasonable enjoyment resulting from behavioural matters, illegal activities, or violence. In addition, the TBDSSAB has 64 hearings waiting in the queue as of November 2022 to be adjudicated at the LTB.

The LTB is experiencing a backlog of up to 6 months before allocating a hearing date. Delays are expected to be even longer with the recent announcement that the LTB will

be prioritizing applications from landlords asking for above guideline rent increases through to the end of 2022. This backlog is creating greater safety issues for tenants and will result in approximately \$100,000 in lost rent revenue to the TBDSSAB over the 6-month waiting period. This lost revenue becomes an additional burden on the municipal levy.

There is an opportunity to establish a priority system where applications from landlords with high-risk issues are expedited and addressed separately from other applications. This would allow for dedicated time to address high-risk issues impacting landlords, and provide for administrative savings at the LTB by streamlining scheduling and hearings.

Further, the current LTB booking system doesn't cross reference already scheduled appointments with the same landlord and will book two hearings on the same date and time. When the hearings were in person the adjudicator would call one at a time, so the overlap was not an issue. However, recently a TBDSSAB representative had two virtual hearings booked simultaneously and was actively in one hearing when called to the other. The Adjudicator marked the SPM as absent for that hearing. This type of disconnect must be addressed and would be streamlined through a priority system for Community Housing providers. Hearings could be grouped, and conflicts avoided.

With the time delays related to the LTB, the majority of tenants are negatively impacted for a longer period by the actions and activities of high-risk individuals who would otherwise be evicted. This results in a reduction to the quality of life for the majority of tenants in the building, hardens relationships between frustrated tenants and TBDSSAB staff and stigmatizes Community Housing as a less desirable option for housing.

Therefore, TBDSSAB requests that the Minister of Municipal Affairs and Housing and the Minister of the Attorney General address the long Landlord and Tenant Board (LTB) hearing wait times by fast tracking applications from landlords for priority applications related to high-risk issues.