

HOUSING SECURITY FOR BLACK TENANTS: COVID-19

THE BLACK LEGAL ACTION CENTRE



“Housing has become the front line defence against the coronavirus. Home has rarely been more of a life or death situation.”^[1]

-LEILANI FARHA, UN SPECIAL RAPPORTEUR
ON THE RIGHT TO ADEQUATE HOUSING

The spread of COVID-19 has resulted in housing insecurity for many Ontarians. While we are all experiencing heightened stress and anxiety in various areas of daily life, the Black Legal Action Centre (BLAC) is acutely aware of the specific pressures and differential impact COVID-19 has on Black people and their housing – specifically on Black renters. Due to the racialization of poverty, many people who identify as Black or African Canadian are experiencing significant economic hardship, particularly with housing. We know that for many in our community, housing is the most significant expense and many will not be able to afford their rent today.

While this resource can be used by everyone, we have put together some legal, social and financial information specifically for Black tenants to support them during this time.^[2]

The information below does not constitute legal advice

If you require legal advice and you believe you are being discriminated against because you are Black, please contact BLAC at 1-877-736-9406 (toll-free), at 416-597-5831 or on our TTY Line (through Bell’s Relay Service): 1-800-855-0511. You may also contact your local community legal clinic.



[1] United Nations Human Rights Office of the High Commissioner (March 18, 2020), online: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727>

[2] Information in this fact sheet has been resourced from the following organizations: Federation of Metro Tenants’ Associations, Steps to Justice, The Right to Housing Toronto Network, and Advocacy Centre for Tenants Ontario.

EVICCTIONS

It is **illegal** for your landlord to evict you by themselves. You may only be evicted if there is a valid Eviction Order from the Landlord Tenant Board or a Court and only the Sherriff can execute the eviction.[3] If a landlord issues you or tries to issue you an eviction notice, it is important for you to know that it **cannot** be enforced[4] at this time. This is because the court (The Ontario Superior Court of Justice) has temporarily suspended all residential evictions, including eviction hearings.

If your landlord threatens to evict you, keep records of all calls and/or letters. Make notes as soon as anything happens and keep them.

If your landlord gives you an eviction notice and/or attempts to evict you without the Sherriff, you do not have to leave your home. Call the **Rental Housing Enforcement Unit**, a government office at 1-888-772-9277 (toll-free) or 416-585-7214. They might contact your landlord to discuss it. Sometimes this can solve the problem. If that doesn't work, contact BLAC or your local community legal clinic to get legal help right away.

If your landlord tries to lock you out, cut off your utilities, throws out your belongings, or takes other physical steps to evict you, call the police. You can call BLAC if you require support to contact the police.



[3] Note this information applies to tenants covered under the Residential Tenancies Act (RTA), which governs evictions in Ontario. If you are unsure if the RTA applies to you, please call BLAC.

[4] This means no eviction orders will be issued by the Landlord and Tenant Board, and the Sheriff's offices cannot physically enforce any eviction orders unless the landlord convinces the court to make an exception (e.g. for an illegal act or serious impairment of safety). Landlord and Tenant Board (March 26, 2020), online: <http://www.sjto.gov.on.ca/ltb/>

RENT

You cannot be forced out of your home at this time because of the provincial hold on evictions and eviction hearings. This is regardless of your rental agreement. You should be aware that this does not mean that your landlord won't try to evict you. Contact [BLAC](#) if this happens.

Municipal, provincial and federal leaders have said renters who have lost work due to COVID-19 should not have to worry about paying rent on April 1. They have called upon private landlords to help tenants who need to remain housed, but are unable to pay their rent, during these unprecedented times. While many provinces across the country have frozen rent increases, deferred late fees and offered renters a lump sum payment to assist with their rent, the government of Ontario has not officially announced any rent relief plan for April 1.

For campaigns working to assist tenants and petitions calling for the cancellation of rent payments for April 1, click [here](#).

LANDLORD'S RIGHT TO ENTER

Your landlord has a right to enter your unit if they have followed the rules about proper notice and time of entry.

If you have concerns about your landlord or their agent entering your unit during the COVID-19 outbreak, you should speak to them about your concerns. Especially if you are:

- self-isolating or quarantined,
- ill from the virus,
- concerned that people coming into your space could spread infection, or
- you want to follow public health recommendations about “social distancing”.

If your landlord or their agent still wants to enter your unit and you're not satisfied that they are being careful or applying the appropriate sanitary practices, you might decide not to let them in. See this sample [letter](#) you may want to use. Please seek legal advice before using the letter to ensure you're not at risk of eviction for denying your landlord entry. You can call [BLAC](#) for advice.

UTILITIES

If your rent is not inclusive of utilities, you may be wondering about programs in place to assist you in paying for your utilities.

Effective March 24, 2020, the provincial government suspended time-of-use rates for residential customers, holding electricity prices at the off-peak rate for the next 45 days.[5] However, this means if you pay a “tiered rate” or a fixed amount based on how much energy you consume, you will not qualify for this new advantage.

The Ontario Energy Board has prohibited all electricity distributors from disconnecting power because of non-payment until at least July 31, 2020. Providers may continue to issue late notices to customers who fall behind, but they should not send disconnection notices during this prohibition period.

If you live in an apartment building or condominium, you likely have a sub-meter which is used to measure consumption of each individual unit in a multi-residential building. If you pay a sub-metering company for your electricity, and you are unable to pay your bill, these companies have decided not to cut off electricity until July 31, 2020.[6]

If you are having trouble paying your electricity bill you can do the following:

- Contact your electricity provider immediately and notify them of your current financial situation
- Apply for the [Ontario Electricity Support Program](#), and/or the [Low Income Energy Assistance Program](#).

The Black Legal Action Centre (BLAC) is a not-for-profit corporation incorporated under the laws of Ontario. BLAC was created to combat individual and systemic anti-Black racism by providing legal services to low and no income Ontarians that identify as Black or African Canadian. BLAC’s service areas include housing, income maintenance, social assistance, human rights, police complaints, employment and education. BLAC also engages in test case litigation, law reform and community development. We deliver summary legal advice, brief services, and public legal education.

[5] Ontario Newsroom, Ontario Providing Electricity Relief to Families, Small Businesses and Farms During COVID-19 (March 24, 2020), online: <https://news.ontario.ca/opo/en/2020/03/ontario-providing-electricity-relief-to-families-small-businesses-and-farms-during-covid-19.html>

[6] Sub-metered companies such as Enercare, Wyse Meter and Provident do not fall under the Ontario Energy Board’s ban.

RESOURCES

Black Community Supports*

TAIBU Community Health Centre
[Website](#) or 416-644-3536

Black Creek Community Health Centre
[Website](#) or 416-249-8000

Across Boundaries
[Website](#) or 416-787-3007

Black Health Alliance
[Website](#) or 647-367-6656

Tropicana Community Services
[Website](#) or 416-439-9009

Eva's Initiatives
[Website](#) or 416-977-4497

Margaret's Housing
[Website](#) or 416-463-1481

Women's Health in Women's Hands
[Website](#) or 416-593-7655

**For a list of other resources, please visit [BLAC](#)*

COVID-19: GTA Black Community Emergency Support Fund

Black Lives Matter – Toronto has launched a fundraising campaign to create a fund for Black folks in the GTA who need extra financial support during these times. For more information about the campaign, visit their [site](#).

Federation of Metro Tenants' Association

The tenant Hotline answers specific questions about your rights or options under the law (not legal advice). Tenant Hotline: 416-921-9494

Steps To Justice

For general COVID-19 updates on the law and legal services, visit their [website](#).

Rental Housing Enforcement Unit (RHEU)

A government agency that can help you resolve disputes with your landlord. For more information visit their [website](#) or call 1-888-772-9277 (toll-free) or 416-585-7214

Toronto Rent Bank Program

This program is available to any low-income household who is not able to make April rent payment as a result of the COVID-19 pandemic. The program will provide interest-free loans to eligible households with a very flexible repayment plan. For assistance call 416-924-2543 and leave a message (returned within 24 hours). For more information visit the Neighbourhood Information Post [website](#).

Housing Stabilization Fund – City of Toronto

The fund provides money for emergency housing needs to people receiving financial assistance through Ontario Works or income support through the Ontario Disability Support Program (ODSP) in the city of Toronto. To apply, speak to your Ontario Works or ODSP caseworker. For more information visit their [website](#).

Ontario Electricity Support Program

This program lowers electricity bills by providing a monthly credit to eligible customers based on household income and household size. For more information visit their [website](#) or call 1-855-831-8151.

Low Income Energy Assistance Program

This program provides emergency assistance for low-income customers who are behind on their bill, in arrears and/or may face having service disconnected. For more information visit their [website](#).

Form Letters

- If you are a tenant who cannot pay rent on April 1, a sample letter for your landlord can be found [here](#)[7]
- If you are a tenant concerned about your landlord entering and contaminating your unit, a sample letter for your landlord can be found [here](#)[8]

Advocacy

- [Petition](#) from the [Federation of Metro Tenants' Associations](#) calling on the Province to enact legislation to stop the payment of rent on April 1st for residential tenants. They've also set up a [page](#) listing current campaigns aimed to help tenants during COVID-19.
- [Action Items](#) for federal, provincial and municipal governments from the [Advocacy Centre for Tenants Ontario](#).
- [Petition](#) from [Acorn Canada](#) calling on governments to respond to the challenges facing tenants.

[7] Created by Joel Roberts (a PhD candidate at York University).

[8] Created by community partners. Please seek legal advice before using this letter to ensure you're not at risk of eviction from denying your landlord entry.