## Landlords and tenants: Act outlines your rights

Continued from page C3

in writing--not necessarily because it's a legal document but just so it's clear."

According to the Act, it is illegal for a landlord to charge a damage fee as part of any rental agreement. However, he can ask for a security deposit equal to the last month's rent, which is commonly done when the landlord asks for the first and last month's rent before the new

terant moves in. But the last month's rent should actually be treated by

the landlord as a trust, and he le obliged to add six per cent per year interest on the amount until the tenancy ends.

"A landlord cannot tell you to leave at any time," Mr. Craig stressed. "That's something a county judge and no one else can do."

Residents may be evicted if

they fail to pay the rent, cause damage to the apartment, disturb other tenants and for overcrowding the residence and violating the "safety, or other lawful rights, privilege interest" of the tenant's

A tenant may also be evicted if he carries on an illegal business on the premise or commits an Illegal act. People living in subsidized housing who falsely list the income of the household can, quite legal-

ly, be ordered to leave. At the end of a rental term. the landlord may decide that he needs the tenant's apartment for a member of his or his wife's family. As long as he gives the tenant 60 days' notice, he can still apply for an

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With Sergeant Henry Lersen, In 1944.

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eviction on these grounds according to the Act.

Other reasons for deciding not to let a tenant renew the rental agreement include: - the tenant is persistently

late with the rent: - the tenant, employed in the building and given lodging as a job benefit, no longer works for the company;

- originating as an intent to purchase the residence as part of a condominium deal, the tenancy is ended because the condominium agreement falls - the building is to be demolished, extensively repaired or converted to another use instead of a residence.

Once again the tenant con present a case against any eviction order before the court. In most cases in which an unavoidable eviction is faced, such as the impending demolition of the building or a major conversion in the use of the premises, the landlord and the tenant can reach an agreement about when the rental agreement is to end.

Regardless of the type of accommodation, the landlord is obliged to ensure that his rented premises are kept in good repair and are fit to live

SOLVE PROBLEM

Following guidelines in the Act, Mr. Craig suggested that tenants facing major repair headaches should notify the landlard, giving him a reasonable amount of time to solve the problems satisfactorily.

Some communities have property bylaws by which residences, either rented or owned, must be kept, if they are not, it's up to the town bylaw enforcement officer to investigate and lay charges if Although Halton Hills has a

property standards bylaw, its scope is limited to the boundaries of the Acton and Georgetown Business Improvement Areas. Passed earlier this year, it has allowed the town to study the two downtown cores, setting goals for their

apparently different futures. Faced with a belligerent landford, most residents in town will probably have to complain to a county judge if much-needed repairs prevent them from enjoying their

It's not advisable to make repairs without an agreement from the landlord or a court order, Mr. Craig warned. It's quite possible that a tenant who makes the repairs intending to recoup his expenses by withholding part of his rent until the bill is paid, could find himself at the wrong end of a

For one thing, it's only fair to consult with the landlord on the repairs needed, getting at least three reliable estimates on how much it will cost to make them. And withholding rent could initiate eviction proceedings on behalf of the landlord for defaulting on regular payments.

The tenant should always wait for the court's decision, not taking any action until the judge decides the landlord should make all repairs, or agrees to let the tenant do them at the expense of the landlord.

Meanwhile, Mr. Craig pointed out, tenants waiting for repairs to begin on their residences following the court order can also apply for an abatement of rent. A tenant must prove that his rent should be reduced because, without repairs, the residence may not be worth what he is paying to live in It.

Last Wednesday night's seminar on the rights of landlord and tenants under provincial law quashed a number of "old wives' tales" harbored by many of the 20 or so people crowded into the Hafton Hills Community Legal Aid Clinic on Georgetown's Wesleyan Street. Evicting a tenant is not something a landford can arbitrarily do, lawyer David Craig explained. The eviction notice must come from a county judge after a hearing in which both the tenant and the landlord are

(Herald sketch by Chris Asgaard)

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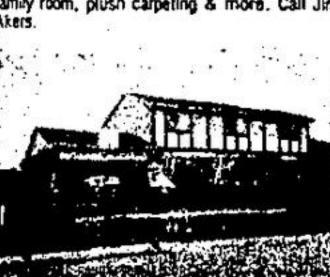
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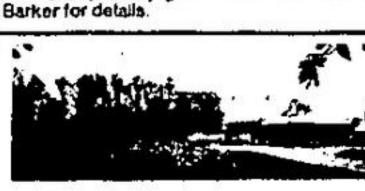
barn, attractive hilltop home and 800 ft.

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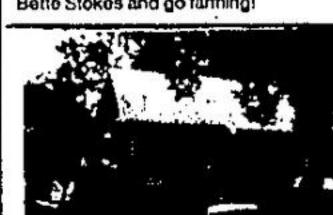
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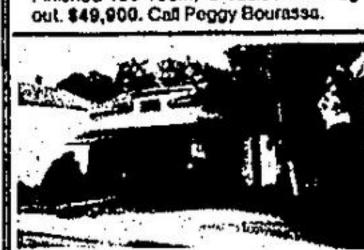
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**INCOME PROPERTY** 

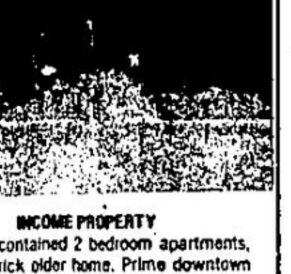
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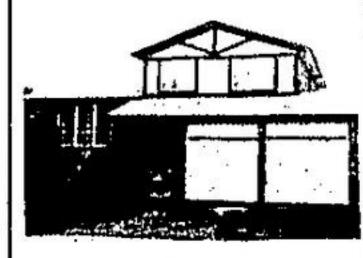
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