

Halton Hills Community Legal Clinic holds seminars

Landlords and tenants: Act outlines your rights

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

the landlord as a trust, and he is 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

or interest" of the tenant's neighbors.

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

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 through;

— the building is to be demolished, extensively repaired or converted to another use instead of a residence.

Once again the tenant can 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 in.

SOLVE PROBLEM

Following guidelines in the Act, Mr. Craig suggested that tenants facing major repair headaches should notify the landlord, 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 necessary.

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 landlord, most residents in town will probably have to complain to a county judge if much-needed repairs prevent them from enjoying their residences.

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 summons.

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 agree 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 Halton Hills Community Legal Aid Clinic on Georgetown's Wesleyan Street. Evicting a tenant is not something a landlord 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 involved.
(Herald sketch by Chris Aagaard)

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COUNTRY CHARMER \$49,900!!!
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Large family home located in desirable area just steps from shopping and 'Go' bus. This immaculate home boasts a main floor family room, rec. room, lots of cupboard space, extra bathroom, large concrete patio, walkout from family room, plush carpeting & more. Call Jim Akers.

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Over 7,000 sq. ft. of floor space which includes a 2-storey office structure, one 10' and one 14' clearance overhead door - building approx. 4 years old located on 1/2 acre - entire structure is 3 feet above ground level which is protection against possible flooding and is a convenience for loading and unloading. Call Jim Akers.

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WILLIAM ELLIS REAL ESTATE LTD. 877-6917

ELEGANT LIVING
Is yours in this custom built home on large ravine lot. The unique floor plan embodies all the most desired features. The address would look good on you. Get all the details by calling Peggy Bourassa.

"RIDING HORSE ROW"
A lush 10 acres with some hardwood forest. A rustic all cedar home with vaulted ceilings. Your new lifestyle awaits you 10 minutes from town at \$139,900. with good terms. Call Barb Dunleavy to get started.

HILLSBURGH LIGHT LOAN
85 acres with barn and drive shed. The new extension on the home incorporates family room with fireplace. A 90' x 20' building includes huge shop and cozy two bedroom apartment for a second family. Asking \$159,000. with financing. Call Bette Stokes and go farming!

THE MIGHTY MINI RANCH
You would not believe all the goodies packed into this two acre lot. A three stall barn with loft, dog run and this unique home, featuring 2 fireplaces, 3 baths and 3 walkouts. All for \$127,900. See it with Bette Stokes.

THE FAMILY HOME DELUXE:
Three spacious floors, attractively carpeted and decorated. Features like two extra washrooms and central air conditioning assure family comfort. Priced at \$107,600. Call Rosalie Barker for inspection.

COUNTRY HOME SITES
Hilltop home site: A rugged nine acres of hills and valleys with some trees. Frontage on Tragalgar Road. Asking \$49,900. Explore by calling Bill Ellis.

Big Sky Country: A view for miles from this five acre in Erin Township. Sheltered and open sites. Asking \$32,900 - See it with Bette Stokes.

Hidden Home Site: Tree cover runs for the whole 480 ft. of frontage on this fertile ten acres. Asking \$49,900. - with vendor mortgage. Call Bill Ellis.

NEW DRAVTON LISTING
Big beautiful 4 bedroom, brick backsplint on 30 x 167' landscaped lot. In choice location. Extra kitchen, fruit cellar, pool, 1 1/2 car garage are just some of the fine features. Be first to call for your appointment. Asking only \$99,900.

ARE YOU A HANDYMAN?
Then this little gem in Rockwood is for you. Priced to reflect the required improvements with exceptionally good terms. Call Rosalie Barker for details.

LET'S TALK HORSES!
What a super spread near Snelgrove! Twelve fertile acres with exceptional horse barns and 80' x 60' arena. And this gorgeous home, of course! Call Bette Stokes and let's talk horses!

EXCELLENT STARTER HOME IN ERIN
2 bedroom home on a water front setting. Finished rec room, broadroom throughout. \$49,900. Call Peggy Bourassa.

WAIT NO LONGER!
The vendor has just made an excellent mortgage available on this commercially zoned duplex on Main Street. It is opportunity time. Get the details from Bill Ellis.

TOP OF THE VALLEY
The window wall of this 1,450 sq. ft. home affords a breathtaking view. On a fully fenced two acre lot just off Highway 24 in Erin. Asking \$97,900. - with good mortgage. Call Bill Ellis to view.

AFTER HOURS:
Rosalie Barker 877-4513
Bette Stokes 877-8830
Sue Hamilton 279-8579

Don Sanderson (519)833-9105
Cec. Martin 878-8771
Barb. Dunleavy 877-7731
Peggy Bourassa 877-8785

ATKINSON H. Atkinson Real Estate Broker 877-3333

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INCOME PROPERTY
Two self contained 2 bedroom apartments, in a big brick older home. Prime downtown location. Wait till you see the marvelous yard - 2 1/2 of an acre. Hurry for this excellent opportunity. Asking only \$75,000.

76 ACRES
Brick home in the heart of horse country. Great possibilities. Asking \$259,900.00.

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... Donut and Coffee Shop. Established 10 years in this location.
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