



HAMILTON TENANT

A NEWSLETTER BY AND FOR TENANTS IN HAMILTON

published by the Hamilton Tenants Solidarity Network

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Welcome to the second issue of *Hamilton Tenant: A newsletter by and for tenants in Hamilton*. The goal of this newsletter is to share the stories of tenants in Hamilton and inspire each other in our collective struggle for better conditions in our homes and our lives. Several articles in this issue focus on tenants' frustrations with the Landlord and Tenant Board as a means of bringing justice to tenants seeking affordable, safe homes. We hear from tenants who are working with their neighbours to fight for repairs in their homes, bringing their demands to the landlord directly rather than waiting for months before a maintenance application can be heard at the Landlord and Tenant Board. We hear from several tenants from the Stoney Creek Towers in east Hamilton who are taking direct action against their landlord through a rent strike, demanding that their landlord cancel a proposed Above Guideline Increase in rent. These tenants know that the Landlord and Tenant Board acts as a rubber stamping mechanism for landlords seeking rent increases. We also hear from tenants who are working together to push back against their landlord's attempts to squash organizing through harassment, surveillance, and intimidation. We hope you enjoy the newsletter and find it useful.

WE'RE STRONGER WHEN WE'RE ORGANIZED

It's a scary time to be a tenant in Hamilton. Our rents are going up at a much faster rate than our wages. Every month, apartments get more unaffordable. Thousands of working-class people are just an eviction away from being homeless. For landlords, this is not a problem. It's an opportunity. Rich investors from Toronto are buying up properties in this city. If they can rid of long-standing tenants, they can flip our units and double the rent. Slumlords can ignore necessary repairs, making a bet that their tenants will be too scared to complain. This is a serious problem facing many elderly tenants, those with disabilities, and others on fixed incomes.

It's often said that there is strength in numbers. This is true, but it isn't just our numbers that give us strength. If that were the case, we would just all sign a petition asking for lower rents. As tenants, our true strength comes when we get organized.

Working-class people have many skills. Some of us are good at talking to our neighbours. Some of us are good at research. Some of us have skills we've learned at work. When we pool these skills and work together, we can accomplish big things. But first we need to come to a common understanding. We need to realize that we face similar problems. Once we do that, we can begin to work out solutions together.

Nobody is going to solve our problems for us. Not politicians, not social agencies, and definitely not landlords. There's no way around it. Tenants in this city need to get organized. If you want support, get in touch.

WHO DOES THE LANDLORD AND TENANT BOARD SERVE?

Landlords often say that "the Landlord and Tenant Board is the only place to resolve disputes between landlords and tenants." Why do landlords insist on this? Many tenants who try to find "justice" at the LTB, one of several courts within the so-called Social Justice Tribunals of Ontario system, find anything but justice.

Bogus evictions

Say you get a notice from your landlord saying that you need to leave because a member of the landlord's family wants to move in (Form N12: 'Notice to End your Tenancy Because the Landlord, a Purchaser or a Family Member Requires the Rental Unit'). "Sorry, but my son needs the place." Or maybe you get a notice saying you need to leave because the landlord plans to do major renovations to the unit (Form N13: 'Notice to End your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it or Convert it to Another Use'). The Landlord and Tenant Board grants the eviction application, without requiring much proof of the landlord's intentions. You move out. A couple months later you notice that your old apartment is being advertised on Kijiji or Bunz for hundreds of dollars more per month. Or maybe you notice it listed on AirBnB, no longer being offered as a long-term rental for anyone. So much for a relative needing to move in or renovations being done!

Disrepairs

Say you desperately want something fixed in your apartment. You ask property management to fix it.

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You call repeatedly, submit work orders, talk to the property manager. If you're lucky, they come by and take a look and say, "We'll deal with it soon." But they never do. You file an application for maintenance to the LTB. It takes several months before your hearing is scheduled. It's on a weekday and you are forced to take off work and forego a day's wages to attend. You don't have a lawyer or paralegal because you can't afford it, but your landlord sure does. You are able to speak to tenant duty council at your hearing, but you only have a few minutes with them to get advice. You get the sense that the adjudicator (called a Board member) doesn't even care about your case and wants to speed things along. The adjudicator encourages you to seek mediation with an LTB mediator rather than having a proper hearing with the adjudicator. You wait in a line and are shuffled into a small room with the mediator and your landlord's lawyer. The mediator quickly writes up an agreement and reads it out. "Do you agree? Okay? Sign. Next!" Finally, you can get the landlord to fix a few things (assuming they follow through on the order), after living with disrepairs for months.

Above Guideline Increases

Say you get notice that your landlord has applied for an Above Guideline Increase in rent. You know that your landlord is only supposed to increase rent in accordance with the Province of Ontario's annual guideline, usually 1-2%. But your landlord wants to increase your rent another 3% on top of that, for the next three years. The total rent increase will be close to 15%! You do the math and realize that's going to be an extra \$50 a month the first year, and even more in the second and third year. So much for rent control. You figure out that you can request a CD with a PDF of the landlord's application. You go to the effort of making an application to the LTB to get the CD. The application is hundreds of pages long, lots of invoices and legal jargon. What's clear is that the landlord wants to pass on the cost of millions of dollars worth of building 'upgrades' to the tenants. Funny, they haven't done a thing in your apartment. Why spend money on painting the outside of the building, planting new flowers, and renovating the lobby? Surely the pressing issues are in tenants' units: lack of heat, faulty stoves and fridges, pest infestations, leaks and mould, etc. The landlord ignores these issues and now they want tenants to foot the bill for cosmetic upgrades? Outrageous. And even so, why should tenants pay extra when the landlord spends money on keeping the building in a good state of repair? Surely this is what your current rent money should go towards, not some extra cash for your landlord to pocket.

You take a day off work to go to the AGI hearing. Even though hundreds of tenants in your building are affected by the rent increase, only a handful of people show up. Maybe people couldn't get the day off work. Maybe people didn't understand the notice if English isn't their first language (many people), or legal jargon isn't their first language (everyone!). Maybe they simply didn't see the

point. Landlords always win, right? You tell the adjudicator: "This isn't right. Why should tenants pay for these cosmetic changes when the landlord isn't even doing regular maintenance in our units? I can't afford this increase. If my rent goes up this much, I'll be priced out. Where can I find another apartment in the city for the same rent?"—The adjudicator interrupts you: "Requests for repairs in individual tenants' units are beyond the scope of this hearing. You will need to submit a separate application. Also, the LTB has no power to take a tenant's personal financial circumstances into account when considering an AGI application." In other words, 'Be quiet. I don't care.' Your landlord, supported by a team of lawyers, paralegals, and consultants, somehow finds a way to justify all of the cosmetic upgrades as 'necessary' and the LTB approves the above guideline rent increase. Within a year, most of your long-time neighbours have moved out, unable to afford the increase. Once they leave, your landlord does a quick surface renovation of their units and charges double the rent for the incoming tenant.

The LTB: An Eviction Factory

Across Ontario, 90% of LTB applications are filed by landlords while 10% are filed by tenants (SJTO Annual Report, 2017-18). In 2017-18, the LTB received 72,511 applications from landlords and 7,738 applications from tenants. The majority of landlord applications received by the LTB is for evictions, including applications to: terminate the tenancy and evict for non-payment of rent (65.6%), terminate the tenancy "for other reasons" and evict (15.7%), and terminate the tenancy due to a failed settlement (7.7%) (SJTO Annual Report, 2017-18). "For other reasons" is often an 'own use' eviction or renoviction. These have been on the rise in recent years. What's clear is that the LTB spends most of its time evicting tenants. The LTB is an eviction factory, helping landlords make profits rather than helping tenants maintain shelter.

A recent report from the Social Planning and Research Council of Hamilton found there was a 95% increase in landlord applications to evict tenants at the LTB's Hamilton office from 2010 to 2016. At the same time, many Hamilton neighbourhoods rapidly gentrified with new people moving in. The vacancy rate dropped and rents increased quickly. Landlords know they can jack up rent however much they want when an old tenant leaves and a new tenant moves in. Landlords have a big financial incentive to evict longstanding tenants. No wonder landlords are filing so many eviction applications.

There's a reason why landlords insist on "resolving disputes" at the LTB, rather than through direct negotiations or other means. Landlords know that the LTB is their court. This is where they hold the balance of power, supported by the pro-landlord language of the *Residential Tenancies Act* (watered down through 'reforms' made by Conservative governments). Landlords can count on the fact that tenants don't know how to navigate the LTB system, won't be able to hire legal representation, and will

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feel intimidated by the process. Many tenants face additional barriers if they don't speak English well, if they have illnesses or disabilities that make it difficult to attend, or if they simply can't afford to take a day off work to go and the adjudicator automatically decides against the tenant in their absence.

Landlords and Politicians Working Together

We can expect more attacks on renters from Ontario Premier Doug Ford and his friends in the real estate, development, and landlord sectors. In May 2018, when Ford was running for election, he said: "The people of Ontario have told me they are struggling. I have listened to the people, and I won't take rent control away from anyone. Period. When it comes to rent control, we're going to maintain the status quo." In November, Ford broke his promise and announced major changes to rent control laws. Rent control will be eliminated for tenants living in units constructed after November 15, 2018, and units newly converted to a rental use after this date. No doubt, Ford will make more changes to the *Residential Tenancies Act* in the near future, making it easier for landlords to evict tenants. He will probably appoint his friends to the vacant adjudicator positions at the LTB. 11 full-time adjudicators and four part-time adjudicators will finish their terms on December 31, 2018.

The Federation of Rental Housing Providers of Ontario (FRPO), Ontario's landlord association, has hired a lobbyist, John Matheson of Strategy Corp Inc., to push for rollbacks on a wide range of

issues: "Property tax assessment policy relating to multi-residential buildings; municipal licensing of multi-residential buildings; annual rent control guidelines and policy; models for promoting the construction of new rental housing. Policies relevant of purpose-built multi-residential construction, such as, inclusionary zoning, development charges, and the Landlord-Tenant Tribunal." These rollbacks will help landlords and hurt tenants.

Tenants Must Organize Together

In July 2018, rent striking tenants from the Stoney Creek Towers were dragged to the LTB by their landlord, InterRent REIT. The adjudicator refused to acknowledge the collective nature of the strike, insisting on hearing tenants' cases one by one. The adjudicator refused to listen to the reasons why tenants decided to strike in the first place: longstanding disrepairs and unaffordable rent increases. Instead, the adjudicator and the landlord pretended that non-payments of rent were individual cases of negligence. In defiance, tenants and their supporters occupied the court room, chanting and banging drums, ultimately forcing the adjudicator from the room. The majority of cases were not processed and only a handful of tenants were given court orders to pay their rent. This is just one example of how tenants can come together to disrupt business as usual.

Now more than ever, it is important for tenants to work together to put direct pressure on our landlords. We don't put our faith in the 'sympathy' of landlords, or the 'justice' of the LTB courts, or the empty promises of politicians. We put our faith in each other.

TENANTS' REFLECTIONS FROM THE LANDLORD AND TENANT BOARD

Since May 2018, tenants from the Stoney Creek Towers in east Hamilton have been collectively withholding rent from their landlord, InterRent REIT, and property management company, CLV Group. Tenants have two demands for InterRent: make repairs to our units and drop the proposed Above Guideline Increase in rent. Rather than negotiate directly with tenants to come to an agreement and end the strike, InterRent has responded by dragging rent strikers to the LTB, over and over again, scheduling several hearings every month. The amount of money InterRent has spent on lawyers and paralegals, in addition to travel expenses and hotel accommodations for the posse of executives they send down from head office in Ottawa, is astounding.

Rather than acknowledging the organized, collective nature of the rent strike, InterRent insists that non-payments of rent are individual acts of negligence. It is clear that InterRent intends to play the long game, scheduling hearing after hearing, forcing tenants to pay the landlord's court filing fees (usually \$190 per tenant per hearing), all in an effort to drain the rent strike defense fund. Through this process, as well as the AGI hearings, rent strikers have gained first-hand experience of the LTB system and come to understand who it serves. Tenants are united against the

landlord and against the biased LTB. Below, three tenants reflect on their experiences at the LTB. Diana and Cam describe hearings on October 16, 2018. George describes his experience at the AGI hearing which took place November 1st and 2nd, but was not resolved in the time provided so has been adjourned until 2019.



Diana, tenant from 50 Violet Drive, gives a speech to a crowd of supporters before her LTB hearing on October 16, 2018.

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Diana's reflection:

I had an L9 hearing on October 16 at the LTB at 119 King St W. Prior to the hearing there was a rally where some of the tenants could say something about our living conditions. I felt like I had to say something after living here for 7 years and seeing no change. Big deal now, rich company buys the building and does cosmetic work but the underlying problems still exist. I did my speech and attended because I hate feeling like a pawn and taken advantage of by a big corporation who does not care for us but only for their rich investors who will gain more with the proposed rent increase of 10% over 2 years.

At the hearing, I had another tenant represent me which made me feel better, I was much more calm. The show of fellow tenants supporting our cause was awesome and made me feel that we will win this and a wrong will be righted. I will continue to support this cause to the very end. Hopefully justice will prevail and our hands will be raised in victory because it is only right.

Cam's reflection:

I have been living at the Stoney Creek Towers for over 20 plus years with my family in not so average living conditions. Over a year ago when CLV bought the buildings, I had a hot water issue, meaning I had no running hot water to stay sanitized everyday. This lasted for about six months until they finally decided to respond, only after we collectively as tenants went on rent strike. Can we say human rights abuse or what?

Today October 16, 2018, I went to the LTB hearing to represent my mother, who cannot speak for herself or even knows how to use a phone, but I was not allowed to represent her. Since when can you not represent your own mother? The hearing proceeded anyways.

So now we are in the sixth month of the rent strike and CLV and the LTB are still acting as if we are not striking. So we have no choice but to keep striking until a fair solution has been confirmed for all parties and people.

THEY SAY RENT HIKE,
WE SAY RENT STRIKE!

George's reflection:

At the Above Guideline Increase hearing on November 1 and 2, Dave Nevins, CLV Chief Operating Officer, was the sole witness for both days. Half the time Nevins didn't have the answers to the questions from our lawyer, Kevin Laforest. I'm 81 years old, I should know when someone is lying to me. I felt compelled to go up and talk, that's why I called him a damn liar in front of everybody. All this Nevins guy is interested in, the last thing, is the dollar bill. He doesn't give a damn about the people who live in here or the conditions they live in. I realize he is a business man

and that's the bottom line, to show a profit. This building was run down, I know that, there was hardly any maintenance done on it. And some of the things we found out going door-knocking were atrocious, the conditions the people were living in.

In my opinion, the AGI hearing was a waste of time, they don't want to come forward and tell the truth, all they're trying to do is cover up enough just to show the LTB "Oh we spent so much money," all they're trying to do is recuperate that money and show their shareholders a profit. The LTB from what I gather, they favour the landlords more than the tenants. The LTB is like a lost cause, it is not impartial, the government should have a review on the LTB. I felt that way at the AGI hearing.

We have to think of the future too. If I lose this place, where am I going to find another I can afford? One of the reasons I attended the hearing is because I committed myself to this and I have to be loyal to the tenant committee and to the people I represent, all the other tenants who live in the buildings. That's why I always say: together we have strength, if we don't stand together, they're going to walk right over us. That's the way things are.



Cam, tenant from 50 Violet Drive, talks to LTB Member Sean Henry at a hearing on October 16, 2018.



George, tenant from 77 Delawana Drive, talks to LTB Member Guy Savoie at landlord InterRent REIT's AGI hearing on November 1, 2018.

TENANTS ORGANIZE DESPITE LANDLORD'S SCARE TACTICS

Since the beginning of the East Hamilton Rent Strike, InterRent REIT, owner of the Stoney Creek Towers, and its in-house property management company, CLV Group, have used scare tactics in attempts to crush tenants' organizing. These tactics have escalated to such an absurd point that the Stoney Creek Towers tenants have concluded: InterRent is scared of its tenants!

The idea of a landlord being scared of its tenants turns the normal landlord-tenant power dynamic on its head. In this relationship, landlords normally hold all the cards and tenants have little recourse. This is a power imbalance supported by the government, written into provincial law through the *Residential Tenancies Act*, upheld by the LTB, and, if need be, enforced by the sheriff. As tenants, we can see this imbalance in our daily lives as maintenance issues like broken locks and draughty windows go unaddressed for weeks, while landlords can give us eviction notices for being one day late on rent.

InterRent's Failed Scare Tactics

When a billion-dollar landlord like InterRent begins to be frightened of the working-class residents of the Stoney Creek Towers, it means that the tenants are doing something right. In the beginning, tenants frightened InterRent into addressing certain maintenance and repair issues. Now, through their continued organizing and despite the landlord's harassment and intimidation, tenants are frightening InterRent into paranoia. Here's what has happened so far:

Threats of Eviction: L9s, N4s, L1s

Unsurprisingly, the threat of eviction has been InterRent's primary scare tactic. At first the landlord filed L9 applications to try to collect tenants' outstanding rent - a process that does not carry the threat of eviction. But when rent strikers and their supporters disrupted the LTB at the L9 hearings in July, InterRent suddenly recognized that their tenants can affect the government-controlled body that they had placed their faith in, got scared, and began pursuing evictions. Tenants began to receive N4s (notice for non-payment of rent) followed by the subsequent L1s (application for eviction for non-payment of rent). Over the course of the rent strike, tenants have attended hearings at the LTB multiple times. InterRent sends high-ranking executives from Ottawa to each of these hearings. No one has been evicted for their participation in the strike. For many tenants who are forced to pay back rent, a new tenant joins the strike.

InterRent has stated continuously that they want all matters to be resolved at the LTB. It's easy to understand why. Landlords rely on the LTB as a tool that allows them to gouge their tenants and kick them out of their homes. This is often an individualized process, as the LTB doesn't allow for collective defendants (such as the Stoney Creek Towers Tenant Committee) in the case of eviction hearings. This arrangement is ideal for landlords, who understand that an individual is an easy, vulnerable target, while a group of tenants is powerful.

Trip to Ottawa: Tenants Request a Meeting, the Landlord Calls the Cops

In August, tenants travelled six hours to Ottawa to deliver a demand letter to InterRent's head office and to speak with Mike McGahan, the CEO of InterRent REIT and CLV Group. As tenants approached the building, employees immediately locked the door. As tenants continued to rally outside the office, the police were called to provide protection to InterRent. Roseanne MacDonald-Holtman, InterRent's Community Relations Manager, was so scared of the group of tenants that she requested a police escort to briefly speak to two of them. The next day, the tenants were followed by police cruisers en route to McGahan's mansion, as they once again tried to deliver the letter. McGahan never left his house: a millionaire scared to address the concerns of the people whose rent pays for the very mansion where he lives. In theory, housing is a human right in Canada. But when the LTB courts and the police do more to protect landlords' profits rather than tenants' "right" to shelter, you begin to wonder what that even means. It seems this "right" is hollow.

The 'No Loitering' Policy

On September 10, after months of holding regular meetings in their buildings' lobbies, landlord staff told tenants they could no longer meet in the common areas. They claimed that the meetings were 'safety violations.' This was a transparent excuse. It was clear that they just didn't want tenants meeting and organizing. Tenants and members of the Hamilton Tenant Solidarity Network made it clear that they would continue to hold meetings. Soon after this, every resident of the Stoney Creek Towers received a copy of the new 'No Loitering' policy in their mailboxes, and signs were hastily put up around the four buildings. Rent strikers responded by taping a Cease and Desist letter to the door of the office, asserting their right to the buildings' common areas and warning InterRent to stop interfering with their organizing efforts. In the weeks that followed, Regional Property Manager Selim Dedej, Property Manager Oliver Filip, additional InterRent and CLV employees, and hired security guards again and again attempted to break up the lobby meetings, making various claims that the assembled tenants were blocking the building entrances and interfering with other tenants. Members of HTSN were given 'no trespass' notices, banning them from all four buildings. Despite these heavy-handed tactics, rent strikers have defied InterRent's bogus policies and continue to meet in the lobbies, space that is rightfully theirs to use.



TENANTS ORGANIZE DESPITE LANDLORD'S SCARE TACTICS

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The Wall

Once InterRent realized that they couldn't stop their tenants from meeting in the lobbies, they decided to force tenants out by making the lobbies physically inaccessible. At 50 Violet and 77 Delawana, InterRent built literal walls to keep tenants out of the meeting areas. Lobbies are recognized as shared, common spaces that all tenants are entitled to by virtue of paying their rent. Under their previous landlord, DiCenzo, tenants would use the lobbies for seasonal celebrations, such as handing out Christmas gifts and Halloween treats to children. Now that the rent strikers have been using these spaces for organizing, InterRent has taken them away. Walling off the lobbies is not only another failed attempt to stop tenants from meeting, but is most certainly a punitive action taken in retaliation for the rent strike. These lobbies have become a commodity: something that can be given and something that can be taken away, rather than a shared space that all tenants have the right to use. We should not be surprised! For InterRent, the tenants themselves are nothing more than numbers on a spreadsheet. If one tenant pays less rent than another, then that tenant has to be pushed out. If an employee needs to enter a unit, then they will do so without proper notice. InterRent is a 1.7 billion dollar company and it owns the Stoney Creek Towers. Period. This is a business to them, not a home. But InterRent has made a mistake by blocking off the lobbies. They believe their actions are lawful and calculated, but they were sloppy. And they will pay.

More Threats of Eviction: N5s

After the wall was built, tenants held a rally to protest the loss of their common areas. The walls were built to keep tenants out and keep us from organizing, but instead they provided us with another issue to collectively rally against. Once InterRent realized that the walls did not accomplish what they wanted, they began to hand out N5 eviction notices (for interfering with other tenants or the landlord) to tenants based on the bogus 'No Loitering' policy. This is yet another example of InterRent using the threat of the LTB when they get scared of their tenants. The difference here is that with the N5, InterRent is claiming that the rent strikers have interfered with others' reasonable enjoyment of the building by loitering, when in fact it's the 'No Loitering' policy itself that is doing just that. As of yet, InterRent has not pursued any of these eviction notices. Likely because they realize they would lose.

Surveillance

Since the 'No Loitering' policy, InterRent has ramped up its security to such a degree that it cannot be considered anything but surveillance. Tenants report that they feel like criminals in their own buildings as security guards constantly patrol the floors and 75 new cameras have been installed. This increased 'security' has little to do with tenant safety and everything to do with tenant policing that is targeted at organizing work. Lobby meetings continue at the one building where they are still possible to hold. During these meetings, three security guards stand and watch ten-

ants speak to each other. InterRent wants tenants to be intimidated and scared and to remind us that the lobbies belong to them. This has only emboldened tenants to continue to claim the space and exert their rights to organize. At the end of each meeting we clap in celebration and defiance to let InterRent know that their scare tactics have failed.

InterRent is scared of its tenants. They are terrified that the tenants have decided to work together as a collective. From the perspective of a 1.7 billion dollar company, the proposed rent increase that the tenants are fighting, is pennies. So why has InterRent pushed back so hard? It's simple. They do not want tenants organizing. InterRent and other landlords are aware that the rent strike is building tenant power and that the pendulum is swinging the other way. Nothing that InterRent has done to scare us has worked. We are still here and still fighting.



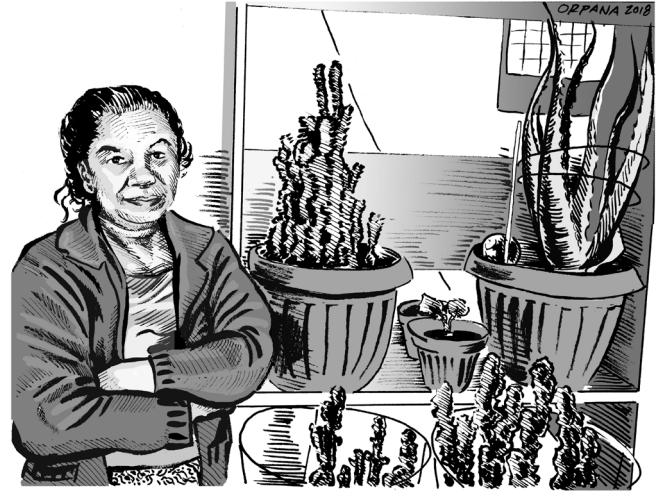
"MY HEART IS SO STRESSED": REFLECTIONS FROM A RENT STRIKER FIGHTING RENT INCREASES

Vet, a long-time tenant of Stoney Creek Towers, recently spoke about why it is important for tenants to work with their neighbours to fight rent increases they can't afford. Vet's landlord, InterRent REIT, has applied for an Above Guideline Increase (AGI) through its in-house property management company, CLV Group. The proposed rent increase would total almost 10% over two years, the equivalent of an extra \$70 or \$80 per month for most households. As rents climb while wages and social assistance rates remain the same, tenants feel the squeeze. We know there's something wrong when we have to choose between rent and groceries, rent and medicine, rent and bus fare, rent and supporting our family members when they need some help. Like Vet, we should work with our neighbours to fight back.

Vet's reflection:

I have eight kids and four grandkids and my income is not too much. Sometimes they come to me to ask for help, and I don't have money. And with the rent increase...and the food is very expensive, so I don't have enough money to support my family, to pay the bills and everything I need to do to support my kids and my grandkids. And my husband, he gets paid only \$600 a week and some weeks he can't get work. And CLV, they do everything they can to get money from the tenants. They pull out the trees,

they put new flowers, they paint the hallway, put new apartment doors. They do everything to decorate the building. They claim it all on AGI. And we don't have money for that. So right now we go on rent strike. We need to fight it. And a lot of my people [in the Cambodian community], they don't speak English, and they scare more and more. Everything they do is to put pressure on the tenant. We need you people to support us on our rent strike. We need you people to help us. My heart is so stressed, you know.



Vet in her apartment at 77 Delawana Drive.

FIGHTING FOR REPAIRS IN OUR HOMES: STORIES FROM TENANTS ACROSS HAMILTON

The following article was written by Linda, a tenant from 77 Delawana Drive and member of the Stoney Creek Towers Tenant Committee.

The tenants of Stoney Creek Towers are facing many issues, but we are not isolated in our struggle. Bad repairs or no repairs at all, unwarranted Above Guideline Increases, and landlord harassment seem to be normal in this rental climate. I spoke with three tenants living in different parts of Hamilton about their experiences. Each has a different landlord but expressed similar frustrations. Names have been changed at their request, since they feared repercussions from their landlords.

Anna has been living in her unit for just over five years with multiple issues. Many work orders have been placed and each time the landlord sends an agent to assess her concerns, but rarely do problems get fixed. When electrical problems occurred in her bathroom and bedroom, she was told to dry her hair in the living room in order to prevent blowing a fuse. Leaking taps in the bathroom and kitchen created mildew and likely mould behind the walls. Smells emanated but her complaints were continuously dismissed. She has plaster problems, a screen door that doesn't lock, a unit door that doesn't open, no wheelchair accessibility, no assigned parking, etc. And her cockroach problems had to be taken into her own hands. "I place multiple work orders before

any work gets done at all. I have medical problems and get very upset!" Anna said.

Terry and his wife have been living in their newly renovated unit for just over two years and have been plagued with cockroaches and bed bugs. Their unit has been sprayed for bugs more times than the number of months they have lived there. Terry's wife even had to leave the unit for a few months due to stress and was uncertain if she could even return. This has put a financial strain on them but they have come to the realization that there is no other place to go. "So many buildings are having the same problems and the rent is even higher than it was two years ago," he said. It wasn't until they insisted on removing a dishwasher that the source of their bug problem was discovered and finally addressed. And this is not the only issue they have: parking spots are unassigned, the landlord and its agents entering without permission, and the list goes on.

Akunna and his wife recently arrived in Canada. They are professionals working on getting their Canadian designations in order to resume their professional careers. Although they have had no serious issues since acquiring a rental home, they were forced to pay multiple months up front. They knew this was unlawful, but they felt they had no choice. "There aren't many places available that allow us enough room for our family."

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“We are lucky to have this,” they said. And yet Akunna secured a guarantor that could easily afford to pay should there be any issues. The unit was shown to them without a refrigerator and it seems likely that the additional months’ rent paid were to allow the landlord to purchase one without being “out of pocket.”

There are many other stories of landlord abuses from across Hamilton. You probably have your own. It seems that landlords get away with so many things: requiring several months rent ahead of time before signing a lease, refusing to rent to people on social assistance, refusing to rent to people with children, refusing to make necessary repairs to tenants’ units, neglecting to do proper pest control treatments to get rid of infestations, trying whatever they can to push tenants paying ‘below market rent’ out of their homes in order to bring in new, higher-paying tenants, taking advantage of people who may not know their rights or speak English very well to charge them extra fees, etc.

Landlords are able to get away with this because they have power and tenants don’t. Landlords have experience, money, and lawyers who know how to navigate the LTB better than tenants. Often times tenants don’t fight back because they don’t know how. Or they fear their landlord will retaliate against them if they make a fuss. Even if you do try to enforce your rights, it often goes nowhere. For example, tenants can file applications against their landlord at the Landlord and Tenant Board for such things as maintenance issues and harassment (i.e., Form T6: Tenant Application About Maintenance or Form T2: Application About Tenant Rights), but these hearings take months to be scheduled.



Left: On May 15, 2018, Stoney Creek Towers tenants delivered work orders to the property manager’s office en masse. Right: On June 9, 2018, Stoney Creek Towers tenants disrupted the landlord’s open house by holding their own open house to share the truth about the buildings’ conditions with prospective renters. Due to this collective pressure, the landlord has done repairs in many tenants’ units, including repairs tenants had been requesting since the new landlord took over a few years ago.

If you are just one tenant going up against your landlord, you won’t feel confident. If you are dealing with harassment, or pests, or disrepairs, chances are your neighbours are too. You will be stronger if you fight the landlord together. Talk with other tenants in your building about their concerns. Try to get people together to have a meeting: in someone’s apartment, in the lobby of your building, or at a local library or community centre. You could all fill out work orders requesting repairs and bring them to the property manager together. You could write a letter to the landlord, outlining your list of demands and setting a date when you expect a response. You could expose the landlord in the media, shaming them for how they treat their tenants. You could decide to collectively withhold rent, carefully setting it aside until the landlord makes the repairs you request.

At the end of the day, tenants and landlords want different things. Tenants want safe homes they can afford. Tenants want the security of knowing they can stay in the neighbourhood where they work and their kids go to school for the long term, without fear of being priced out and displaced by large rent increases. Landlords want to make money from their investment. Our homes are a business for them. Landlords want to save money on maintenance and make money by continually increasing our rents. This increases landlords’ profits.

Tenants do have power when we work together. We can force landlords to do the right thing. The fight for safe, affordable housing continues.



ABOUT THE HAMILTON TENANTS SOLIDARITY NETWORK

Hamilton Tenant is published by the Hamilton Tenants Solidarity Network. Formed in 2015, HTSN is a volunteer, grassroots network linking tenants across Hamilton, Ontario to build tenant power and fight against the forces of displacement in our city. Visit us online at hamiltontenantssolidarity.ca. Contact us at hamiltontenantssolidarity@gmail.com.