

City of Mississauga Budget 2024

Peel ACORN



What is ACORN?

ACORN (Association of Community Organizations for Reform Now) Canada is a multi-issue, membership-based community union of low- and moderate-income people. We believe that social and economic justice can best be achieved by building community power for change.

Today, we'd like to talk about two critical issues as the City of Mississauga moves ahead in the process of drafting the City Budget for 2024.

1. Tenant Defence Fund/Tenant Support Program
2. Improving the MARC program

1. The Need for a Tenant Defence Fund/Tenant Support Program ⁶⁴

Tenant Defence Fund is an important tool to help prevent tenants from becoming homeless because they are forced out of their existing housing, and we believe that this is an urgent priority because it is happening all the time to our members and to other tenants across the city.

- 91,000 people are in core housing need in Peel and the affordable housing system is only meeting 19% of this need.
- Renovictions, demovictions, and AGIs are huge contributors to this loss of affordable housing
- But when tenants go to the LTB to defend themselves in these situations, they are often without legal representation.
- The high cost of legal representation, not understanding their rights, or how the legal system works, and feeling overwhelmed by complicated legal forms, are major barriers tenants have identified.

- Limited availability of and restrictions on free legal resources is another severe impediment for marginalized tenants.
- Meanwhile, landlords and property management companies have the financial resources to retain lawyers and always have representation at the LTB. This creates a huge power imbalance between tenants and landlords and often results in the loss of affordable housing and mass tenant displacement.

Two main aspects of the Tenant Defence Fund

The role of a Tenant Defense Fund has two basic aspects –

- Legal information and

- Legal representation

What should the assistance cover?

The Tenant Defence Fund should provide assistance to tenants and tenant groups to counteract the variety of ways that landlords make affordable housing on the private market unaffordable:

- to dispute AGIs (above-guideline rent increases)
- to challenge N-13s - a demoviction/renoviction
- N12s - N12 is an eviction notice when the landlord or their immediate family plans to move in.
- Assistance in cases of neglected maintenance for tenant groups to file T6s and rent abatement applications to the Landlord and Tenant Board , and
- Assistance for tenant groups to file T2's over landlords' harassment

Tenant Defence Fund WORKS - Evidence from Hamilton

- The TDF in Hamilton provides financial and other support to assist eligible tenant groups to prepare and present a defence against AGIs and/or renoviction applications at the LTB.
- The fund was originally established in 2019 with a budget of \$50,000 and covered only AGIs. Later expanded to include renoviction applications in 2021.
- The average ask through the program by tenants has been \$900 and has led to the majority of tenants successfully defeating an N13 termination notice and being able to remain in their residence. In multiple cases, the hearing didn't occur as the case was dropped by the landlord once they found out the tenant had representation.
- To date, all the AGI related applications that were funded through the TDF have been successful and has represented 373 tenants.
- The successful track record of the program highlights that this is a positive initiative to assist in the problem of bad faith renovictions, and that new funding for the program is a systemic support to tenants on this issue.

More funding for Tenant Defense Fund committed in 2023 - Hamilton

- Immediate \$150,000 added to the current Tenant Defence Fund Program
- Endorsement of a future \$290,000 to the Hamilton Community Legal Clinic to take over the program and expand issues covered to include N12s, T6s + the existing coverage of N13s, AGIs, T5s.
- \$55,000 to ACORN to build capacity for supporting tenant groups that apply to the Tenant Support Program and proactive tenant rights outreach.

Toronto

- As of April 1, 2022, the Tenant Defence Fund was replaced by the Toronto Tenant Support Program (TTSP) and the City no longer accepts new applications for the Tenant Support Grant.
- Going forward, tenant groups do not need to apply for a Tenant Support Grant to hire legal services to dispute eviction and/or affordability matters. Instead, tenant groups can now access legal supports from a designated legal organization.
- Under the new program, tenant groups can directly access legal services **from a designated legal organization** to address eviction and affordability matters, such as above guideline rent increase notices, N12 notices and N13 notices.

Ottawa

Recently, a motion was passed by the City's Community Services Committee to explore an Ottawa-based Tenant Defence Fund as part of the 2024-2025 10 Year Housing and Homeless Plan!

The City of Mississauga

- Peel ACORN supports a Tenant Support Program similar to the Toronto program as it makes it easier for tenants to reach the legal resource directly and access their services.
- It is challenging for tenants to find a paralegal themselves.
- The assistance must cover AGIs, N13s, N12s, N5s, T2s and T6s. And can be expanded later.

2. The MARC Program

- The city of Mississauga started implementing the Mississauga Apartment Rental Compliance program - a much needed intervention for tenants to secure liveable homes.
- However, as a recent Peel ACORN survey shows, most tenants are not aware of the program. And the program is limited to common areas inspection only.
- We strongly feel that the program needs more resources so that tenants are aware about the program. The program information needs to be made available in multiple languages.
- The program also needs more bylaw inspectors - many buildings are getting decent scores despite significant issues in the units.
- The program is hugely needed but needs more resources for it to work.