



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario

FIGHTING AN EVICTION

CANADIAN LANGUAGE BENCHMARK 5+

This activity kit, designed to teach newcomers to Ontario in Adult ESL and LINC classes about their legal rights and responsibilities, includes:

Introductory notes for instructors	1
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Teaching notes with answer keys and suggestions for using the kit	9-13

Visit cleoconnect.ca to download these pages and to find other legal information.

Visit stepstojustice.ca for step-by-step information about common legal problems.



FIGHTING AN EVICTION

INTRODUCTORY NOTES

Context outcomes

- Recognize an eviction notice.
- Learn ways of responding to an eviction notice.
- Understand what is involved in preparing for and attending a hearing.
- Learn how to get legal help to fight an eviction.

CLB outcomes

-  Find information in forms and tables.
-  Demonstrate comprehension of a flow chart.

Activities

Fighting an eviction

Reasons for eviction A and B

Orientation to the booklet

Fighting an eviction: key vocabulary

If your landlord wants to evict you

Phrasal verbs: verb + out

Free companion resource
Fighting an eviction

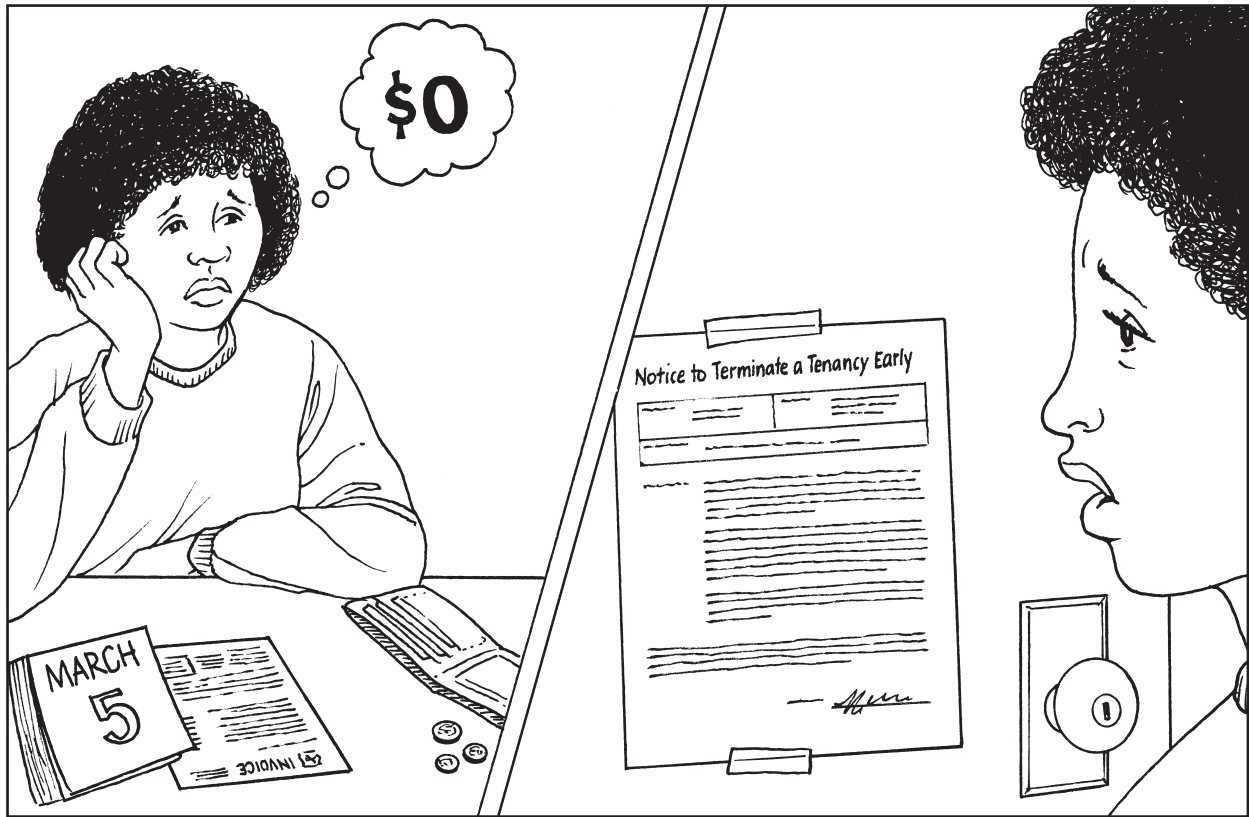
The information in this activity kit is based on the CLEO publication called *Fighting an eviction*. Read the publication before using the activity kit, and keep it on hand for reference as you guide learners through the activities. You can find it on CLEO's website at www.cleo.on.ca. To order free copies for your class, you can use the online order form.

 **Please take note**

The information in these activities applies to most but not all tenants. The *Residential Tenancies Act (RTA)* applies to most rental housing in Ontario. Some rental housing is not covered. For example, a tenant who shares a kitchen or bathroom with the owner or a close family member of the owner might not be covered.

The information in these activities is not a substitute for legal advice. Every situation is different so learners with concerns should get legal help. Tenants can contact their local community legal clinic. To find the nearest community legal clinic, go to Legal Aid Ontario's website at legalaid.on.ca/legal-clinics or call Legal Aid Ontario toll-free at 1-800-668-8258.

Fighting an eviction



Discuss these questions.

1. Describe what you see in the first half of the drawing. What are some possible reasons the woman is in this situation?
2. Describe what you see in the second half of the drawing. What do you think the woman will do next? What should her next step be, in your opinion?
3. If you had been this woman's friend, and she had called you on March 5th, what would you have advised her to do?
4. Write a caption for the picture.

Reasons for eviction - A

The chart below lists some of the reasons a landlord can use to try to evict a tenant, and how much notice the landlord needs to give.

Work with someone who has the page Reasons for eviction - B. Take turns asking and answering questions about the information in the chart. Fill in the missing information in the spaces provided.

If your landlord gives you a notice		
	If the reason for eviction is that your landlord claims:	Your landlord must give you this much notice:
1	you owe rent	____ days (but ____ days if you pay your rent by the week or by the day)
2	you often _____ _____	60 days (but 28 days if you pay your rent by the week or by the day)
3	you broke the law or ran an illegal business, caused damage by being careless, or disturbed other tenants	____ days the first time ____ days if it is the _____ notice within ____ months
4	you seriously risked the safety of others in the building, or were _____ _____	10 days
5	your landlord or your landlord's family member or a caregiver wants to move in	____ days
6	your landlord wants to _____ _____ the building or use it for _____	120 days

Reasons for eviction - B

The chart below lists some of the reasons a landlord can use to try to evict a tenant, and how much notice the landlord needs to give.

Work with someone who has the page Reasons for eviction - A. Take turns asking and answering questions about the information in the chart. Fill in the missing information in the spaces provided.

If your landlord gives you a notice		
	If the reason for eviction is that your landlord claims:	Your landlord must give you this much notice:
1	you _____	14 days (but 7 days if you pay your rent by the week or by the day)
2	you often paid your rent late	____ days (but ____ days if you pay your rent by the week or by the day)
3	you broke the law or ran an illegal business, caused _____ by being _____, or _____ other tenants	20 days the first time 14 days if it is the second notice within 6 months
4	you seriously risked the safety of others in the building, or were making or selling an illegal drug	____ days
5	your landlord or your landlord's _____ or a _____ wants to move in	60 days
6	your landlord wants to tear down the building or use it for something else	____ days

Orientation to the booklet

Answer these questions about the CLEO booklet *Fighting an eviction*.

1. What kind of information is on the front cover of the booklet?
2. What is the acronym on the front cover? What does it stand for? (see back cover)
3. What word is used for booklet on the back cover?
4. Is reading the booklet a substitute for consulting a lawyer? Why or why not?
5. Where is the date of the booklet? Why is it important?
6. What is the Discard List?
7. How can people get more booklets?
8. What is on the first page of text inside the booklet?
9. What is the last section of the booklet?
10. Which of these features does your booklet use? How do they help your understanding of the information in the booklet?
 - Table of contents
 - Page numbers
 - Section headings and subheadings
 - Colour
 - Bold type
 - Bullets
 - Italics
 - Key point box
 - Exception box
 - Definition box
 - Chart/table
 - Other:

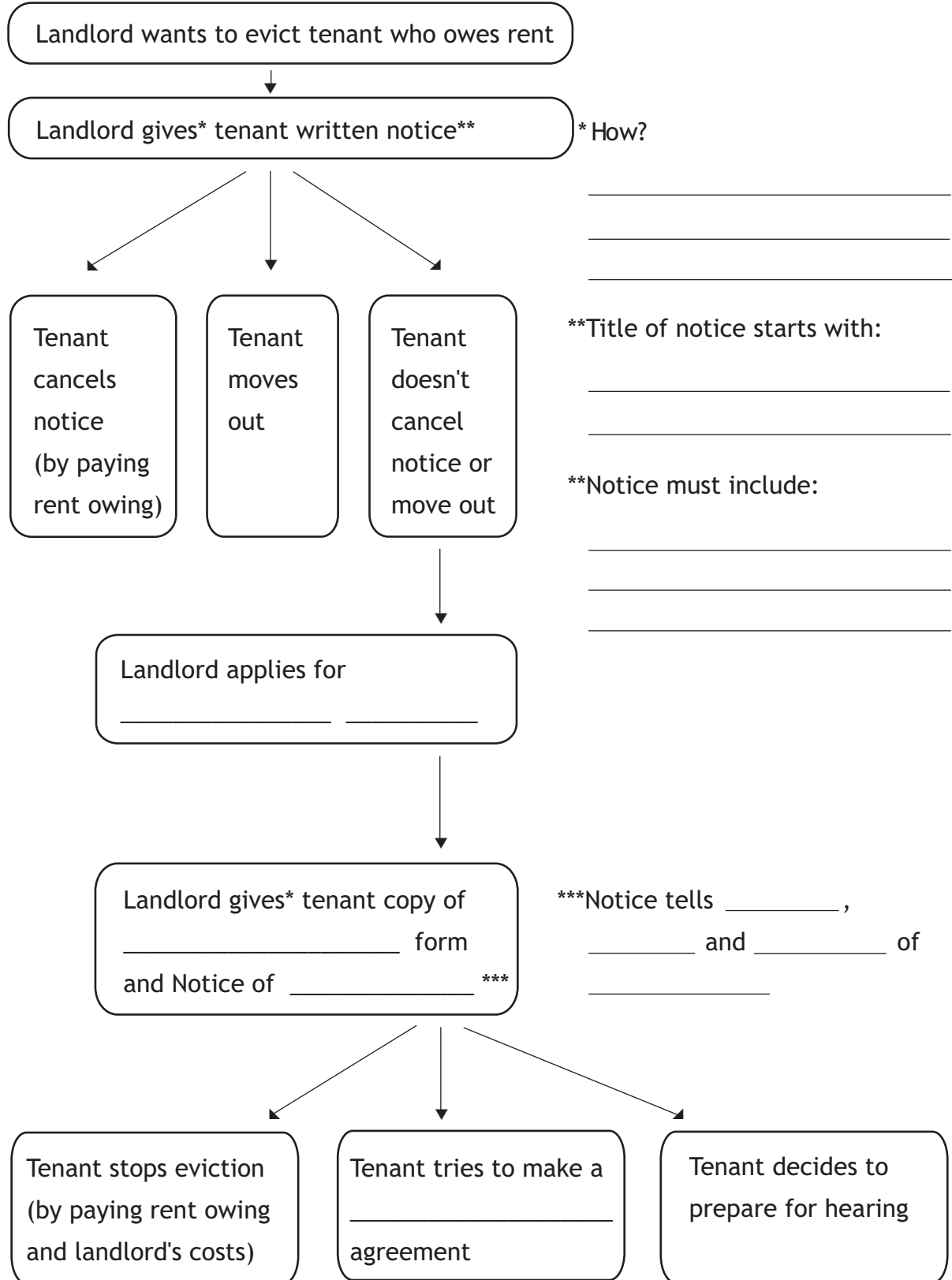
Fighting an eviction: key vocabulary

Find these key words and phrases in the CLEO booklet, *Fighting an eviction*. Highlight information in the booklet which defines or explains them. You will find definitions, synonyms, examples and other clues to their meaning. They are listed below in the order in which this information appears in the booklet. Make notes in the spaces provided.

1. RTA _____
2. Landlord and Tenant Board _____
3. terminate _____
4. order _____
5. notice _____
6. settlement agreement _____
7. mediator _____
8. hearing _____
9. Board member _____
10. evidence _____
11. ex parte order _____
12. Sheriff _____
13. community legal clinic _____
14. tenant duty counsel _____
15. rent bank _____

If your landlord wants to evict you

Fill in the blanks using information from the CLEO booklet *Fighting an eviction*.



Phrasal verbs: verb + out

Rewrite each sentence, replacing the underlined words with one of the following phrasal verbs from the CLEO booklet *Fighting an eviction*.

carry out

fill out

find out

lock out

move out

set out

throw out

work out

1. A Notice to End a Tenancy tells you the date your landlord wants you to leave the rental unit and live somewhere else.

2. You and your landlord can try to reach an agreement without going to the LTB.

3. You can get information about where to get legal advice on page 13 of the booklet.

4. There are tip sheets available that tell you how to write all the necessary information on certain forms.

5. Your landlord doesn't have the right to refuse to let you enter your place by locking the door.

6. It is the Sheriff's responsibility to enforce eviction orders.

7. After you move, your landlord can get rid of anything you've left in the apartment.

8. To evict you, your landlord must follow certain steps listed and described in the RTA.

TEACHING NOTES

Curriculum connections

LINC / Adult ESL:

Theme: At Home in Our Community & World

Topic: Housing Problems

Theme: Canadian Law

Topic: Landlords & Tenants

Theme: Community & Government Services

Topic: Counselling & Advocacy

LINC 5-7:

Unit: Resolving Conflicts

Unit: Reading Articles, Stories and Reports

Unit: Formatted Texts

Unit: Policies, Procedures and Legislation

Fighting an eviction (page 2)

In pairs or small groups, learners can look at the picture and discuss the questions provided. You may wish to make one copy per group. Learners can share their answers with the whole class and further discuss what they know about eviction. Discussion questions may include: Why do people get evicted? When do you think it is fair for a landlord to evict a tenant? When do you think it is unfair? How does someone know a landlord is trying to evict them? What can tenants do if their landlord is trying to evict them?

Reasons for eviction - A and B (pages 3-4)

This is a speaking and listening activity. Learners receive one of two versions of the chart and work in pairs to fill in the missing information. The chart lists some but not all of the reasons a landlord can use to try to evict a tenant. Landlords must give one of the reasons listed in the *Residential Tenancies Act*.

Suggested procedure:

Write on the board: How much notice does your landlord have to give? Go through the following example as a class:

Example: Starting with the first row, the learner with **Reasons for eviction - A** says: Your landlord wants to evict you because you owe rent. How much notice does your landlord have to give? The learner with **Reasons for eviction - B** answers: **14 days** (but **7 days** if you pay your rent by the week or by the day).

In pairs, learners take turns asking and answering questions. The learner with missing information in the right column asks the question. Their partner listens and writes the missing information in the left-hand column of their chart. The partner then answers, and the learner who asked the question writes the missing information in the right-hand column. When they have gone through the chart, they check their answers together.

Answers:

Completed version of the chart follows.

If your landlord gives you a notice		
	If the reason for eviction is that your landlord claims:	Your landlord must give you this much notice:
1	you owe rent	14 days (but 7 days if you pay your rent by the week or by the day)
2	you often paid your rent late	60 days (but 28 days if you pay your rent by the week or by the day)
3	you broke the law or ran an illegal business, caused damage by being careless, or disturbed other tenants	20 days the first time 14 days if it is the second notice within 6 months
4	you seriously risked the safety of others in the building, or were making or selling an illegal drug	10 days
5	your landlord or your landlord's family member or a caregiver wants to move in	60 days
6	your landlord wants to tear down the building or use it for something else	120 days

Learners may wish to use the following questions, (from the ESL activity kit *Fighting an eviction CLB 3/4*, page 4) to discuss the information in the chart:

- Do any of the reasons for eviction listed in the chart surprise you? If so, which ones? Why?
- What do you think about the amount of notice landlords have to give tenants? Do you think it is enough? Or is it too much?
- How are these rules the same or different from eviction rules in your home country?
- What questions do you have about these rules (or any other reasons for eviction you know of)?

Optional extension:

Instructor provides, or learners access, examples of Landlord and Tenant Board forms corresponding to the chart. These can be found at www.ltb.gov.on.ca.

Orientation to the booklet (page 5)

Distribute the CLEO booklet *Fighting an eviction*. **Orientation to the booklet** can be used as a guide to highlight the main content and helpful features of the booklet. You can use it for your reference in guiding a class discussion, or you can hand out **Orientation to the booklet** to learners. The questions can help learners develop reading strategies that enhance their comprehension by helping them get a sense of the organization and main thrust of the text.

Fighting an eviction: key vocabulary (page 6)

This activity encourages learners to make full use of the information in the text as they learn terms commonly used in this particular context. The words and phrases are listed in the order in which they are defined or explained in the booklet. Small groups could be assigned items 1-5, 6-10, 11-15 respectively, or learners could work in pairs or individually, and share their findings with each other.

If print copies are being used, learners can be encouraged to highlight the definitions and explanations in the booklets.

The answers for the first five vocabulary items are in the sections entitled “Does this booklet apply to you?”, “If your landlord wants to evict you”, and “If your landlord gives you a notice”. The answers for vocabulary items 6-10 are in the sections entitled “What you can do before the hearing” and “What happens at the hearing”. The answers for 11-15 are in the sections entitled “If there was no hearing”, “Enforcing an eviction order” and “Where to get help and information”.

If your landlord wants to evict you (page 7)

Hand out the flow chart, **If your landlord wants to evict you**, and explain. As a class, learners can guess the missing information, then scan the booklet to find it. The flow chart covers the information on pages 2-7 of the CLEO booklet *Fighting an eviction*.

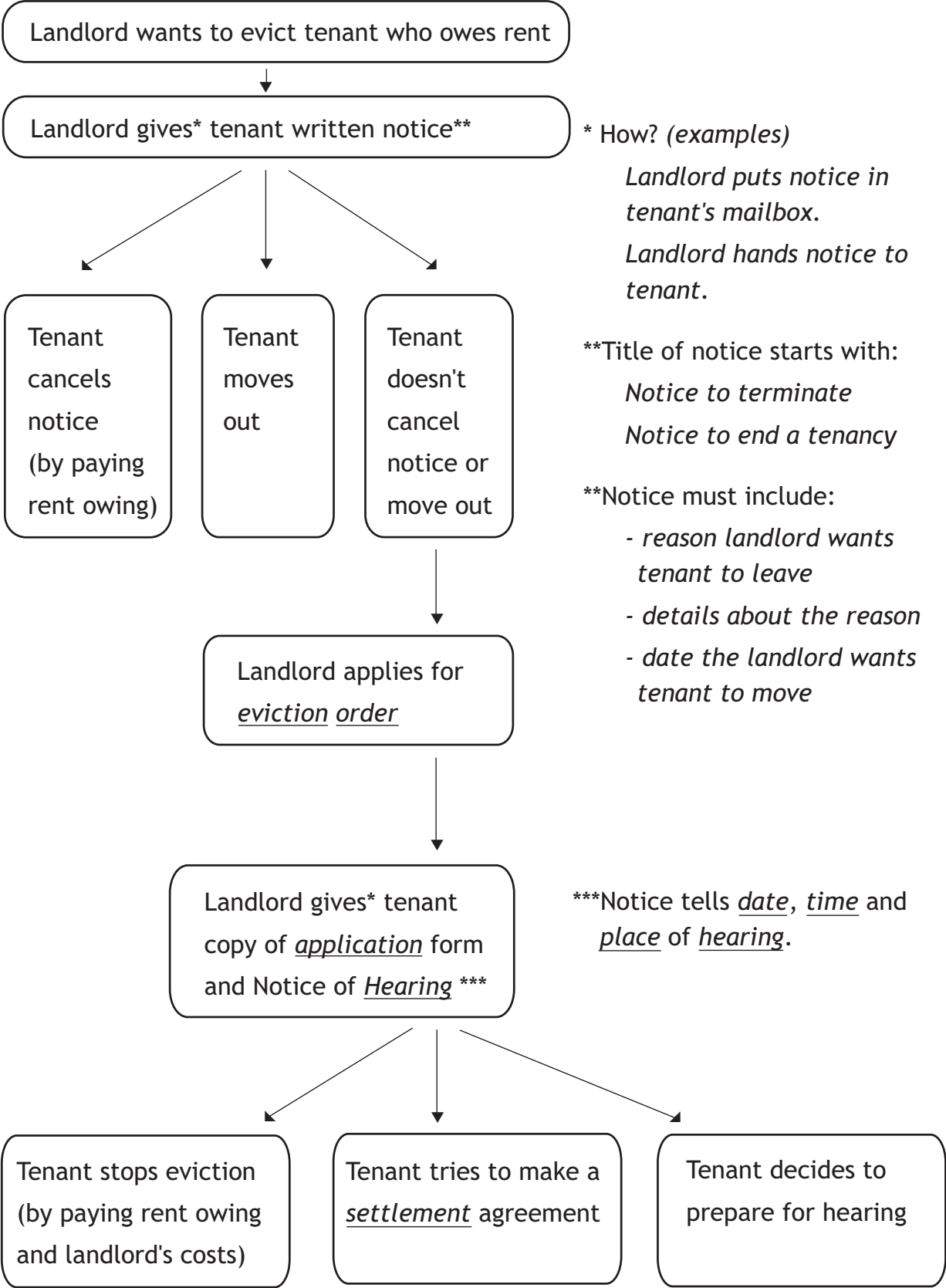
Answers:

See flow chart on next page.

Extension:

Learners with advanced skills could develop a flow chart for pages 7-12 of the CLEO booklet *Fighting an eviction*.

As a class, read the Key points on pages 7 and 9, and “Where to get help and information” on pages 13-14 of the CLEO booklet *Fighting an eviction*. For a more interactive approach, you may wish to use the jigsaw activity “Where to get help and information” in the ESL activity kit *Fighting an eviction CLB 3/4*, pages 6-9.



**Phrasal verbs:
verb + out
(page 8)**

This is a vocabulary development activity. All of these phrasal verbs appear in the booklet.

Answers:

1. *A Notice to End a Tenancy tells you the date your landlord wants you to move out.*
2. *You and your landlord can try to work out an agreement without going to the LTB.*
3. *You can find out where to get legal advice on page 13 of the booklet.*
4. *There are tip sheets available that tell you how to fill out certain forms.*
5. *Your landlord doesn't have the right to lock you out.*
6. *It is the Sheriff's responsibility to carry out eviction orders.*
7. *After you move, your landlord can throw out anything you've left in the apartment.*
8. *To evict you, your landlord must follow certain steps set out in the RTA.*

Extension:

Instructor provides, or learners access, examples of Landlord and Tenant Board forms corresponding to the chart. These can be found at www.ltb.gov.on.ca.

CLEO's **Steps to Justice** is a website that gives step-by-step information about common legal problems, including housing law issues. Steps to Justice has practical tools like forms and checklists, and referral information for legal and social services. Visit stepstojustice.ca and see the information in the Housing Law section.