

Human Rights & Rental Housing in Ontario

A Self-Advocacy Toolkit



About us

The Canadian Centre for Housing Rights (CCHR) is Canada's leading organization working to advance the right to housing. CCHR has worked for 35 years at the intersection of human rights and housing. We advance the right to housing by serving renters to help them stay housed, providing education and training about housing rights, and advancing rights-based housing policy through research, policy development, advocacy and law reform.

About this resource

This toolkit was written to help renters in Ontario assert their rights when facing discrimination in their housing, and provides information and guidance for self-advocacy. Although this toolkit focuses on information about Ontario housing law, the guidance for self-advocacy is applicable to renters across Canada.

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An overview of human rights

What are human rights?

Human rights are rights that are inherent to all people simply because we are human beings.

Human rights do not refer to just one law or set of guidelines. There are different human rights laws around the world. In Canada, typically when we say that something is a “human right,” we’re referring to a protected right under either a provincial or a federal law. Those human rights are informed by the Universal Declaration of Human Rights, which was proclaimed by the United Nations in 1948. There are a total of 30 rights protected under the Declaration, including the right to be free from slavery, free from torture, and the right to freedom of expression.

The right to housing is another right protected under the Declaration. Under international human rights law, the ‘right to housing’ is recognized as the right of every person to a safe and secure home where they can live in security, peace and with dignity. A set of standards have also been recognized to ensure that a home is adequate for its inhabitants, including that it is affordable, secure, habitable, accessible, close to services, in an acceptable location, and culturally appropriate.

The first two articles of the Universal Declaration of Human Rights state that all individuals are entitled to access the other rights in the declaration equally, and free from discrimination.

Find out more about the Universal Declaration of Human Rights:
[un.org/en/about-us/universal-declaration-of-human-rights](https://www.un.org/en/about-us/universal-declaration-of-human-rights)

Laws that protect human rights in Canada

In Canada, human rights are protected by different laws at the federal and the provincial level. Certain rights found in the Universal Declaration of Human Rights are protected by the Charter of Rights and Freedoms, like the right to freedom of expression or freedom of religion.

The first two articles of the Universal Declaration of Human Rights state that all individuals are entitled to access the other rights in the declaration equally, and free from discrimination. This right is protected by some sections of the Charter of Rights and Freedoms, but the Charter only protects groups or individuals from discrimination by governments. It does not apply to interactions between private individuals, business, or organizations.

Find out more about the federal laws that protect human rights:
[chrc-ccdp.gc.ca/en/about-human-rights/human-rights-canada](https://www.chrc-ccdp.gc.ca/en/about-human-rights/human-rights-canada)

The Ontario Human Rights Code

What is the Ontario Human Rights Code?

Each province and territory in Canada have laws that protect individuals from discrimination when interacting with private organizations.

In Ontario, the Human Rights Code (the Code) protects individual and groups from discrimination, harassment and unfair treatment. It aims to promote equality of opportunity and create a climate of understanding and mutual respect for the dignity and worth of each person.

The Code overrules other laws in the province unless those laws specifically say otherwise.

Where does the Code apply?

In Ontario, the Human Rights Code protects individuals from discrimination in five social areas:

- Services
- Housing
- Contracts
- Employment
- Membership in a vocational association and/or trade union

People in Ontario have the right to equal treatment and freedom from discrimination in each of these areas.

If someone is discriminated against or treated unfairly but the treatment is not related to one of those five areas, then it is not considered discrimination under the Human Rights Code. For example: two customers at a store get into an argument and one makes a derogatory remark to the other. This behaviour may be disrespectful and hurtful, but it is not considered to be discriminatory treatment under the Human Rights Code. The situation did not occur in one of the five social areas covered by the Code. Different laws govern interactions like this between two private individuals.

What does the Code protect?

The Code does not protect every type of unfair treatment. Instead, it identifies different grounds upon which individuals should not face discrimination. If a person is treated unfairly but the treatment is not connected with one or more of the protected grounds, then unfortunately it is not considered discrimination under the Human Rights Code.

Some grounds only apply to specific types of services. For example, a person cannot be discriminated against for receiving public assistance (like Ontario Works or ODSP) when they

are applying for housing, but this ground of protection does not apply to the other four social areas.

The 16 grounds that are protected under the Code related to housing are:

- Disability
- Race
- Colour
- Ancestry
- Place of origin
- Citizenship
- Ethnic origin
- Creed (religion)
- Receipt of public assistance (housing only)
- Gender Identity
- Gender Expression
- Sex
- Sexual orientation
- Marital status
- Family status
- Age

Who enforces the Code?

Unlike the police who patrol the streets to watch for criminal activity, there is no body or entity responsible to monitor or report discriminatory treatment under the Human Rights Code. However, if an individual has experienced discrimination or harassment under the Code, they can file an application with the Human Rights Tribunal.

The Human Rights Tribunal is one of eight Ontario Tribunals. When a complaint is filed with the Tribunal, they will determine whether or not the Code has been violated. Applicants that file with the Human Rights Tribunal may need to attend a mediation session or a hearing and provide evidence of their complaint. If the Tribunal determines that there has been a violation of the Human Rights Code, the Tribunal may order a remedy, for example financial compensation.

If you would like assistance filing a human rights complaint, contact the Human Rights Legal Support Centre:

- Website: hrlsc.on.ca
- Phone: 1-866-625-5179

Find out more about the human rights system in Ontario: ohrc.on.ca/en/human-rights-system

Forms of discrimination and harassment

Discrimination based on Code-protected grounds

In Ontario, the Code protects individuals and groups from discrimination in housing based on the 16 grounds listed above. If you are treated differently because of a characteristic related to one or more of these grounds, you are facing discrimination under the Code.

Disability

Disability is any degree of physical disability, a condition of mental impairment or a developmental disability, a learning disability or a mental disorder. Disability is defined very broadly in section 10 of the Code and encompasses the following:

- Any degree of physical disability, including intermittent disabilities.
- Any form of mental impairment or developmental disability.
- Mental health disorders.
- Invisible disabilities, such as chronic pain or a learning disability.

Unfortunately, discrimination based on a disability is a widespread issue in housing, and can include the denial of housing, harassment and refusal to accommodate. The refusal to accommodate a tenant with a disability can occur when a landlord fails to install accessible facilities – such as parking spaces, ramps, or elevators – and it can also occur through tenant policies – such as a no-pet policy that excludes tenants with service animals. These all count as forms of adverse effect discrimination.

Race, ethnicity, skin colour, ancestry, place of origin and creed

The Ontario Human Rights Commission groups several identities under the umbrella term “race and related grounds”¹ because they all are intertwined in similar forms of discrimination based on stereotypes regarding people’s visible or ethnic identities. Racial discrimination in housing can manifest itself in different ways, for example when landlords:

- Refuse to accept housing applications.
- Eliminate prospective tenants of colour or steering them to inferior housing through the selection process.
- Provide subpar living standards.
- Fail to complete maintenance or repairs.
- Use verbal abuse.
- Create a “poisoned environment”.
- Intrude into the unit without prior notice.
- Complain about the aroma of the food a tenant cooks.

Gender identity, gender expression, sex and sexuality

The grounds of gender expression and gender identity were added to the Code in 2012. The Ontario Human Rights Commission recommends that all housing providers have practices and designs that avoid discrimination against transgender, non-binary and gender non-conforming individuals.

Same-sex couples are protected under the Code on the basis of sexual orientation. This means that landlords must not deny housing to LGBTQ+ individuals and must ensure an environment free of discrimination and harassment.

Women – particularly women of colour and Indigenous women – are disproportionately affected by housing insecurity. They are often confronted by outdated stereotypes regarding their gender and sex.

The only time that it is legal for a landlord to discriminate based on gender is when all the units in the home are restricted to people of the same gender. In that case, potential renters can be denied an apartment because they are of a different gender. Although all genders can be subjected to sexual harassment, women are disproportionately impacted. According to the Ontario Human Rights Commission, discrimination on the basis of sex does not have to be sexual in nature. Harassment against a female renter can include “unwanted prying into her personal life, unannounced visits to her unit when she is not home, refusals to make necessary repairs, threats to cut services, and threats of eviction”.² It can also include unwanted advances and assault.

Citizenship and immigration status

Recent immigrants, refugees and non-citizens are extremely vulnerable to housing discrimination and exploitation, as they are often unfamiliar with the law and/or are unable to defend themselves due to linguistic and cultural barriers or out of fear of retaliation. Even though landlords have the right to request income information and credit checks when selecting a renter, landlords may not assume that the absence of a credit rating for a newcomer without Canadian credit history means that they are more likely to not pay their rent.³

Income source

Individuals who receive social assistance – like Ontario Works – are sometimes unfairly seen as lazy, irresponsible and criminal. They can also be victimized by predatory and illegal vetting or renting practices, such as requirements to pay the landlord with their government-issued assistance cheque directly, or to pay unreasonably large and often illegal rent deposits. A regulation to the Code describes what factors a landlord can consider when deciding who to rent to. The primary factors are the potential renter’s credit and rental history information. Landlords can also consider income information if they have asked for rental history and credit information, but in no case can they use any of this information in a discriminatory way.

Family or marital status

Marital status relates to “being married, single, widowed, divorced or separated and includes the status of living with a person in a conjugal relationship outside marriage”.⁴ Discrimination on these grounds can include the refusal to rent to roommates, single parents, and common law couples in favour of married couples.

Family status includes being in a parent and child relationship. In the context of housing accommodations, some landlords discriminate on the basis of family status by refusing to rent due to the presence of children, the composition of the tenant’s family (such as a gay couple with a child), and the absence of traditional parental figures. For instance, single mothers – notably Black and Indigenous single mothers – disproportionately lack access to safe and affordable housing. This is an example of how multiple characteristics like race, family status, gender, and income intersect to worsen people’s housing outcomes.

Age

Age discrimination can occur against younger people, who may be prejudged as being troublemakers or irresponsible, as well as older people who may be subjected to poorer maintenance or illegal rent increases due to their perceived lack of power. The Code protects young people – including 16- and 17-year-olds who have withdrawn from parental control – from discrimination in housing, while also allowing preferential treatment to be afforded to those aged 65 years or older.

Circumstances where discrimination can occur in housing

Discrimination can occur in any area of housing. Some people may face discrimination when trying to access housing. For example, a landlord may refuse to rent to someone because they think that person is too young, or that they won’t be able to pay the rent because they receive social assistance, or because they hold prejudicial attitudes about the applicant’s race or ethnicity.

Other people may face discrimination while they are living in their unit. For example, a landlord may refuse to make changes to a unit to accommodate their tenant’s physical needs, or they may try to evict a tenant who is having a baby because they do not want a family living in the unit.

These are all examples of discrimination in housing as defined by the Code.

The Code guarantees equal treatment and protection from discrimination in all aspects of housing. The right to be free from discrimination in housing includes not only the right to enter into a rental agreement and start a residential tenancy, but also the right to be free from discrimination in all matters during an individual’s tenancy.

Discriminatory treatment in any aspect of housing is illegal.

Direct and adverse effect discrimination

Direct discrimination refers to situations where a person is treated differently based on any of the 16 protected grounds in the Code.

Adverse effect discrimination – referred to as “constructive discrimination” in the Code – occurs when the built environment or a neutrally worded policy unintentionally reinforces historic disadvantages against a Code protected group.⁵ When adverse effect discrimination occurs, housing providers have a duty to correct that discrimination through accommodating the affected residents.

Examples:

Direct discrimination ⁶	Adverse effect discrimination ⁷
<p>Different treatment in the application process:</p> <ul style="list-style-type: none"> • Screening out an applicant on the basis of a racialized name. • Prohibiting board members from renting to tenants who receive financial aid. • Refusing to rent to someone with children. 	<p>Different treatment regarding the amenities associated with some accommodation:</p> <ul style="list-style-type: none"> • Inaccessible recreational facilities. • Failing to build a ramp in time for a disabled tenant to move in.
<p>Different treatment relating to the obligations of a landlord that can be tied to a Code ground:</p> <ul style="list-style-type: none"> • Refusing to allow a tenant to sublet their unit to another person, because that person receives social assistance. • Refusing to do required repairs when a tenant is elderly. 	<p>Negative impact as a result of a seemingly neutral rule:</p> <ul style="list-style-type: none"> • Inflexible “no pets” policy that impacts a person who uses a service animal. • Requiring all tenants to perform physical labour (shoveling snow, emptying out drawers to enable fumigation, etc.).

Harassment

Harassment is repeated comments or behaviours that are known, or should be known, to be unwelcome. Harassment can also happen when one event is bad enough to poison the environment for others. The Ontario Human Rights Commission highlights that harassment can occur regardless of the wrongdoer's motives; what is important is that their actions or comments were unwanted or could reasonably be foreseen as undesirable.⁸

In housing, it is illegal for a landlord, their employees or other tenants to harass someone for a reason related to a Code-protected ground. When one tenant harasses another tenant, the landlord must make sure the harassment stops. For example, if you tell your landlord that a neighbour is harassing you because of your sexual orientation, the landlord must take steps to stop the harassment. The landlord might write the tenant a letter letting them what they are doing is considered harassment and is illegal, and informing them to stop their behaviour.

Intersectional discrimination

Intersectionality refers to when one person identifies with multiple marginalized characteristics. Some people may face multiple forms of discrimination based on two or more protected grounds. For instance, a single mother with two children living on social assistance might face disproportionately large challenges in accessing housing because of intersecting forms of discrimination related to her gender, family status and income source.

Addressing discrimination in housing

The Code covers almost every type of rental housing in Ontario. Renters who live in private market units, social housing units, condominiums, co-operatives, supportive housing, retirement homes, rooming houses and basement apartments are all covered under the Code. However, the Code does not protect renters who are required to share a kitchen or bathroom with the owner or the rental unit, or a member of their family.

According to the Code, each applicant of a rental unit must be treated equally. This means that the landlord must consider them as an individual, and not make decisions based on stereotypes. For example, it is illegal for a landlord to refuse to rent to an applicant due to their race, gender, disability, family status or their income source, like social assistance.

The duty to accommodate

The duty to accommodate is outlined in sections 11 and 17 of the Code. The duty to accommodate may require the housing provider to change structures, rules, policies or practices so that all renters can enjoy equal benefit, treatment, rights and access in and to their housing. A common reason that renters invoke the duty to accommodate is to request physical changes to the building or their unit in order to accommodate a physical disability.

Landlords have a duty to accommodate a renter's disabilities up to the point of "undue hardship." This means that a landlord is only discharged of their duty to accommodate if they can show that:

- The costs of making an accommodation would be so high that it would affect the very survival or change the essential nature of the landlord's business.
- No outside sources of funding are available to assist with paying for the accommodation.
- Significant health and safety risks are likely to arise while making the accommodation, and these risks would outweigh any benefit of making the accommodation itself.

If a landlord claims that making an accommodation would cause them undue hardship, they would be required to demonstrate to a court or tribunal that this is true, based on any or all of the three circumstances listed above. A court or tribunal can only consider these three circumstances in their decision as to whether or not an accommodation process would cause the landlord undue hardship. It is not the tenant's responsibility to prove that the accommodation can be made without causing undue hardship. If a court determines that undue hardship would be caused, a landlord would not be required to make the requested accommodation. If undue hardship is not found to be a concern, the landlord would be required to make the accommodation.

If a landlord refuses to accommodate a tenant's disability, the tenant has the right to bring an application to the Ontario Human Rights Tribunal to address the issue.

The duty to accommodate is based on three principles:

- 1. Dignity:** accommodations should consider and be respectful to the resident's right to privacy, autonomy and integration, as well as their other human rights.
- 2. Individualization:** each individual's needs are specific to their circumstances and must be considered when a request for accommodations is made.
- 3. Integration and full participation:** the process to implement reasonable and effective accommodations should include the resident who made the request to the maximum.

The accommodation process

When a tenant is seeking an accommodation in their rental home, both the tenant and landlord have certain obligations.

First, the tenant should provide a written request to their landlord explaining the need for an accommodation due to a protected ground under the Code. It is best for the tenant to make this request in a letter or email where they can clearly describe the disability-related limitation they experience and their need for an accommodation.

It is important to note that the tenant is not legally required to disclose their specific disability or diagnosis to their landlord when requesting an accommodation.

Once the landlord receives the request, they have a number of responsibilities. They must:

- Make good faith efforts to understand the tenant's needs.
- Obtain expert advice where needed.
- Take an active role in canvassing various forms of possible accommodations.
- Keep any information they receive confidential.
- Limit requests for information to those related to the nature of the tenant's restrictions.
- Implement accommodations in a timely manner.
- Bear the cost of any required medical information.

Ontario's human rights system

Ontario's human rights system is made up of three separate agencies:

- **The Human Rights Tribunal of Ontario** is where human rights applications are filed and decided.
- **The Human Rights Legal Support Centre** gives free legal help to people who have experienced discrimination under the Code.
- **The Ontario Human Rights Commission** works to promote, protect and advance human rights through research, education and policy development.

Contact information for these agencies can be found in the "Resources" section of this toolkit.

How to file a human rights application

If you think your housing provider has violated your rights under the Code, and you cannot resolve the issue directly, you may wish to file an application with the Human Rights Tribunal of Ontario (HRTO). To make a claim with the Tribunal, you must complete a formal application.

- **Step 1:** Collect the information and evidence you need for your application. This could include any correspondence with your landlord, medical evidence or photographs that relate to the alleged discrimination.
- **Step 2:** Fill out a Form 1 application. Contact the Tribunal to obtain a form:
 - **Call:** 1-866-598-0322 or TTY: 1-800-855-0511
 - **Download a form:** tribunalsontario.ca/hrto/forms-filing/
- **Step 3:** Once your application is complete, you can send it to the Tribunal through the application form itself or by email, fax or mail.

Email: HRTO.Registrar@ontario.ca

Fax: (416) 326-2199 or Toll-free: 1-866-355-6099

Mailing address:
Human Rights Tribunal of Ontario
15 Grosvenor Street, Ground Floor
Toronto, ON M7A 2G6

Reprisals for filing a human rights complaint

A reprisal (or retaliation) is a negative action or behaviour directed towards a renter because they have made a human rights complaint. Everyone in Ontario has the right to claim and enforce their human rights without the fear or threat of reprisal.⁹ It is illegal for a landlord to try to “get even” with a renter who has tried to claim or enforce their human rights.

For example, if a renter complains to their landlord that another renter is harassing them based on their race, some landlords might view the complaining renter as the problem. If the landlord stopped making repairs for the renter who was complaining or tried to evict them, this could be considered an instance of reprisal.

Be your own advocate

There are steps you can take to advocate for your rights when facing discrimination. The following scenarios describe example of discrimination, and what renters can do in these situations to advocate for themselves.

Scenario 1: You think your landlord is discriminating against you

Imagine that you immigrated to Canada three years ago and have lived in your unit since first arriving. Several times during your tenancy, your landlord has told you that you have too many children. The landlord has also complained about the “smell” when you cook in your apartment. Recently, you have noticed that while other tenants have repairs made to their units quickly, your requests are always ignored. You think you are being treated unfairly because of your race, number of children, and where you come from.

What you should do:

1. Keep a written record of events. Knowing the dates and times of any incidents can be useful evidence if there is a disagreement with your landlord. Often, a log or a calendar is a helpful way to record this information.
2. Write down everything that you can remember about the incident(s). This includes names, dates, and what was said or done and by whom. If you are able to do so, take notes about your conversation while you are talking or soon afterwards, so that you will have more information to refer to later.
3. Keep all email and text communications you send to your landlord, as they create a dated record of your conversations and can be helpful as evidence of the steps you have taken to raise the issue. Do not send emails or texts in haste as they could be used against you.
4. Write a letter to your landlord detailing your concerns and, if appropriate, request accommodation. Remember to keep a copy of anything you send to them!
5. If your efforts to end the discrimination don't work, contact CCHR. We may be able to contact the landlord to advocate on your behalf.
6. You may wish to file an application with the Human Rights Tribunal of Ontario. You have one year from the date of the last incident of discrimination to file the application.
7. Be prepared. The Tribunal process can take time. You will be offered an opportunity to mediate and, if that is unsuccessful, there will be a hearing. You may have to wait several months or years before your case is resolved.

8. The Human Rights Legal Support Centre (HRLSC) may be able to provide assistance. You can contact the HRLSC at 1-866-625-5179 or TTY: 1-866-612-8627. You can also go to the HRLSC website at hrlsc.on.ca.

Scenario 2: You think you have been denied housing for a discriminatory reason

Imagine you are in a same-sex relationship and you and your partner are looking for a new apartment. You find an apartment listing you are interested in online. You call the landlord and have a positive conversation. You set up an appointment to view the unit the next day. Once you arrive at the appointment with your partner, the landlord looks at you and says “Sorry, it’s already rented.” You believe the landlord was judging you because of your sexual orientation.

What you should do:

1. Keep a written record of everything that happened in the application or communication process, including dates, times, and what was said by whom.
2. Check to see if the unit is still listed online. If so, print and date the advertisement. You can also have a friend call to ask for an appointment to view the unit to see if it is still being offered.
3. If the landlord says it is still available, contact CCHR. We can contact the landlord to encourage them to reconsider your application if you are still interested in the apartment.
4. If the landlord refuses your application after they have been confronted about the discrimination, you may wish to file an application at the Human Rights Tribunal. You have one year from the date of the incident of discrimination to file the application.
5. Be prepared. The Tribunal process can take time. You will be offered an opportunity to mediate and, if that is unsuccessful, there will be a hearing. You may have to wait several months or years before your case is resolved.
6. The Human Rights Legal Support Centre (HRLSC) may be able to provide assistance. You can contact the HRLSC at 1-866-625-5179 or TTY: 1-866-612-8627. You can also go to the HRLSC website at hrlsc.on.ca.

Tips for writing to your landlord

Writing a letter detailing your concerns to the landlord is often a good first step to resolve a conflict. While you may feel angry or upset, your letter should be polite and clear.

If you are writing a letter by hand, remember to date and sign it. You should also keep at least one copy of the letter for yourself. If the landlord does not properly deal with the issue, your letter will be important evidence if you file an application at the Human Rights Tribunal of Ontario.

If you are unable to write a letter yourself, you should ask a friend or family member for help. You can also contact CCHR for assistance.

Steps for writing a letter

- **Step 1:** Outline the facts of what happened from your perspective. Be as detailed and precise as possible. Include dates (or approximate dates), places, the people that were involved and a description of the incident(s). If you have them, include photos or other relevant evidence from the incident(s) that support your perspective.
- **Step 2:** Remind the landlord of your rights, which are found in the Human Rights Code.
- **Step 3:** Provide the landlord with details of what you would like to have happen next. For example, request that the landlord contact a tenant who is harassing you, reconsider your housing application or work with you to fulfil your request for accommodation.
- **Step 4:** If your request for accommodation is related to a disability, attach a medical note from your doctor supporting your request.
- **Step 5:** Ask your landlord to reply to your letter in writing.
- **Step 6:** Sign and date your letter.
- **Step 7:** Keep records of all communication between you and your landlord.

Sample letters

Letter 1: Requesting an accommodation for a disability

Scenario: You live in an apartment in a 10-storey building that has a communal laundry room. You require a wheelchair due to a physical disability. You are unable to access the building's laundry room because there are three steps and a heavy door at the entrance.

What you can do:

1. Ask your doctor to write a letter explaining that you cannot access the laundry room because you require a wheelchair.
2. Your doctor should then write a letter to the landlord, explaining that a ramp and an automatic door is needed in order for you to access the laundry room.
3. Write a clear letter to your landlord asking for a ramp and an automatic door to the laundry room be installed to accommodate your disability.
4. Send the letter to your landlord, along with the letter from your doctor.
5. Keep a copy of both letters for your records.

6. If your landlord does not respond to the letter, or refuses an initial written request, contact CCHR for help.

SAMPLE LETTER:

Date

Name of Landlord

Address of Landlord

Dear **Name of Landlord**,

I live at **Address**. I cannot access the laundry room on the main floor of the building due to a disability. I am unable to open the door or climb the three stairs at the entrance of the laundry room because I require the use of a wheelchair due to my disability. I'm asking **Name of Property Management Company or Landlord** to install a ramp and an automatic door to the laundry room so that I can access the facilities. I am making this request as an accommodation for a disability under Ontario's Human Rights Code (the Code):

s. 2(1) – Every person has a right to equal treatment with respect to the occupancy of accommodation, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, disability or the receipt of public assistance.

Under the Code, housing providers have a duty to accommodate tenants' disabilities in a way that meets individual needs, promotes integration and full participation, and ensures confidentiality. If you are unfamiliar with your obligations as a landlord under the Code, the policy on human rights and rental housing can be found on the Ontario Human Rights Commission's website at: ohrc.on.ca/en/policy-human-rights-and-rental-housing.

I have included a letter from my doctor supporting my request for accommodation.

Thank you for your attention to this matter. I would appreciate a written response to this letter within the coming week.

Sincerely,
Your name

Letter 2: Addressing harassment

Scenario: You have lived in a non-profit housing unit for 10 years. Recently, a new neighbour has been making derogatory comments toward you about your sexual orientation every time they see you. The neighbour uses offensive language, puts you down, and threatens to hurt you. You feel threatened in your own home.

What you can do:

- 1.** Keep track of the dates and times of the incidents. Write down what was said and who said it.
- 2.** Write a clear letter to your landlord explaining that you are being harassed by a neighbour because of your sexual orientation.
 - Include details about the incidents.
 - Ask your landlord to tell your neighbour that what they are doing is against the law and must stop.
- 3.** Your landlord should then inform your neighbour of the building's human rights policy (if available).
- 4.** If your landlord does not respond to the letter, or refuses an initial written request, contact CCHR for help.

SAMPLE LETTER:

Date

Name of landlord

Address of landlord

Dear **name of landlord**,

I live at **address**. Recently, **name of neighbour** who lives at **address** has been harassing me because of my sexual orientation. Here is a list of some of the most recent incidents:

1. Date and time: What happened

2. Date and time: What happened

As a result of this harassment, I do not feel safe in the building and I am asking you to help stop this harassment. As a landlord, Ontario's Human Rights Code (the Code) requires you to ensure that occupants of your buildings are not subjected to discriminatory harassment:

s. 2(2) – Every person who occupies accommodation has a right to freedom from harassment by the landlord or agent of the landlord or by an occupant of the same building because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, marital status, family status, disability or the receipt of public assistance.

In line with your obligation under the Code, I am asking you to inform **name of neighbour** that what they are doing is against the law and will not be tolerated in the building. I am asking that you provide **name of neighbour** with a copy of the building's human rights policy.

If you are unfamiliar with your obligations as a landlord under the Code, the policy on human rights and rental housing can be found on the Ontario Human Rights Commission's website: ohrc.on.ca/en/policy-human-rights-and-rental-housing.

Thank you for your attention to this matter. Please take immediate action regarding this issue, and I would appreciate a written response to this letter within the coming week.

Sincerely,

Your name

Resources

Canadian Centre for Housing Rights (CCHR)

Toll Free: 1-800-263-1139

In Toronto: 416-944-0087

Email: cchr@housingrightscanada.com

Website: housingrightscanada.com

Human Rights Legal Support Centre (HRLSC)

Tel: 416-597-4900

Toll Free: 1-866-625-5179

TTY: 416-597-4903

TTY Toll Free: 1-866 612-8627

Monday, Tuesday, Wednesday and Friday: 9 am to 5 pm; Thursday: 2 pm to 6 pm.

Website: hrlsc.on.ca

Human Rights Tribunal of Ontario (HRTO)

General Inquiries can be made by:

Tel: 416-326-1312

Toll-free: 1-866-598-0322

TTY: Call the Bell Relay Service at 1-800-855-0511

Email: hrto.registrar@ontario.ca

Website: tribunalsontario.ca/hrto

Landlord and Tenant Board (LTB)

The LTB provides information on residential rental units and resolves disputes between most residential landlords and tenants, including those related to human rights. Staff cannot provide legal advice but can answer questions about: legislation that governs tenants; tenants' rights and responsibilities under the law; specific applications; rules on maintenance and repair of rental properties; rules on automatic rent reductions and other issues addressed in the Residential Tenancies Act (RTA).

Toll Free: 1-888-332-3234

Toronto area: 416-645-8080

TTY: Call the Bell Relay Service at 1-800-855-0511

Website: tribunalsontario.ca/ltb

Ontario Human Rights Commission (OHRC)

Information Line: 416-326-9511

Toll-free: 1-800-387-9080

TTY (local): 416-326-0603

TTY (toll-free): 1-800-308-5561

Web: <http://www.ohrc.on.ca/>

Email: info@ohrc.on.ca

Website: ohrc.on.ca/en

Tenant Duty Counsel Program

When renters have a hearing with the Landlord and Tenant Board, Tenant Duty Counsel are available to provide legal advice and assistance on the day of the hearing at most LTB locations in Ontario.

Website: tdc.acto.ca

Community Legal Clinics

If a renter requires in depth legal services, they should contact a local community legal clinic.

Find your local community legal clinic online: legalaid.on.ca/legal-clinics

END NOTES

¹ [Human Rights and Rental Housing in Ontario: Background Paper](#) (2007), Ontario Human Rights Commission, p. 23.

² *Ibid*, p. 32-33.

³ *Ibid*, p. 28.

⁴ Ontario Human Rights Code, s.10(1).

⁵ *SWL-11849-17 (Re)*, 2018 CanLII 88671 (ON LTB).

⁶ [Human Rights and Rental Housing in Ontario: Background Paper](#) (2007), Ontario Human Rights Commission, p. 19-20.

⁷ *SWL-11849-17 (Re)*, 2018 CanLII 88671 (ON LTB).

⁸ [Relevant Code Provisions](#), Ontario Human Rights Commission.

⁹ [Reprisal](#), Ontario Human Rights Commission.



housingrightscanada.com