

THE TORONTONIAN TENANTS' ASSOCIATION NEWSLETTER

Issue 1, Vol. 1

August 2018

Welcome to the first issue of the TTA Newsletter!

It has been nearly 5 months – March 25 and 27 -- since the Association has held a General Meeting. However, your Executive group have been busy during this time on many fronts.

Currently your Tenants' Association is pursuing 4 critical initiatives:

1. An application to the Landlord and Tenant Board (LTB) on behalf of our members is seeking recompense for the serious impairment of our enjoyment of our homes.
2. Building a case to counter the Above Guideline rent Increase (AGI) that Shiplake will be pursuing following renovation of the hallways, repair of the exterior walls, the balcony reconstruction, and the garage work.
3. We are monitoring RentSafeTO, the apartment-building maintenance bylaws developed by the City of Toronto. Violations are being reported to Shiplake and to the bylaw enforcement arm as required.
4. We continue to monitor the Section 37 Agreement between Shiplake and the City that governs the Lillian Park project.

1. LTB Application

The Association will be retaining the services of a paralegal to help us develop and structure our submission. We will be asking the LTB for some form of remuneration for the impairment we have experienced. Although there are no guarantees that we will be successful, we believe the unprecedented disruption and, in some cases, damage to property demand compensation.

We have asked – and are asking -- Tenants' Association members to submit personal examples of impairment to the quality of their day-to-day life here at 45 Dunfield Avenue: specifically, as it relates to the caulking and waterproofing of the exterior walls, the balcony repair, the hallway renovation, and the garage repairs. We have received

numerous replies outlining flooding, continuous and excessive noise levels at all hours, dust and debris, and dangerous walking conditions.

Please continue to document these examples and submit them to your Association for inclusion in the submission. We can be reached at torontonianscommunications@gmail.com

We are asking Members for \$5.00. The Landlord and Tenant Board requires this fee from each unit signing on to the Association's application. For those who are not yet TTA members, the annual membership fee is \$10.00.

Members of the Executive group will contact you by phone if we have your phone number over the coming weeks. We are now collecting the evidence we need to present to the LTB so need your individual contributions to make the Association's case in the eventual hearing before the Board. So please consider the details we need – paper notices from Shiplake, dates, times, and other details relating to the disruption caused by the various projects around the building.

2. Above Guideline Increase (AGI)

Shiplake has informed the Association of their plans to pursue an Above Guideline Increase to our rents for the following work: renovation of the garage, weatherproofing of the exterior of the building, balcony and hallway renovations. AGI applications cannot be pursued until outstanding capital improvements have been completed. It is possible that Shiplake could pursue separate AGI applications for the completed items or wait and submit a single AGI application for all of the work when the balcony renovations are completed. The final phase of the balcony project – the south end of the building over the Lillian Park construction site -- is currently scheduled to begin in the spring of 2019.

There are a number of issues that we are exploring related to this action. For example, required maintenance versus capital expenditures, capital expenditures at 45 Dunfield associated with the new construction to the south of us (Lillian Park project), insurance claims for flooding damage versus capital expenditure for the hallway project, impairment of our quality of life as outlined in point 1 above, and building asset value growth at the tenants' expense. These are just some of the areas for which we need a paralegal's examination and assistance in order to build a case to combat potential AGIs.

3. RentSafeTO

Apartment Building Standards is a bylaw-enforcement program that ensures that building owners and operators comply with building-maintenance standards. The program includes auditing and enforcement, so that the hundreds of thousands of Toronto residents living in rental buildings have clean, safe and secure homes.

RentSafeTO bylaws cover

- Building Maintenance & Contractors
- Capital Plan
- Cleaning Plan
- Pest Management
- Record Keeping & Logs
- Renting to New Tenants
- Tenant Notification Board
- Tenant Service Requests, and
- Waste Management.

We have let Shiplake know about areas of bylaw compliance that they need to address. We have requested Shiplake's Capital Plan and it has not been forthcoming. Nor has the Pest Management report been posted.

Many individual Maintenance Requests seem to go unanswered and/or Shiplake claims they have not received the work orders. If the problems continue, we will contact RentSafeTO. Let the Association know if you are having problems so that we can help.

We encourage you to do a Google search for RentSafeTO to learn more about this program. The more adventurous can click on this link:

<https://www.toronto.ca/community-people/housing-shelter/apartment-building-standards/rentsafeto-for-building-owners/>

4. Section 37 Agreement (Lillian Park), February 6, 2017

The complete text of the Section 37 Agreement between Shiplake and the City of Toronto can be found on our website, The Torontonians Tenants' Association, under "Development Updates."

Quarterly meetings with tenants concerning the Lillian Park construction have not been held regularly and we have yet to see the promised Shiplake Newsletter updating us on the progress of the construction. We continue to pursue this with Shiplake as the Section 27 Agreement requires. It is important that we have access to this information concerning our home.

If you are renewing your lease this year and you have been receiving rent rebates per the Section 37 Agreement between Shiplake (our Landlord) and the City, note that the amount currently shown on your renewal documents does not reflect these rebates.

1. \$200,000 fund for rent reduction owing to proximity to the Lillian Park construction site. Only for tenants living in those units when construction **started**; this fund will continue to pay these rebates until the fund runs out.

2. Pool rebate/pass – paid to previous eligible pool users. Will continue until the new pool is available.

3. Rebate for the Above Guideline Rent Increase (AGI) of 2.6%/1.30% from 2016 (the actual amount depends on your date of occupancy). This was to be in effect for 16 months from the date of the start of construction = May 2017 to August 2018.

Finally, we encourage everyone to join the **TORONTONIAN TENANTS' ASSOCIATION!** We need a strong unified voice when we confront issues that affect our homes and lives with Shiplake.

The disruption of the last two years and the impending Above Guideline rent Increases as well as the compensation awarded tenants here when the Lillian Park construction began in 2017 show the importance of becoming a member of the Association.

As stated above, the yearly membership fees is \$10. By paying an additional \$5 now, you can sign on to the application to the Landlord and Tenant Board.

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