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ONTARIO RESIDENTIAL TENANCIES LAW

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Ontario Residential Tenancies Law, 2nd Edition provides a comprehensive annotation of Ontario's major residential tenancy laws and has been completely revised to include the new *Residential Tenancies Act, 2006*. The text features updated commentary based on the new legislation, as well as new regulations under the new *Residential Tenancies Act, 2006*. The previous Act¹ has also been included for ease of reference. This invaluable resource also includes Rules of practice for the new Landlord and Tenant Board, relevant Landlord/Tenant Forms and Notices, the relevant regulations and form and notices, and summaries of leading reported and unreported decisions of courts and tribunals. This publication provides the busy practitioner with a ready reference to every aspect of the law of residential tenancies with the most comprehensive case law review of the process in Ontario.

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¹ *Tenant Protection Act, 1997.*

This release features updates to *RESIDENTIAL TENANCIES ACT*, 2006.

Highlights

- **SECTION 20—LANDLORD’S RESPONSIBILITY TO REPAIR—LANDLORD’S OBLIGATION TO MAINTAIN AND REPAIR**—In *Lechnowsky v. Simcoe Condominium Corporation 57*, 2025 CarswellOnt 1325 (Ont. H.R.T.) the complainant filed a complaint to the Human Rights Tribunal of Ontario accusing the respondent condominium corporation of discrimination on the basis of disability in the area of housing arising from their failure to “repaint the access aisle hashmarks in the parking area of the condominium so that they meet the full width of the walkway. The applicant states the modification was necessary to accommodate the needs of his [then 88-year-old, but now deceased] mother who uses a walker and has an Ontario Accessible Parking Permit.” The complaint was initiated before the complainant’s mother died, but she was never a party to it. Importantly, her son—who filed the complaint—“did not allege he has a disability, nor did he identify any incidents of alleged discrimination against himself personally.” The Tribunal dismissed the complaint on the basis that the requirements of the *Human Rights Code*, R.S.O. 1990, c. H.19 to bring a complaint on behalf of another person had not been met here—and that those requirements were not a mere inconsequential procedural rule.
- **SECTION 23—LANDLORD NOT TO HARASS, ETC.—DEFINITION OF HARASSMENT**—In *Roberts v. Johnson*, 2025 CarswellOnt 1000 (Ont. H.R.T.), the tenant filed a complaint under the *Human Rights Code*, R.S.O. 1990, c. H.19 – not a proceeding under the *Residential Tenancies Act*—alleging that the respondent, his roommate—not the landlord—had uttered racial slurs at and harassed him. The complainant alleged that he could “no longer live with the respondent given the ongoing racial harassment he is subjected to. The applicant claims that he has complained to the landlord and the police; however, the parties continue to reside together.” Section 2(1) of the *Code* provides that “[e]very person has a right to equal treatment with respect to the occupancy of accommodation, without discrimination” on the basis of a number of enumerated grounds. Section 2(2) protects against harassment by “the landlord or agent of the landlord or by an occupant of the same building.” The Human Rights Tribunal dismissed the complaint for lack of jurisdiction on the basis that the *Code* was not intended to apply to living arrangements *within* a rental unit.