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## ONTARIO RESIDENTIAL TENANCIES LAW

**Robert G. Doumani**  
**Release No. 9, December 2025**

*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 *Act*<sup>1</sup> 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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<sup>1</sup> *Tenant Protection Act, 1997.*

This release features updates to Appendices SLL and WP.

## Highlights

- **SELECTED LEGAL LITERATURE—EVICTION**—*Crim-  
Eviction: Eviction and Social Control at a Residential Tenan-  
cies Tribunal*. By Sarah Buhler (Fall, 2025) 62 Osgood Hall  
L.J. 109.
- **SELECTED LEGAL LITERATURE—HUMAN RIGHTS**—  
*The Rise of Abandonment Dismissals at the HRTO and  
Increasing Barriers to Access for Applicants*. By Emily  
Shepard (October, 2025) 38 Can. J. Admin L. & Prac. 247.
- **WORDS AND PHRASES—“FAMILY STATUS”**—“The Hu-  
man Rights Tribunal of Ontario has applied an intersectional  
approach to ‘family status’ by identifying the compounding  
stereotypes facing, for example, single, Indigenous mothers: *Flamand v. DGN Investments* [citation omitted]. It is impor-  
tant to identify how discrimination on the ground of ‘family  
status’ in housing may intersect with other grounds enumerated  
in s. 2(1) [of the Ontario Human Rights Code] such race,  
ancestry, place of origin, colour ethnic origin, creed, sex,  
sexual orientation, gender identity, gender expression, age,  
and disability. This is because family status discrimination  
will often be based on conscious or unconscious stereotypes  
and biases based on a person’s committed care giving role,  
their family size and makeup, along with their age, marital  
status, race, ancestry, religion, sexual orientation, gender  
identity, and so on.” (*Salim v. Singh*, 2024 CarswellOnt 6560  
(Ont. S.C.J. (Div. Ct.))).
- **WORDS AND PHRASES—“IRREPARABLE HARM”**—“An  
eviction, by itself, is not ‘irreparable harm’ within the mean-  
ing of the test for a stay of an eviction order. The totality of  
the circumstances must be assessed to determine whether the  
harm is ‘irreparable’ in a particular case.” (*Rosen v. Reed*,  
2024 CarswellOnt 15218 (Ont. S.C.J. (Div. Ct.))).
- **WORDS AND PHRASES—“REAL SUBSTANCE OF ALL  
TRANSACTIONS”**—“Section 202(1) of the [Residential  
Tenancies Act] reinforces my interpretation of the legislation.  
It requires the Board, when making findings on an applica-  
tion, to ascertain the ‘real substance of all transactions’ relat-  
ing to a rental unit and ‘the good faith of the participants’.  
The transaction in s. 49(1) is an agreement of purchase and  
sale. There are two participants to such a sale transaction:  
the vendor landlord and the purchaser. A consideration of  
both participants is necessary to ascertain the ‘real substance’  
of the transaction between them and the ‘good faith’ of each

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in evicting the tenant." (*Elkins v. Van Wissen*, 2023 Car-swellOnt 18265 (Ont. C.A.)).