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### ONTARIO RESIDENTIAL TENANCIES LAW

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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 Tenancies Tribunal*. By Sarah Buhler (Fall, 2025) 62 Osgood Hall L.J. 109.
- **SELECTED LEGAL LITERATURE—HUMAN RIGHTS**—*The Rise of Abandonment Dismissals at the HRT0 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 Human 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 important 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 meaning 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 application, to ascertain the ‘real substance of all transactions’ relating 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 CarswellOnt 18265 (Ont. C.A.)).