



Social Development Centre Waterloo Region
Eviction Prevention Waterloo Region

Eviction Prevention Tenant Support Overview: October 2022 to March 2023

Jenaya Nixon, Eviction Prevention Kitchener–Waterloo
Michelle Knight, Eviction Prevention Cambridge

Eviction Prevention Waterloo Region (EPWR) is an ongoing, living, and evolving peer support program that is a response to Kitchener–Waterloo–Cambridge’s housing crisis. It was created to complement and support existing overburdened services in the community and offer peer support to marginalized tenants struggling or in crisis.

Our Responsibilities

We empower tenants to learn about their rights and responsibilities and document and address their difficult experiences with their landlords. We also provide peer assistance and advocacy for tenants navigating landlord–tenant conflict. Our ongoing responsibilities include the following:

- Sharing accurate information about landlord and tenant rights and responsibilities according to the Residential Tenancies Act.
- Facilitating healthy, productive relationships between landlords and tenants and legal intervention and enforcement agencies.
- Empowering tenants to document their conflict experiences with their landlords and advocate for themselves.
- Assisting with Landlord and Tenant Board (LTB) issues and landlord–tenant conflict, including:
 - Explaining complex legislation and LTB forms, procedures, and hearings to tenants;
 - Helping draft written and documented tenant responses to landlords;
 - Providing safe spaces and technology for tenants to attend online LTB hearings; and
 - Referring tenants to legal services for legal advice as required and other community organizations for housing support needs.
- Offering in-person and in-home support to tenants experiencing mobility or access barriers as well as conflict mediation during in-person landlord–tenant interactions, such as during scheduled property maintenance.



- Identifying relevant legal, social, economic, or health problems experienced by tenants in consultation with tenants.
- Providing warm community referrals to partner community organizations and ensuring tenants have access to appropriate support services.
- Offering physical, mental, emotional, and spiritual support as tenants navigate the LTB and landlord–tenant conflict.
- Sharing information with an online following of community members through social media on Facebook and Twitter.

Tracking of Eviction Prevention Numbers: October 2022 to March 2023

Households Supported

- Households supported with closed cases: 37
- Households supported with open cases: 33
- Total number of households supported: 70
- Total number of individuals supported: 171
- Pending intakes: 18
- Intakes in progress: 2

Household Compositions and Priority Populations Served

- Cisgender women: 68
- Cisgender men: 32
- Children: 71
- Households with BIPOC tenants: 27
- Households with low-income tenants: 61
- Households with tenants with disabilities: 25
- Households with senior tenants (60+): 21
- Households with LGBTQ2IA+ tenants: 6
- Households with immigrant tenants: 14
- Households with tenants who speak English as a second language: 16
- Households with previously incarcerated tenants or tenants in conflict with the law: 6

Referrals

- Referrals from EPWR to connect tenants with other services: 83
- Referrals from organizations to connect tenants with EPWR: 31



- Referrals from family, friends, and neighbours to connect tenants with EPWR: 16
- Files referred to other community organizations and closed: 27

Eviction Information

- Evictions prevented: 8 (many cases are still open and pending LTB hearings)
- Buildings and neighbourhoods with a high volume of eviction notices: 4
- Documenting of critical incidents to assist further eviction and displacement prevention: 8
- N4 rent arrears: 11
- N5 interfering with others, damage, or overcrowding: 7
- N7 causing serious problems in the rental unit or residential complex: 1
- N12 the landlord, a purchaser, or a family member requires the rental unit: 6
- N13 demolish, repair or renovate, or convert the unit: 21
- Threat of eviction with no notice: 3
- A2 application about a sublet or an assignment: 1
- Note that some tenants who reached out for EP support do not have formal legal eviction notices or have informal eviction notices. Some tenants connected with us before the eviction process started or for information or matters that could lead to a forced eviction, such as neglected maintenance issues, abuse and harassment, and tenant-tenant conflict.

Protocols, Service Agreements, and Relationships with Community Partners

Protocols and Service Agreements with Community Partners

- City of Waterloo Property Standards—continuing relationship that includes consent for shared support.
- City of Kitchener Property Standards—continuing relationship.
- Waterloo Regional Police Service Community Engagement Unit—continuing relationship.
- Family and Children's Services of Waterloo Region—continuing relationship with the Two Row Wampum Team and the Hammurabi Black and Racialized Peoples Team.
- Waterloo Region Community Legal Services (WRCLS), including the Ahwenehaode Indigenous Justice Program—continuing relationship.
- Sex Workers Action Network Waterloo Region—continuing relationship.

. Relationships with Community Partners (with formal and informal third party agreements)



- Adventure 4 Change;
- Spectrum Rainbow Community Centre;
- John Howard Society;
- Lutherwood;
- The Working Centre;
- The Unsheltered Network;
- House of Friendship;
- Reception House;
- Langs;
- Kitchener Ward 10 City Councillor Aislinn Clancy;
- Kitchener Ward 3 City Councillor Jason Deneault;
- Region of Waterloo;
- Community Justice Initiative (CJI);
- Kind Minds—pending; and
- Women’s Crisis Services of Waterloo Region—pending.

Supports Provided by Community Partners (direct and indirect supports)

- Community use of their space;
- Office space;
- Direct tenant referrals to EPWR;
- Bylaw enforcement support;
- Support of and appearances at community engagement events regarding tenant rights;
- Summary legal advice;
- General advice;
- Information and resources for tenants (e.g., mental health);
- Discretionary funds;
- Direct tenant outreach;
- Advocacy for media attention regarding EPWR’s work and eviction trends; and
- Political advocacy at the municipal level regarding eviction trends and the need for more intervention and enforcement.

Successes

Summaries of Prevented Evictions

- N12 eviction notice for the landlord’s own use of the unit: A single woman of colour who speaks English as a second language and has resided in her home with her young daughter for several years was served an N12 after questioning



her landlord's demand to illegally raise her rent by hundreds of dollars. EPWR sent a letter on her behalf refusing the illegal increase and sharing her intent to challenge the N12. The landlord never filed an application to evict her at the LTB, so the N12 was likely in bad faith and intended to displace the tenant to raise the rent but failed due to EPWR's intervention.

- **Illegal eviction threats:** A young woman in university received an illegal eviction threat during exam season after refusing to agree to an illegal rent increase. EPWR sent a letter to her landlord on her behalf outlining legal rent increases and how to pursue a legal eviction. The landlord then threatened to send the tenant an N12 eviction notice for the landlord's own use. The tenant never received an eviction notice, and her rent remained unchanged. Again, the N12 and illegal eviction threats intended to displace the tenant to raise the rent but failed due to EPWR's intervention.
- **N5 notice to end the tenancy due to damage:** Two older, disabled, LGBTQ2IA+ tenants contacted EPWR concerned that they would soon receive an eviction notice after their landlord threatened to do so and made a "cash-for-keys" offer. Shortly after, they received an N5 where the landlord requested monetary compensation for damage in the unit that may have been prevented if the tenants reported the problem sooner. The tenants declined the "cash-for-keys" offer, and EPWR worked with WRCLS and the tenants to determine a lower counteroffer. The landlord accepted the counteroffer and dropped the N5. Following that, Property Standards issued several enforcement orders due to neglected maintenance and repairs.
- **Illegal eviction attempt, N5 threat to end the tenancy due to damage, and N13 renovations:** A senior, disabled man faced an illegal eviction attempt when his landlord attempted to displace him to allegedly renovate the bathroom in his home. The landlord had already lost an N13 renovation in the past. EPWR tried to stop the illegal renovation, but the landlord refused to cooperate. The tenant then refused to leave his home and was forced to use a chemical toilet and shower at a gym for several weeks. After the alleged renovations were complete, the unit was in worse condition than before, and the landlord threatened to send an N5 eviction notice for a lack of cleanliness. EPWR asked for extra time to clean the unit before an inspection and visited the unit to take photos after the family helped the tenant clean. The landlord never sent an N5 notice after EPWR shared that we had attended the unit and that it was clean. Currently, the landlord is pursuing another N13.



- N5 notice to end the tenancy due to damage: A Black immigrant family of eight with adult tenants who do not speak English was served many eviction notices in the past year. The latest was an N5 eviction notice for a lack of cleanliness in the unit with no return date for inspection. EPWR phoned the superintendent of the townhouse and explained that we were supporting the family and that the unit was mostly clean when we visited it. We explained that a large family unit could not be expected to be in pristine condition when unexpected inspections are conducted. We asked for a specific inspection date and that we be notified regarding the new date to attend it with the family. The landlord did not reinspect the home or file for an eviction with the LTB.
- N4 rent arrears eviction notice: A tenant experiencing both mental and physical health barriers and receiving government assistance (OW) was being evicted due to rent arrears. The tenant needed a lot of support to follow through on plans to prevent their own eviction. In partnership with Lutherwood and WRCLS, we supported the tenant from July 2022 until January 2023. We supported the tenant in following through with a payment plan and prevented the eviction.
- Eviction threat: A senior tenant with substance abuse issues receiving government assistance who was in conflict with the law was threatened with eviction from Regional Housing in an email pending the outcome of the criminal case with no trial date. The tenant also had a peace bond applied to them by the Crown to stay away from another tenant in the building, which created a unique displacement of the tenant. The tenant was staying in a shelter and continued to pay rent for their apartment. EPWR helped the tenant petition the court through their Legal Aid attorney to allow them back into the unit. EPWR worked with the tenant to reach out to the shelter, their anger management counsellor, and bail supervision to obtain letters of support for them to return to their unit due to improved behaviour. The letters were then sent to the Crown, who agreed to remove the peace bond and the tenant was let back into their unit.
- A1 application about whether the Residential Tenancies Act applies (landlord filed): A senior tenant receiving government assistance with medical and mobility issues was paying very low rent in a unit with her common-law partner. Her partner passed away, and the tenant then faced eviction because she was not on the lease. The original tenant had lived in the unit for over two decades, and the common law partner had lived there for the past five years. The landlord denied her rights, would not accept rent payments (so the tenant stopped paying), and would not recognize her as a tenant. The landlord cut vital services over a period of many months until EPWR became involved. We helped get her services turned back on the next day with the help of Bylaw. We also negotiated a



settlement of an increase in rent that was still well below market value with the help of WRCLS and Lutherwood to pay back the rent arrears and obtain a new lease. These actions prevented her eviction and allowed her to maintain affordable rent.

Media Attention and Raising Awareness of the N13 Renoviction Epidemic

- As no-fault evictions, landlords have been taking advantage of N13 evictions to displace long-term tenants who pay below-market-rate rent and raise rent.
- EPWR has been assisting a townhouse complex and two apartment complexes that received mass N13 renoviction notices.
- EPWR's work regarding these three complexes has been featured in CBC News and CTV News articles and live radio on the Mike Farwell Show on CityNews 570.
- This media attention has raised public awareness of the N13 epidemic occurring in our region. It has also exerted pressure on politicians to intervene to increase enforcement and ensure these notices are not being served in bad faith.

Supporting Neighbourhoods with a High Volume of Eviction Notices

- Eviction Prevention Kitchener–Waterloo is currently supporting four apartment and townhouse complexes that received a high number of eviction notices.
- Support includes:
 - Information sharing about (1) N12 landlord's own use evictions and N13 renovictions and their rights as tenants, (2) N11s and the permanency of agreeing to terminate their tenancy, (3) the tradeoffs of "cash-for-keys" offers, and (4) the LTB process;
 - Assisting with tenant organizing;
 - Doing direct outreach in the neighbourhoods;
 - Assisting with sending Right of First Refusal letters (i.e., their intent to return to the unit following the completion of the renovations) and letters regarding their intent to challenge the evictions to their landlords or their landlords' legal representation;
 - Connecting tenants with their city councillors;
 - Advocating for media attention;
 - Requesting group LTB hearings on the tenants' behalf upon their request; and
 - Referring tenants to legal representation.
- Please see the Appendix for detailed case studies.

Promotional and Online Engagements and Materials Shared



- During neighbourhood outreach, thirty-three information packages were handed out to residents. They included information about EPWR, WRCLS, Property Standards, and tenant rights regarding N13s. Eleven packages also included information about how to file for a group hearing at the LTB and the contact information of their political representatives.
- Tenants have been given dozens of tenant rights information cards.
- Tenants and other organizations are also directed to the Tenant Navigation tool via every email that is sent from EPWR.
- Promotional and tenant rights material is available at the Social Development Centre and is handed out at community events hosted by EP and other community organizations.

New Partnerships

- EPWR began new partnerships with Kitchener City Councillors with constituents affected by mass N13 eviction notices. Kitchener Ward 10 City Councillor Aislinn Clancy and Kitchener Ward 3 City Councillor Jason Deneault have helped EPWR with direct outreach, information sharing, tenant referrals, and raising awareness of eviction trends in Kitchener. They have also assisted EPWR with making media connections to share stories about local, marginalized tenants affected by the N13 epidemic and the scope of the problem.
- EPWR is working on building partnerships with Kind Minds in Cambridge and Women's Crisis Services of Waterloo Region. Through these partnerships, we hope to better assist marginalized tenants and help them access support services, which will help address the intersectional factors that lead to evictions, such as intimate partner violence.

Professional Development

- LGBTQ2IA+ Spectrum Training
- Implementing the Right to Housing at the Local Level
- Navigating the Legal Help Landscape Part I: Community Legal Services and Legal Aid
- Expert Community on Housing Webinar—Older Persons and Homelessness
- Disability Webinar
- Mental Health First Aid
- Compassion Fatigue

Improved Documentation and Team Collaboration



- EPWR has improved our intake documentation and data collection and tracking. It now more effectively and efficiently captures data trends and essential information. Additionally, the approach is now consistent between the cities.
- We began collecting demographic information for “major cases” or areas with a large volume of eviction notices and several tenants seeking support from EPWR.
- We also updated our consent forms to be clearer and more informative.
- We have been increasing team collaboration between Eviction Prevention Kitchener–Waterloo, Eviction Prevention Cambridge, and placement students. In January 2023, we began weekly team meetings to discuss relevant issues and continue evolving the program.

Most importantly, we received continuous support from community members who regard our program as invaluable and necessary due to the current housing crisis.

Ongoing Challenges, Issues, and Trends

There is a lack of queer-friendly, safe, affordable, and accessible housing. This gap creates housing precariousness and homelessness and forces low-income tenants to choose between paying rent or buying medication and food (McDougall et al., 2022; Diwan et al., 2021).

Landlord Harassment, Abuse, and Neglect of Responsibilities

- Landlord harassment, abuse, and neglect of responsibilities continue to occur (McDougall et al., 2022; Diwan et al., 2021), especially towards low-income, BIPOC, immigrant, senior, ESL, female, and disabled tenants. Some examples of local landlord harassment, abuse, and neglect include, but are not limited to:
 - Creating confusing and inaccessible protocols for tenant maintenance requests and ignoring repeated requests for maintenance, even in cases where Property Standards has issued bylaw orders;
 - Refusing to provide rent receipts;
 - Sending tenants multiple (unfounded) eviction notices to instill fear;
 - Making false but believable claims about tenants needing to vacate their units immediately;
 - Entering tenants’ units without proper notice;
 - Calling in baseless complaints to the police, bylaw, and fire inspectors;
 - Involving other tenants and property management to scrutinize the actions of the tenants they are targeting; and
 - Making threats to raise rent hundreds of dollars overnight.



- Landlords' neglected responsibilities have led to the following:
 - Prolonged infestations of mice, cockroaches, and bedbugs in tenants' homes;
 - A lack of heating and air conditioning;
 - Persistent mold;
 - Broken appliances;
 - Plumbing and cleanliness issues; and
 - A lack of security, including broken locks, limited lighting, and no surveillance cameras, which creates increased crime opportunities (McDougall et al., 2022).
- Landlords continue to exhibit coercive behaviour to try to displace tenants so they do not challenge their eviction notices. For example, they ask tenants to sign N11s agreeing to end their tenancy when the tenants do not understand what they are signing; they send repeated and unwarranted eviction notices; and they make "cash-for-keys" offers that are difficult for some tenants to turn down which also lead to unfair payouts that depend on tenants' negotiating skills.

Barriers

- Immigrant, newcomer, and English as a second language tenants continue to face language barriers that prevent them from self-advocating (McDougall et al., 2022).
- Most tenants facing landlord–tenant conflict and eviction are low-income and experience financial instability (e.g., 61 of the 70 households we supported are low-income). Several tenants we support depend on government assistance to pay their rent, and poverty struggles have been exacerbated by extreme inflation, which has made paying rent harder than ever. Low-income tenants cannot afford to lose their units and move to new units, where they will likely have to pay exorbitant rent prices.
- Several tenants facing landlord–tenant conflict and eviction have disabilities. Sometimes, these disabilities make it difficult for them to fight their evictions, and landlords take advantage of this.
- Many tenants are reluctant to self-advocate because they fear repercussions from their landlords.
- The LTB backlog means it currently takes six months to over a year for the Board to hear a case and share their decision. This delay leaves tenants without remedy when they experience landlord harassment, abuse, and neglect of maintenance, especially when the police and Property Standards fail to intervene adequately.



- The current online approach to LTB hearings is very inaccessible for seniors, elders, and low-income folks who do not have access to technology or do not understand how to use technology.
- Many tenants do not understand their rights or how to advocate for themselves. The vast majority of tenants who contact Eviction Prevention experience marginalization in several areas of their lives, including, but not limited to, income, race, and disability. Their experiences of daily stress make it difficult for them to challenge evictions by themselves. Yet there is a limited capacity for tenants to access affordable legal information, advice, and representation during landlord–tenant conflict and LTB hearings (McDougall et al., 2022). It is particularly difficult for tenants to obtain legal representation when they want to challenge their evictions as a group during mass eviction attempts.
- A lack of access to justice exists due to ineffective intervention and enforcement by the police and Property Standards (McDougall et al., 2022; Diwan et al., 2021) and the LTB backlog. These challenges intensify landlord–tenant conflict and negatively affect tenants’ physical and mental health and their safety (McDougall et al., 2022).
- There is a lack of funding for rental arrears and emergency utility support.
- There is a high demand for EPWR services and insufficient staff hours to meet that demand.

The No-Fault Eviction Epidemic

- The number of N13s issued to tenants has increased significantly, which Eviction Prevention characterizes as an “epidemic.” Dozens of tenants have been served with N13s shortly after a new landlord purchased their building. We are aware of at least three times this has happened since October 2022.
- Landlords continue to be mysterious, avoidant, or inaccessible. In turn, most tenants we support experience major issues when attempting to obtain maintenance and repairs services from their landlords.
- Extremely neglected maintenance and repairs may be a tactic that landlords use to justify N13 renovations after units fall into states of disrepair.
- Bad faith N12s have been issued to tenants to force them out of their homes.
- Landlords target tenants who pay below-market rent and use no-fault evictions in bad faith to displace tenants and raise rent. No-fault evictions are the only way landlords can try to “legally” evict respectful tenants who pay their rent on time. Thus, they have been rising exponentially ever since average rent prices rose exponentially (Groleau, 2023).

Legal evictions happen via the LTB, but most evictions occur by force. Forced evictions result from landlord coercion, harassment, and abuse; landlord neglect of



responsibilities; tenants not understanding their rights and lacking the capacity or ability to advocate for themselves; and tenants experiencing unsafe living conditions that put their mental and physical health—and potentially the health of their families—in danger. These issues regularly cause tenants to flee their units without fighting back, and their inability to fight back is usually related to their marginalized identities, their lack of power, and their lack of access to appropriate longer-term services and eviction prevention support. Tenants who flee often do not understand the eviction process, the Residential Tenancies Act, who in the community they can get help from, and how to advocate for themselves and hold their landlords accountable.

Many tenants we support live in poverty and regularly experience systemic oppression. They are also often living with mental and physical illnesses and past and current trauma. Additionally, it is common for our tenants to struggle with verbal and written communication, often due to speaking English as a second language or their disabilities. These are not just barriers to effective self-advocacy during landlord–tenant conflict and the eviction process. Rather, they act as complete roadblocks for tenants to secure and maintain safe, accessible, and affordable housing. Therefore, our work is extremely important because we help tenants push through these barriers and roadblocks and remain housed.

Future Goals

- Building more partnerships with city councillors to increase political and public awareness of eviction trends in Kitchener–Waterloo–Cambridge.
- Continuing to make reciprocal connections and building relationships with community partners.
- Facilitating training opportunities for community organizations, tenants, and landlords regarding harm reduction, anti-oppression from a housing perspective, and eviction prevention.
- Increasing in-person community outreach to share information.
- Increasing our online engagement on social media, including Facebook and Twitter.
- Continuing to engage with media outlets to raise awareness of Kitchener–Waterloo–Cambridge’s housing crisis and ongoing eviction trends.
- Sharing more informational posters and business cards at various businesses and community organizations.

Conclusion

EPWR is a response to Kitchener-Waterloo-Cambridge’s housing crisis. It fills gaps in housing services by offering longer-term, in-person peer support for marginalized and



underserved tenants in crisis. It provides invaluable support to marginalized tenants in crisis. Low-income, ESL, LGBTQ2IA+, BIPOC, immigrant, disabled, and senior tenants and women with or without children are particularly targeted by both legal and forced evictions. It is vital that tenants—especially marginalized tenants who are routinely discriminated against and targeted—understand their rights and responsibilities and have access to the support they need to self-advocate and connect with the right services. Eviction Prevention offers this exact kind of support, and it helps keep people safe and housed. It needs funding to continue addressing the high need for tenant peer support and assistance preventing, navigating, and resolving landlord–tenant conflict and evictions.

References

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Appendices: Case Studies Documenting Critical Incidents to Assist Further Eviction and Displacement Prevention

Case Study One: N13 Renovictions in Kitchener, Part One

Eviction Prevention Waterloo Region (EPWR) is currently supporting a Kitchener townhouse complex with fourteen multi-bedroom units that house over two dozen residents, many of whom have marginalized identities. The tenants pay what would be considered a “low” amount of rent in the current unaffordable market. Most people who live in these units are low-income. Many tenants are also BIPOC, and several units include families with children. One tenant recently gave birth to twins. The whole neighbourhood has suffered from severely neglected maintenance from their landlord and attempts by their landlord to force them out of their homes.

In November 2022, every unit received a letter from the landlord’s paralegal regarding the landlord’s plan to demolish their homes and turn them into condominiums. The letter stated that the landlord would acquire permits for the renovations “fairly soon.” However, as of April 25, 2023, no demolition or conversion to condominium permits have been issued. The letter also shared the following: “The landlord wishes to avoid any unilateral notices of termination ... and would prefer to avoid any proceedings at the Landlord Tenant Board”; the landlord “is willing to compensate [the tenant] beyond what is mandated by law to help [the tenant] transition out of the property”; and the landlord is “taking a cooperative stance ... and is willing to work together to help with the transition.” The tenants received informal communication that they would receive eviction notices if they did not negotiate with the landlord and their paralegal.

This letter and what followed it is an example of a buyout or “cash-for-keys” to coerce tenants into accepting more than the three months’ rent compensation required by law to ensure they leave without putting up a fight and do not attempt to return. Essentially, the landlord offered to and did pay more money to people who agreed to leave earlier to pressure tenants to not assert their rights. Based on observed trends in Kitchener, it seems to be a common practice that landlords employ when they are pursuing renovations or demolitions. The tenants received this offer weeks before the landlord issued N13s to the units that had not negotiated compensation to permanently vacate their homes.

Their City Councillor brought this incident to the attention of EPWR after two concerned residents reached out to the Councillor. Eviction Prevention then formally opened the case in December 2022.



Afterwards, Eviction Prevention brought the case to the attention of Waterloo Region Community Legal Services (WRCLS), and WRCLS, Eviction Prevention, and the City Councillor worked in partnership to organize an in-person N13 workshop at a local community centre. The purpose of this workshop was for the tenants to have the opportunity to ask questions and learn about WRCLS and Eviction Prevention, their rights regarding the likely incoming N13s, and how to challenge an N13 if they decided to do so. Tenants from seven homes attended, which included approximately fifteen people.

The tenants shared concerns about neglected maintenance and landlord harassment. Several units had been constantly contacted via telephone and in person regarding accepting a buyout, which left little paper trail of the harassment. WRCLS advised the tenants to document all interactions with the landlord, property management, and the landlord's paralegal.

At this meeting, we also learned that one tenant who does not speak English was illegally pressured into signing an N11 and agreeing to vacate their unit. WRCLS offered to assist this tenant and informed their English-speaking companion that the N11 would be unenforceable if the tenant did not understand what he was signing.

The tenants expressed anger and frustration about the landlord's intentions and the idea of losing their homes. They discussed the hypocrisy of a landlord who evicts tenants for renovations who also refuses to upkeep their homes while they are living there. They stressed concerns about displacement due to the high cost of living in Kitchener and unaffordable, inaccessible rent prices. The tenants said they did not want to lose their homes because they knew they would never get another home at that price; as a result, many tenants discussed their intent to challenge the eviction.

The workshop was very successful as tenants left with a better understanding of their rights and an increased knowledge of local resources, such as Eviction Prevention and WRCLS.

In late January 2023, Eviction Prevention and the City Councillor did in-person outreach at the townhouse complex to follow up with the tenants. Eviction Prevention provided more legal information about tenant rights and encouraged the tenants to reach out for help as needed. We learned that since the workshop, all the tenants who did not agree to a buyout had received N13s. We also learned that WRCLS had intervened and helped the non-English speaking tenant who signed the N11. We found out that three units had negotiated buyouts that were thousands more than the mandated three months' rent compensation. They chose this route because it seemed easier than fighting the eviction and potentially losing. We shared this information with



the other tenants and were told that the landlord had filed for eviction hearings, but some units still intended to challenge the eviction.

Some tenants remain hopeful about fighting the N13s because the landlord still does not have permits to demolish the units or convert them to condominiums.

The City Councillor reached out to CBC News and arranged an interview regarding this situation. A CBC reporter interviewed the Eviction Prevention team, the City Councillor, and tenants from the townhouse complex. The information was published in CBC News Kitchener–Waterloo and received immense media attention. Both CTV News and the Mike Farwell Show on CityNews Kitchener 570 reached out to Eviction Prevention to follow up and also do stories on the townhouse complex and N13 renovations. Eviction Prevention has therefore completed three media interviews to raise awareness about the N13 epidemic in our region and has assisted tenants by helping the public understand the severity of the epidemic and how it largely affects marginalized communities.

Case Study Two: N13 Renovictions in Kitchener, Part Two

This case discusses a multi-floor apartment building in Kitchener that houses multiple residents in seventeen units. In January 2023, twelve units received N13 renovation notices. Two tenants decided to leave, and two other units are debating whether to fight the N13s, but tenants from the other eight units are challenging the renovation. The tenants from these units have all resided in their homes for several years and pay what would be considered a “low” amount of rent in the current unaffordable market. Many of the tenants have marginalized identities, including BIPOC, seniors, people who are low-income, people with disabilities, immigrants, and two tenants who do not speak English. They have also suffered from neglect regarding maintenance and repairs by their mysterious landlord and attempts by their landlord to force them out of their homes.

The N13s served to the twelve units were accompanied by a “Work to be Completed” document that lists a series of renovations that would take six to eight months to complete. The document states that “all essential services will be shut off to the building ... for extended periods of time,” that the renovations will “cause excessive noise, dust, hazardous situations, and unsafe living conditions,” and that the “the building could be deemed dangerous while renovations are taking place.” However, five other units that house newer tenants who pay market-rate rent (i.e., more expensive rent) were not served N13s and will thus remain in their homes, which conflicts with the “dangerous” work plan for the building that will shut off all essential services.



Additionally, the N13s specified that the landlord would obtain all necessary building permits and authorizations. As of April 25, 2023, there are no approved permits for this address.

The tenants have experienced issues trying to obtain maintenance and repairs by the landlord. At one point, the heater was broken for several weeks, and the tenants were forced to buy heaters with their own money. The landlord should have provided these heaters and may have if Property Standards had been involved. One tenant also had a broken apartment-sized fridge which the landlord replaced with a bar fridge. That broken fridge has been sitting in the shared hallway for several months. In the past, the landlord did not shovel, and tenants had to dig their own cars out of the snow. Additionally, when the current landlord bought the building, they removed the tenants' access to their storage lockers and threw one tenant's bike out. Similar to the conflicting work plan, the landlord's ongoing neglect of maintenance and repairs conflicts with their alleged desire to improve the conditions of the long-term tenants' units, which raises questions about the good faith intent of the N13s.

The landlord has also sent many unwarranted eviction notices which scared and confused the residents. Examples include multiple N5s sent to several units for false allegations of them having extra appliances, for storing their tires on their balcony after losing access to their storage locker, for allegedly having satellite television, and for allegedly hosting excessive visitors. The excessive visitors N5 notice was sent to a quiet senior woman who keeps to herself, which, as she said, reflects the absurdity of the various eviction notices the tenants have received. It appears these notices were served in bad faith to pressure the residents into leaving their units.

Other tactics to try to force the tenants out include the landlord's written offer to help tenants "find a great new place to live and help [them] financially with the move" and the landlord's request for tenants to sign N11s agreeing to terminate their tenancy. Despite the landlord's offer to help the tenants find new homes following the N13s, the son of two senior tenants who do not speak English tried to arrange for his parents to move to an alternative unit owned by the landlord, yet he has been ignored for several months.

Eviction Prevention Waterloo Region (EPWR) began assisting the tenants from this apartment building in February 2023. During our first meeting, tenants from six units attended the Social Development Centre. Here, we learned about their situation and informed them of their rights regarding N13s. One tenant took on a leadership role and became the main point of contact. She helped collect signatures for consent forms for all the tenants, and afterwards, EPWR reached out to the City Councillor for this ward to organize in-person outreach at the building.



The tenant who took on the leadership role brought together tenants from nine units at her apartment in March 2023, and we spoke with each other and exchanged stories for two hours. During this time, the City Councillor learned more about how renovictions are affecting Kitchener residents and being misused by landlords to force tenants who pay affordable rent to vacate their homes. I also learned more about the maintenance and repairs issues and the unwarranted eviction notices. Afterwards, I handed out information packages to tenants present at the meeting and the tenants upstairs who were unable to attend the 6 p.m. meeting but spoke to me before I left. These packages included information about EPWR; N13 renovictions and tenant rights; how to file for a group hearing at the Landlord and Tenant Board; how to contact and report issues to Property Standards; their political representatives' contact information; and the contact information for Waterloo Region Community Legal Services (WRCLS). Many tenants confirmed their desire to reach out to Property Standards and their political representatives. We also agreed that Eviction Prevention would (1) help them contact the Landlord and Tenant Board to request a group eviction hearing, (2) connect them with WRCLS to begin the process of obtaining legal representation for the group hearing, and (3) send letters on their behalf regarding their intent to challenge the evictions and invoke their Right of First Refusal.

This case highlights the power of tenant organizing and how Eviction Prevention acts as an advocate for tenants to understand and advocate for their own rights and remain safely housed.

However, a shocking discovery occurred in late April regarding the landlord of this property. The main tenant organizer discovered the landlord's name from opengovca.com and then found their social media accounts and website. On their website, they share a photo of the apartment building and openly caption the photo with a statement that their investment strategy for the building is "unit renovations and tenant change [i.e., tenant displacement] to get it to a great income level [i.e., raise rent and maximize profits]." As I was on the phone with the tenant discussing her discoveries, I noticed that this landlord's website also shares a photo of another building that received mass N13s in Kitchener and discusses the same investment strategy.

Further research led to the discovery that the landlord who owns this building also owns another building EPWR is supporting. This landlord uses different business names for the buildings, but they use the exact same displacement tactics.



Case Study Three: N13 Renovictions in Kitchener, Part Three

This case discusses a sixteen-unit apartment complex in Kitchener that is also owned by the landlord discussed in Case Study Two. This apartment complex houses dozens of tenants, including people who have lived there for over a decade and families with children. In January 2023, all the tenants received N13 renoviction notices. A few people reached out to their City Councillor about these notices, and they subsequently contacted Eviction Prevention Waterloo Region.

Together, the City Councillor and Eviction Prevention Waterloo Region (EPWR) did in-person outreach at the building in February 2023. We handed out information packages to all sixteen units that included information about EPWR; N13 renovictions and tenant rights; how to contact and report issues to Property Standards; and the contact information for Waterloo Region Community Legal Services. Here, we learned that most of the tenants are long-term residents who pay what is considered below-market rent. Several tenants are low-income and depend on government assistance, and many have disabilities. There are also children with disabilities who live in this complex. These marginalized tenants have suffered from neglect regarding maintenance and repairs by their mysterious landlord and attempts by their landlord to displace them.

The N13s served to the sixteen units were accompanied by a “Work to be Completed” document that lists a series of renovations that would take six to eight months to complete. The document states that “all essential services will be shut off to the building ... for extended periods of time,” that the renovations will “cause excessive noise, dust, hazardous situations, and unsafe living conditions,” and that the “the building could be deemed dangerous while renovations are taking place.” This is the exact same wording used in the N13 “Work to be Completed” notices served to the tenants discussed in the previous case study.

The N13s shared that the landlord would obtain all necessary permits and authorizations, but as of April 25, 2023, there are no approved permits for this address.

The tenants have experienced issues trying to obtain maintenance and repairs from current and past landlords. Some issues have been problematic enough to justify enforcement orders issued by Kitchener Property Standards. The degree of neglect is so severe that in February 2023, there was a kitchen fire at the building, and dozens of calls made by the tenants to the landlord’s representative’s emergency line were ignored. The Fire Department had to break the lock box inside the building that held the key to the administrative office so they could turn off the fire alarms. Again, like what is happening to the tenants in the previous case study, the landlord’s ongoing neglect of



maintenance and repairs conflicts with their alleged desire to improve the conditions of the long-term tenants' units, which raises questions about the good faith intent of the N13s.

The landlord has used various tactics to try to force the tenants out without them challenging the eviction, such as “cash-for-keys” offers larger than the required three months' rent compensation and coercive attempts to get tenants to sign N11s agreeing to end their tenancy. One particular tenant is disabled, yet a staff member representing the landlord showed up in-person at their apartment and tried to pressure them into signing an N11 when they did not understand it. Thankfully, the tenant's partner urged them to contact Eviction Prevention before they signed anything, which they did. After a discussion with Eviction Prevention, they better understood what an N11 is and refused to sign it. Other tenants with disabilities have been asked to sign N11s when it has been made clear that they do not fully understand the implications of doing so. These coercion tactics echo what the landlord has done to the residents of Case Study Two.

Eviction Prevention began assisting one tenant in March 2023, and they spread the word about our program. Currently, we are supporting tenants from seven units. During our meetings, EPWR discussed their rights regarding N13s and information about N11s, Waterloo Region Community Legal Services, the eviction process, and how to invoke their Right of First Refusal. We referred the tenants to Waterloo Region Community Legal Services, requested a group hearing for them at the Landlord and Tenant Board upon their request, and sent seven letters to the landlord's paralegal regarding the tenants' intent to invoke their Right of First Refusal and challenge their evictions.

The actions of the landlord who owns both buildings from Case Study Two and Case Study Three represent the ongoing epidemic of N13s in our region and how landlords are abusing N13s to displace low-income, marginalized tenants and raise rent.

Case Study Four: N12 Landlord's Own Use Evictions in Waterloo

Two units that include four adults and a child in a six-unit apartment complex in Waterloo received N12 eviction notices for their landlord's own use in January and February 2023. These eviction notices were served shortly after new owners bought the building. A tenant from one unit reached out to Eviction Prevention Waterloo Region (EPWR), and after their intake, they encouraged their friend who had also received an N12 to connect with us, which they did.

During discussions with the tenants, Eviction Prevention discovered that the landlords had already forced another unit with long-term tenants out via a



“cash-for-keys” offer, so one apartment is currently empty. One tenant we are supporting received multiple “cash-for-keys” offers of increasing amounts, which they continually declined. Two units in this building have newer tenants, but the tenants EPWR are supporting are long-term tenants who pay what would be considered below-market rent. Unsurprisingly, they received the N12s—not the newer tenants who pay much more for their monthly rent. Additionally, one landlord openly bragged that they own over one dozen buildings. However, the landlords are still pursuing two N12 “personal use” evictions and claim that their parent and one sibling’s child need to move in. This evidence hints that these N12s are bad faith eviction notices and may stem from the landlords’ desire to displace the tenants and bring in new ones who will pay higher rent.

No-fault evictions such as N12s and N13s are being continuously abused by landlords to evict tenants and raise rent to generate more income for themselves.

Case Study Five: Immigrant Family with Multiple Eviction Notices and an Extended Need for Eviction Prevention Support and a Multiple Agency Approach

A Black immigrant family of eight with adult tenants who do not speak English has been served many N4 rent arrears and N5 damage to the unit eviction notices in the past year. The family resides in a four-bedroom townhouse where rent is below market value. The property was sold in 2021, and the eviction notices and lack of repairs have been ongoing since the previous owner. They have been to the Landlord and Tenant Board (LTB) numerous times as well. Eviction Prevention Waterloo Region (EPWR) has been supporting the tenants over the past year and a half.

The latest notice was an N5 eviction notice for a lack of cleanliness in the unit with no return date for inspection. EPWR phoned the superintendent of the townhouse and explained that we were supporting the family and that the unit was mostly clean when we visited it. We explained that a large family unit could not be expected to be in pristine condition when unexpected inspections are conducted. We asked for a specific inspection date and that we be notified regarding the new date to attend it with the family. The landlord did not reinspect the home or file for an eviction with the LTB.

However, although the eviction was prevented, the family continues to experience trauma and stress while they await another anticipated eviction notice. The family and a few neighbours were also hit with a notice that they now needed to pay for parking, which they never did before. The Landlord added the monthly fee to the rent and claimed it was to pursue rent arrears. The family was transferred to Waterloo Region Community Legal Services (WRCLS) as EPWR stands by to lend support as needed. This family has been supported jointly with Property Standards, WRCLS, and Adventure for Change on an ongoing basis.



Case Study Six: Multiple Factors in Eviction with an Extended Need for Eviction Prevention Support and a Multi-Agency Approach

A single female tenant in her fifties who has mental and physical health disabilities and is receiving government assistance was facing an N4 rent arrears eviction. The tenant was referred to Eviction Prevention Waterloo Region (EPWR) by Waterloo Region Community Legal Services (WRCLS) in June 2022. The tenant separated from her spouse and was living in a 2-bedroom unit where rent was beyond her income but also below market rent. The tenant was able to secure a roommate to help with rental costs. She was entitled to spousal support which affected how much government assistance she received. The tenant needed to maintain her vehicle and insurance for work purposes which also caused a financial burden. She had already received help from Lutherwood in the past and was unsure whether she would qualify again. EPWR reached out to Lutherwood for clarification and was told that the tenant would need to pay the total amount of her rent before being considered again. The tenant struggled to borrow money from friends and access help from different churches to pay a portion of her current rent and part of the rent arrears. She felt she had the situation under control, and EP stepped back during September 2022 and made space for the tenant to make her own decisions upon her request.

In December 2022, the tenant reached out to EPWR again for support. She had been injured and lost their job, which again increased the risk of eviction for non-payment of rent. She still had not worked out the past arrears and incurred more since September. EPWR met with the tenant to help organize papers and receipts and strategize next steps. We then met with WRCLS to combine resources and knowledge to support the tenant. The tenant had an LTB hearing in January 2023. The tenant needed extensive support to follow through on plans to prevent her own eviction. In partnership with Lutherwood and WRCLS, we supported the tenant from June 2022 until January 2023, and we successfully helped the tenant with her rent arrears situation and prevented the eviction.

Case Study Seven: Substance Use Issues with Criminal Intersectionality Facing Eviction and Requiring a Multi-Agency Approach

A senior tenant with substance use issues and on government assistance who was in conflict with the law was threatened with eviction from Regional Housing in an email pending the outcome of their criminal case, which had no trial date. This tenant also had a peace bond to stay away from another tenant in the building, which created a unique displacement situation. The tenant was staying in a shelter and continued to pay their rent for their apartment. Eviction Prevention Waterloo Region (EPWR) helped the



tenant petition the court with their Legal Aid attorney to allow the tenant to return to their unit. EPWR worked with the tenant to reach out to the shelter, their anger management counsellor, and bail supervision for letters of support regarding the tenant returning to their unit due to changes in their behaviour. The letters were then sent to the Crown who agreed to remove the peace bond, and the tenant was able to return to their unit. The Regional Housing staff member who sent the email asked for it to be retracted, and the supervisor did not respond to EPWR emails requesting a conversation about the issue. The criminal case date is not set but is anticipated for the fall. EPWR will stay connected with the tenant and will follow up with Regional Housing staff again to determine any intent to evict based on the criminal charges.

Case Study Eight: Multiple Factors in Eviction with an Extended Need for EP Support and a Multi-Agency Approach

A senior tenant receiving government assistance with medical and mobility issues was paying very low rent in a unit with her common-law partner. Her partner passed away, and the tenant then faced eviction because she was not on the lease. The original tenant had lived in the unit for over two decades, and the common-law partner had lived there for five years. The landlord denied her rights, would not accept rent payments (so the tenant stopped paying), and would not recognize her as a tenant. The landlord cut vital services over many months until Eviction Prevention Waterloo Region (EPWR) became involved. Events included cutting her hydro, electricity, and hot water, putting glue in the locks, and stopping her postal service. We helped get her services turned back on quickly with the help of Bylaw.

EPWR contacted the landlord and began having conversations to negotiate a new lease. We also contacted Lutherwood to inquire about rent arrears help and contacted Waterloo Region Community Legal Services (WRCLS). We attended the residence on many occasions to support the tenant when the landlord fixed the locks and to help with document collection. The tenant was afraid to leave the unit because she feared the landlord would change the locks. The tenant's adult son ran her errands and needed to travel from a different city to help her. The tenant became overwhelmed and stopped communicating with EPWR for weeks until she had a hearing in December 2022, which she did not know about in advance. The Landlord and Tenant Board hearing was adjourned until the new year, and the tenant reached back out to EPWR. Together, we discussed a plan to move forward. EPWR connected to WRCLS and Lutherwood again and her government assistance worker to create a joint plan to secure the tenancy and repay the rent arrears. We successfully negotiated a new lease with a reasonable rent increase that is still well below market value and a plan to repay the arrears. Thus, EPWR helped prevent this tenant's eviction and allowed her to maintain affordable rent.