

RTA – SCHEDULE OF EXEMPTIONS

TABLE 1
EXEMPTIONS FOR NON-PROFIT HOUSING PROVIDERS

The sections in this table do not apply to units located in the following residential complexes:

- Former public housing
- Housing developed or acquired, and continues to operate, under the Rural and Native Rental Housing Program established under the *National Housing Act* (Canada) (s. 6(3), O. Reg. 516/06)
- Non-profit housing project developed under the following programs and continue to operate under the *Housing Services Act, 2011*, an operating agreement, or an agreement with a municipality, service manager or local housing corporation (s. 7 RTA; ss. 5 and 6 O. Reg. 516/06):
 - Non-Profit Low Rental Housing Program established under the National Housing Act (Canada).
 - Non-Profit 2% Write-Down Non-Profit Housing Program established under the National Housing Act (Canada).
 - Non-Profit Full Assistance Housing Programs administered before January 1, 2001 by the Ministry, not including the Municipal Non-Profit Housing Program, but including,
 - JobsOntario Homes,
 - The Ontario Non-Profit Housing Program (P-3000),
 - The Ontario Non-Profit Housing Program (P-3600),
 - The Ontario Non-Profit Housing Program (P-10,000),
 - Homes Now, and
 - Federal/Provincial Non-Profit Housing Program (1986-1993).
 - Municipal Non-Profit Housing Program (1978-1985).
 - Municipal Assisted Housing Program (Toronto Housing Company).
 - Urban Native Fully Targeted Housing Program established under the National Housing Act (Canada).
 - Urban Native 2% Write-Down and Additional Assistance Program established under the National Housing Act (Canada)
 - Canada-Ontario Affordable Housing Program — Rental and Supportive Housing*
 - Canada-Ontario Affordable Housing Program — Northern Housing*

* For a unit to be exempt, it must be identified in the tenancy agreement as a subsidized unit developed or acquired under these programs and as being subject to an agreement with service manager etc. If the tenancy commenced prior to January 31, 2007, a notice must be sent to the tenant to that effect. The tenant must also have been eligible to be on a social housing waiting list at the time the tenancy started. (O. Reg. 516/06, s.6)

- Residential Rehabilitation Assistance Program*
- Supporting Communities Partnership Initiative* (Homelessness Partnering Strategy)
- Municipal capital facility by-laws for housing or other council-approved municipal housing programs*

Exemptions for Non-Profit Housing Providers	
Section	Content
30 (1) par. 6 – 8	Order prohibiting rent increase until repairs complete
51	Conversion to condominium, security of tenure
52	Compensation, demolition or conversion
54	Tenant's right to compensation, repair or renovation
55	Tenant's right to compensation, severance
56	Security of tenure, severance, subdivision
95	Assignment of tenancy
96	Tenant's Notice to Terminate, refusal of assignment
97	Subletting of rental unit
98	Tenant application, landlord's refusal of assignment or sublet
99	Tenant's Notice, Application re subtenant
100(2)	Applications for unauthorized occupancy to be made within 60 days of discovery
101	Overholding subtenant
102	Compensation, overholding subtenant
104	Assignment without consent, deemed assignment if landlord doesn't apply to Board within 60 days of discovery
111	Landlord not to charge more than lawful rent
112	Lawful rent when this section comes into force
113	Lawful rent for new tenant
114	Notice to new tenant, order prohibiting rent increase under par. 6, 7 or 8 of s. 30 (1) in effect
115	Application by new tenant concerning s.114

Exemptions for Non-Profit Housing Providers	
Section	Content
117	No notice required to charge increased rent when landlord has complied with order under par. 6, 7 or 8 of s.30(1)
120	Guideline increase
121	Agreement to increase rent above guideline
122	Tenant application concerning breach of agreement under s.121
126	Application for above-guideline increase
127	Two ordered increases
128	After above-guideline increase – Reduction if cost of utilities no longer borne
129	After above-guideline increase – Reduction if cost of capital expenditures no longer borne
130	Tenant application for a reduction in rent because of a reduction in services
131	Reduction of rent when municipal taxes reduced
132	Application for variation of reduction when municipal taxes reduced
133	Tenant application, reduction in municipal taxes
140	Information package given to new tenant (care home)
143	Assignment, subletting in care homes
149	Rent in the care home
150	Requirement to give 90 days notice of increase in charge for care service or meals in care home
151	Restriction on charges to ensure compliance with ss.140 and 150 (care home)
159	Assignment of tenancy (mobile home park)

Exemptions for Non-Profit Housing Providers	
Section	Content
165	Restriction of rent increase after assignment (mobile home park)
167	Above-guideline increase –capital expenditures (mobile home park)

TABLE 2
EXEMPTIONS FOR RENT GEARED-TO-INCOME UNITS

The following sections do not apply if the tenant occupies a rental unit under the non-profit programs listed on page 1 and pays rent in an amount geared-to-income due to public funding.

Exemptions for Rent Geared-to-Income	
Section	Content
116	Requirement for 90 days notice of rent increase does not apply to increases in rent due to increases in the tenant's income
118	Deemed acceptance of rent increase if tenant does not give landlord notice of termination
119	Landlord can only increase rent once every 12 months ("12-month rule")

TABLE 3
EXEMPTIONS FOR RENT GEARED-TO-INCOME
(“RENT SUPPLEMENT” WITH PRIVATE LANDLORDS)

If the rental unit does not fit into the programs listed on page 1 (ex: private market landlord), but the tenant pays rent in an amount geared-to-income due to public funding, the following sections do not apply:

Exemptions for Rent Geared-to-Income with Private Landlords	
Section	Content
30 (1) par. 6	Order prohibiting rent increase until repairs complete – Does not apply to an increase in the amount geared-to-income paid by the tenant
95	Assignment of tenancy
96	Tenant’s Notice to Terminate, refusal of assignment
97	Subletting of rental unit
98	Tenant application, landlord’s refusal of assignment or sublet
99	Tenant’s Notice, Application re subtenant
100(2)	Applications for unauthorized occupancy to be made within 60 days of discovery
101	Overholding subtenant
102	Compensation, overholding subtenant
104(3)	Lawful rent on unauthorized assignment
Part VII	Rules relating to rent do not apply to an increase in the amount geared-to-income paid by the tenant (12-month rule, 90 days notice of rent increase, above-guideline increases, etc.)
143	Assignment, subletting in care homes

TABLE 4
EXEMPTIONS FOR SPECIAL CARE OR DEVELOPMENTAL SERVICES

Accommodation that is subject to

- *Homes for Special Care Act*, or
- *Developmental Services Act*, but is not listed in Schedule 1 to Reg. 272 under that Act.

is exempt from the following sections:

Exemptions for Special Care or Developmental Services	
Section	Content
30 (1) par. 6 – 8	Order prohibiting rent increase until repairs complete
51	Conversion to condominium, security of tenure
52	Compensation, demolition or conversion
54	Tenant's right to compensation, repair or renovation
55	Tenant's right to compensation, severance
56	Security of tenure, severance, subdivision
104	Assignment without consent, deemed assignment if landlord doesn't apply to Board within 60 days of discovery
111	Landlord not to charge more than lawful rent
112	Lawful rent when this section comes into force
113	Lawful rent for new tenant
114	Notice to new tenant, order prohibiting rent increase under par. 6, 7 or 8 of s. 30 (1) in effect
115	Application by new tenant concerning s.114
117	No notice required to charge increased rent when landlord has complied with order under par. 6, 7 or 8 of s.30(1)
119	90 days notice of rent increase
120	Guideline increase

Exemptions for Special Care or Developmental Services	
Section	Content
121	Agreement to increase rent above guideline
122	Tenant application concerning breach of agreement under s.121
123	Agreement to increase in rent if additional services or facilities provided
124	Agreement under 121 or 123 void if coercion or misleading information
125	Landlord to decrease rent if agreement to cease services under 123
126	Application for above-guideline increase
127	Two ordered increases
128	After above-guideline increase – Reduction if cost of utilities no longer borne
129	After above-guideline increase – Reduction if cost of capital expenditures no longer borne
130	Tenant application for a reduction in rent because of a reduction in services
131	Reduction of rent when municipal taxes reduced
132	Application for variation of reduction when municipal taxes reduced
133	Tenant application, reduction in municipal taxes
134	Illegal additional charges prohibited
136	Rent or charge deemed lawful after one year
140	Information package given to new tenant (care home)
149	Rent in the care home
150	Requirement to give 90 days notice of increase in charge for care service or meals in care home

Exemptions for Special Care or Developmental Services	
Section	Content
151	Restriction on charges to ensure compliance with ss.140 and 150 (care home)
PART X	Sections applicable to Mobile Home Parks and Land Lease Communities