



Title:

Housing Services Internal Policy, Social Services Department, Rent Abatement

Policy NO.:

SL 019

Revisions:

April 5, 2024

Effective Date:

July 17, 2017

Applies to:

The policy and procedures contained in this document apply to the tenants of the Housing Services portfolio.



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1. Purpose of the policy

The Housing Services wish to establish regulations concerning rent abatement. The main goals of the policy are to ensure a fair and equitable decision making when it comes to authorize a rent abatement.

2. Definition

A rent abatement is a monetary award expressed in terms of a portion of past or future rent. It may be a lump sum payment the landlord is ordered to pay the tenant which effectively orders the landlord to give back part of the rent paid. It may be an order allowing the tenant to pay less rent by a certain amount or percentage, or even to pay no rent, for a specified time period. It could also be a combination of these.

3. Applications

To be eligible for a rent abatement a situation interfering with reasonable enjoyment of the tenants needs to occur.

The reasonable enjoyment can occur due to the following factors but not limited to:

- Interruption in vital services by the landlord due to maintenance or repair longer than 6 hours.
- Renovations or repair project restricting access to a part of the unit longer than a normal workday.
- Loss of food due to failure of appliances * in units where appliances are included only.
- Any situation ordered by the Landlord and Tenant Board.

4. Action to be taken.

When a situation occurs, the tenant must communicate with the housing services to request a rent abatement. The housing manager will authorize a rent abatement based on the following factors:

- The frequency or duration of the actions or events.
- Whether the tenant is fully or partially responsible for the problem or hindered or interfered with the landlord's effort to address the problem.
- Cost of replacement in cases of food lost.

5. Conclusion

When a rent abatement is approved, it will be applied to the following month(s) depending on the duration of the event and the amount of abatement decided. If a tenant does not agree with the decision, they will be referred to the landlord and tenant board where they will be able to file an application for tenant rights (T2).

6. Legislative Authority

- Housing Services Act, 2011, S.O. 2011, c. 6, Sched.1
- Residential Tenancies Act, 2006, S.O. 2006, c. 7

7. Questions

If you have questions about this document, please contact your Housing Services Manager at the United Counties of Prescott and Russell.

APPROVED: Original copy signed by Sylvie Millette

DATE: _____