

NADLAN-HARRIS PROPERTY MANAGEMENT INC.

Fall, 2022 NEWSLETTER

Message from the President

In This Issue:

- Condominium Management Challenge
- Do More With Less
- One time renter payment coming to Canada
- Handling pet disputes in condos
- Inflation causing Canadians to falter on housing payments
- Victoria new buildings to be zero carbon by 2025
- How to secure appropriate property coverage
- Detoxifying the condo manager's workplace
- Replenishing the condo manager shortage
- Top 7 signs a condo manager is respected
- If a By-law Enforcement Officer Comes To My Door, Do I Have To Let Them In?
- Assigning & Subletting rental units

Dear Board of Directors,

Welcome to our latest-fall newsletter. The weather has gotten colder and the days shorter. Fall is the season for building mindfulness and resilience!

We are consolidating our efforts, position and learnings, and we are earnestly looking forward to how we can improve even more for ourselves and our stakeholders.

We would like to thank you all for the support that you've shown through the years.

Please take some time to read through our Fall issue and enjoy the articles we have chosen for you.

Happy Fall!



Sincerely,
Liron Daniels,
President
R.C.M., P.P.L., B.E.S., O.L.C.M., C.P.M.

Company News

*We encourage all residents to log into your community website and use the fantastic features, as it is a great means of connecting with the community. **NEW features such as mobile access and consent to receive electronic communication have been implemented.** The platform will allow Nadlan- Harris Property Management Inc. to facilitate better communication, increase efficiency and allow residents an opportunity to provide their valued feedback. We look forward to connecting with you.*



CONDOMINIUM MANAGEMENT CHALLENGE¹

A shortage of condominium managers has created angst within the industry and the communities they serve.

Theories as to the cause of this problem include the volume and type of work, salaries, hours, and treatment by condo boards and owners. The reality is much simpler. A nationwide shortage of people in the workforce has impacted on the condominium management industry. This shortage has been blamed for product shortages, inflation, poor health care and a great many ills. The reason for this shortage is demographic.

Millennials are now approaching 40 years old. Among them and younger generations, fewer have chosen to get married. Of those who have married, they are having fewer children. After more than two decades of this, there are now fewer people entering the workforce than leaving it.

While Canada has partially compensated for this by increasing immigration, it has not reversed this trend. Our response to Covid made things worse, caused a wave of early retirements, and likely brought us to this point a few years



This problem is not caused by a decrease in condominium managers. In fact, Condominium Management Regulatory Authority of Ontario (CMRAO) reports that the number of General License condominium managers in Ontario has increased for four consecutive years. More likely, the shortage results from an increase in condominium buildings and their growing populations. The field of condominium management is not yet experiencing the declines seen in other industries.

In the future there will be fewer people available to work and condominium management will not be an exception.

¹<https://tocondonews.com/archives/shortage-of-condominium-managers/>

In the future there will be fewer people available to work and condominium management will not be an exception.

Condominium communities will need to adapt. Licensing and training requirements for condominium managers may be relaxed to attract more candidates to the industry. Condominium communities will have to counter this if they want to maintain or improve current standards of service and expectations. Individuals with a broad set of business skills, experience and knowledge will find that the industry offers stable employment, a good salary and an enjoyable working environment. Those who are less capable will be able to find work at a reduced salary and less job stability.

Develop a Job Description and Document Expectations

Management contracts outline core responsibilities, some expectations, financial compensation and termination provisions. What they lack is the detail required to establish and evaluate expectations. A job description can better detail condo board expectations and should exist prior to signing a management contract. It specifies specific requirements of the job, working hours, and tasks the manager is expected to undertake.

Undertake an annual performance review. Review the job description. Identify areas of excellence and where improvement is needed. Document expectations for the coming year – areas of improvement and tasks to achieve future goals or targets. Identify what tasks the manager should undertake to ensure the board achieves its goals. At the next annual performance review, look closely at the effectiveness of management based on these requirements.

More frequent reviews are preferable. A semi-annual performance review provides an opportunity to look at progress or changes to address concerns by management or the board in relation to what is documented in the annual performance review. For a new condominium manager, quarterly reviews are preferable to help establish expectations and contractual terms. Dissatisfaction by either party should be openly discussed and mutual expectations clarified. Each performance review should be summarized in writing.

This approach ensures management is clear on what is required of them, how their employer feels about the work they are doing, and provides direction for the coming year. Link salary increases to a positive annual performance review.

Do More with Less²



In a world with fewer employees, communities will have to focus on making available employees more productive where possible. Finding a single manager to work full-time for a community may be difficult.

The best condominium managers will find ways to manage building operations, communications and other duties more efficiently. The effort it takes to write a poorly worded notice or e-mail, deal with confused or upset residents and vendors, then reissue the communication is unnecessarily wasted time.

A single manager with good communication and management skills can be more productive by utilizing proven practices, systems and technologies.

- They can operate more efficiently and at lower cost while providing the board and management with a higher level of service. Salaries, job descriptions and daily tasks will adapt. More competent condominium managers will excel and stand out.
- Condo management software, already a necessity for efficient communications and management, will become essential. Printing, distributing and searching archival documents will not be feasible with reduced staffing. Communities will be unable to manage package deliveries without technology for managing record keeping or smart parcel lockers which remove this task from concierge/security duties.
- Time consuming accounting practices can be replaced with electronic systems. Fewer people become necessary to ensure payments are made to vendors, fees are received, and reports prepared more quickly and without errors introduced by manual processes. Accounting costs are reduced.
- Security will become more dependent on video cameras, electronic access systems and remote concierge services. Electronic communication will

be more necessary than today. The cost, both time and money, of printing and distributing paper will be more problematic with fewer people to do this work. Printing, posting and subsequently removing paper notices from elevators, hallways and mail room is time consuming. Management will have less time to search paper records. An electronic solution reduces the manpower necessary to sustain a paper-based system thus allowing employees to address other matters.

Investing in improved technology, services and practices requires more in the way of competence than funds. Savings from reduced staffing will likely be greater than additional costs.

Much of this can be accomplished without an impact on budgets and condo fees. Investing in improved technology, services and practices requires more in the way of competence than funds. Savings from reduced staffing will likely be greater than additional cost.



A future with fewer employees is to be embraced if management competency is enhanced, board and resident relations are improved, and condominium boards can incorporate a greater awareness of what is occurring in their community when making decisions.

² <https://tocondonews.com/archives/shortage-of-condominium-managers/>

One-time renter payment coming to Canada³



1.8 million low-income Canadians may soon be eligible for \$500 benefit.

The federal government has proposed several new measures to help make life more affordable for Canadians, including providing a one-time renter payment of \$500 to an estimated 1.8 million people struggling to pay rent. According to a recent update from the Department of Finance Canada, the new plan will double the federal government's [Budget 2022 commitment](#) and reach twice as many Canadians as initially promised.

This benefit is in addition to the Canada Housing Benefit currently co-funded and delivered by the individual provinces and territories. If passed, the payment will be available to applicants with an adjusted net income below \$35,000 for families, or below \$20,000 for individuals who pay at least 30 per cent of their income on rent. Representatives of the rental housing industry have reacted favourably to the announcement so far, with advocacy groups such as the Federation of Rental Housing Providers of Ontario (FRPO) and the Canadian Federation of Apartment Associations (CFAA) having long advocated for a plan that links housing benefits directly with people rather than units.

³<https://www.reminetwork.com/articles/one-time-renter-payment-coming-to-canada/>

“As the housing crisis continues and inflation makes life more unaffordable for many, we need solutions [like this] that work for all,” said Tony Irwin, FRPO President and CEO. “Let’s continue to work together to make sure that everyone can find a safe, affordable home in our community.”

Payment details

As per the federal government’s recent announcement, the program will consist of a single tax-free [payment of \\$500](#) that would be paid directly to low-income renters—those most exposed to inflation and experiencing housing affordability challenges. Issued by the end of the year pending parliamentary approval, the payment would be available to renters with adjusted net incomes below \$35,000 for families, or \$20,000 for individuals. The [Canada Revenue Agency \(CRA\)](#) would deliver the money through an attestation-based application process.

To determine eligibility, the CRA would proceed with an up-front verification of the applicant’s income, age, and residency for tax purposes, and applicants would need to have filed their 2021 tax return, attesting that they: are paying at least 30 per cent of their adjusted net income on shelter; are paying rent for their own primary residence in Canada, which would include the address of the rental property, the amount of the rent paid in 2022, and the landlord’s contact information; and consent to the Canada Revenue Agency verifying their information to confirm eligibility.

The government says the one-time top-up would not reduce other federal income-tested benefits, such as the Canada Workers Benefit, the Canada Child Benefit, the Goods and Services Tax Credit, and the Guaranteed Income Supplement.

The 1.8 million low-income renters eligible to receive the benefit includes [post-secondary students](#) who are also struggling to pay rent. In total, Canada estimates the program will amount to \$1.2 billion, of which \$475 million was previously committed to in Budget 2022.



Handling pet disputes in condos⁴

Case underscores how careful owners should be when choosing their tenants

By Inderpreet Suri

A national survey from Narrative Research, conducted in November 2021, found about three million pets joined Canadian homes during the pandemic, with Ontario at the top of that list. Ontarian pet owners are also most likely to own multiple pets, the majority being dogs and cats.

Many condominium corporations that allow pets to varying degrees may see more four-legged friends roaming around, and there are several common issues residents will likely have to contend with. New cases are also highlighting how a condo can quickly go from pet-friendly to pet-fearing.

Residents keeping prohibited pets/animals in their units

A condo corporation's governing documents (declaration, by-laws and rules) dictate what is allowed in a condo. Some corporations prohibit certain types of pets and some prohibit pets altogether. Condo corporations will also sometimes limit the number of pets a unit can have.

Despite these prohibitions, some residents may still require a pet because the pet may be a service animal or an emotional support animal. A service animal, such as a guide dog, is an animal who is extensively trained to help a person with some type of physical disability or limitation.

Service animals usually have a vest that they wear while "on duty." On the other hand, an emotional support animal is an animal that provides emotional support to a person who needs it, such as a dog who alleviates a person's psychological disability such as depression or anxiety. Emotional support animals do not usually wear a vest.

When an individual requires a service animal or an emotional support animal on the basis of a disability, he/she can submit a request to their condo corporation and ask to be



exempt from the corporation's rules in relation to pets. In reviewing the individual's request for exemption, the condo will usually require medical evidence confirming the disability and the need for the service animal/emotional support animal.

It is important to note that even when an exemption is granted, the condo can still impose reasonable conditions upon the pet to ensure that its presence in the building does not harm others or cause any nuisance to others.

Pets or animals causing a noise/nuisance for other owners/residents

Even if a condo corporation allows residents to have a pet or pets, the pets are still subject to specific rules about their conduct. The governing documents will usually state that pets are not permitted to litter or destroy common elements (for example, pets cannot urinate or defecate on common elements) or create noise/odours that negatively affect other residents.

Dangerous or illegal pets or animals residing in a unit

Some corporations have provisions in their governing documents banning certain types of pets. A condo may prohibit snakes, reptiles and/or certain breeds of dogs from its premises.

⁴<https://mail.google.com/mail/u/0/?ui=2&view=bttop&ver=1aqron8zktl7w&mmsg=%23mmsg-f:1746507141425573587&attid=0.4>



REMI Network

How can pet disputes can be handled/litigated by a condominium corporation?

Depending on the condo corporation’s governing documents, some corporations have no choice but to abide by the enforcement system stipulated in their documents. The rules may obligate the corporation to take the following steps:

1. send a warning letter,
2. provide the resident/owner with two weeks to correct the behaviour and if the behaviour is not corrected, legal counsel is to be involved.

Some situations are so serious that warning letters from the corporation will not be necessary and a letter from legal counsel is appropriate for the first step (for instance: if a dog has bitten a resident).

If a legal letter is sent, and the situation still does not resolve, then the condo must decide if it wants to engage in further litigation. For litigation, the condo can either commence a Condominium Authority Tribunal (CAT) application or a Superior Court of Ontario application.

Inflation causing Canadians to falter on housing payments⁵

Inflation is causing more than 1.3 million Canadians to fall behind on housing payments. There’s a prevalence among renters (9 per cent) versus mortgage holders (6 per cent), as revealed in the recent *Impact of Inflation* report from personal finance comparison site Finder.

Consumer price index figures for July show persistently high inflation of 7.6 per cent. The report found seven million people in Canada are generally sinking into debt because, on top of housing, they’re also trying to pay for essentials like food and gas.

Many are taking out loans to do so, while others have lost jobs or are consolidating existing debt.

Middle-income earners are taking out debt to cover costs at 30 per cent, nearly three times as much as the highest income earners.



Data shows that wages are not keeping pace with higher living costs and this puts middle-income earners—the bulk of Canadians—in a tough position. It forces many to start prioritizing their expenses and finding ways to make ends meet.

Gen X is most at risk for falling behind on rent or mortgage payments at seven per cent compared to the national average of four per cent.

More than a quarter of both **Gen Z** and **millennials** are also taking on debt to pay for **increased living costs**.

Baby boomers report being less impacted by inflation this year, but 66 per cent were still actively cutting back on all spending—the highest of any generation surveyed.

While there is little difference between men and women when it comes to using debt, 63 per cent of women said they are cutting back on personal extras, like clothing or entertainment, in order to combat the rise in their monthly expenditures. Only 53 per cent of men chose to take the same actions

Impact of inflation in 2022

Price increases appear to have peaked midway through 2022, according to the latest Statistics Canada inflation report. Canada’s annual inflation rate hit 8.1% in June, up from 7.7% in May—the fastest price increase since January 1983.

⁵<https://www.reminetwork.com/articles/inflation-canadians-faltering-on-housing-payments/>



Despite this slight reduction in costs, most Canadian consumers and businesses are still struggling to absorb the rapid price increases of 2022 – as a result, many turned to debt, such as personal loans, to bridge the gap.

To assess the constraint of rising costs, Finder asked more than 1,000 Canadians how they were adapting to the impact of inflation. While most Canadians reported a reduction in their spending, 1 in 4 (24%) confessed to taking on debt to pay for higher living costs in 2022.

INFLATION



Victoria new buildings to be zero carbon by 2025⁶

This new requirement will take effect following the introduction of BC Building Code carbon pollution standards later this year. By July 2025, all new buildings in the city will be required to meet a zero-carbon standard.

This adoption will be about five years ahead of the expected provincial requirements and is necessary for Victoria to meet the 2030 goals in its Climate Leadership Plan.

These requirements will largely eliminate greenhouse gas emissions from new buildings, accounting for up to 7 per cent of total community emissions reductions needed by 2050.

Victoria is one of the first municipalities in British Columbia to make all new construction zero carbon polluting and accelerate the transition away from fossil fuels for water and space heating.

The new requirements and phase-in schedule was developed the engagement focused on how best to reduce greenhouse gas emissions from new construction through the BC Energy Step Code and the forthcoming carbon pollution standards.

Victoria will require all new construction to be zero carbon by 2025, part of its accelerated climate action plan to achieve an 80 per cent reduction in community greenhouse gas emissions by 2050.

The new provincial carbon pollution standards give municipalities more effective tools to reduce greenhouse gas emissions from new construction, in addition to the BC Energy Step Code. Buildings are one of four priority areas the city is working with the community to drive down emissions and build a prosperous, low carbon future. The other sectors are mobility, waste and municipal operations.

Victoria declared a climate emergency in March 2019 and has a plan to reduce greenhouse gas emissions by 80 per cent and transition to 100 per cent renewable energy by 2050.

⁶<https://www.reminetwork.com/articles/victoria-new-buildings-to-be-zero-carbon-by-2025/>

How to secure appropriate property coverage⁷

Catastrophe modelling and risk management



From summer hail storms in Calgary to flooding in British Columbia to windstorms in the Eastern provinces, 2021 was full of catastrophic losses. Canada hit \$2.1 billion in insured losses last year, the sixth highest in insured losses since 1983. Residential property risk also increased, including for condo buildings.

As a result, real estate owners with multi-family high-rises in their portfolio are beginning to layer policies just to secure their baseline coverage needs.

Planning in 2022 is more worrying than usual. With hard-to-secure coverage and limited policies available, many property owners and condo boards are stressed over the possibility of frequent and significant claims without adequate coverage in place for when the next catastrophe hits.

In 2022, insurance professionals will be relying on risk management tools like catastrophe (CAT) modelling to help owners understand their financial risks and secure appropriate coverage – a trend that will actually help mitigate risk over time and even lower the costs of coverage as well.

The impact of catastrophic exposures on the real estate market

Western Canada faced an extreme heat wave last summer that shattered all previous records, and wildfires led to issuing 181 evacuation orders and the burning of 8,700 square kilometres of land in B.C. alone.

While these stories may seem extreme, they are no longer rare. [Climate-related catastrophes are growing around the world](#), both in frequency and severity, and the “new normal” must take the possibility of catastrophic losses into account during the planning stages. Whether your condo is near woodlands or water, it is at risk from wildfires, flooding and even extreme heat waves. And since the costs of CAT claims can be so high, it’s not realistic to self-fund

The real problem is that the trend is continuing into 2022. The residential real estate market will be particularly affected, with reinsurers exiting the market, drying up capacity. As a result, there will be fewer coverage options and higher rates for condo buildings, particularly in areas where catastrophes are more frequent.

Risk management tools to the rescue

After several years of pandemic-related struggle in the real estate sector, the story is disheartening. And globally, first-half 2021 catastrophe losses reached \$42 billion, of which \$40 billion was related to natural disasters. With scientists expecting the [climate-related disasters](#) to continue into 2022, it would be easy for condo boards and operators to give up.

Instead, real estate owners and operators are digging in to the data, working intimately with tech tools such as catastrophe (CAT) modelling to provide information and make the right choices when it comes to risk management.

In short, CAT modelling is a computerized process that simulates possible catastrophic events in order to estimate the amount of loss that stems from those events. When done right, this kind of data analytics connects data sets to draw important conclusions, such as helping property owners understand their risk, estimate suitable policy limits and even secure appropriate coverage.

⁷<https://www.reminetwork.com/articles/how-to-secure-appropriate-property-coverage/>

Best practices in the 2020s

Higher prices for less coverage seem to be the trend – and the challenge – of the 2020s. To counter that challenge, it's imperative that condo operators and boards demonstrate best practices in risk management.

Property owners who want to reduce their exposure and increase resiliency will need to engage both new tech and traditional controls across their portfolio — regardless of location, condition and catastrophe exposure.

Appropriate coverage will be difficult – but not impossible – to find, and successful real estate owners and operators will have to go the extra mile to secure it. Insurance brokers may be the key to that success. Those who consult with an expert broker will find themselves in a better position than those who don't.

Risk Management Tools & Techniques

- ❖ Risk Register. The fundamental risk management tool is the risk register.
- ❖ Root Cause Analysis. The root cause is another way to say the essence of something.
- ❖ SWOT.
- ❖ Risk Assessment Template for IT.
- ❖ Probability and Impact Matrix.
- ❖ Risk Data Quality Assessment.
- ❖ Brainstorming.



Detoxifying the condo manager's workplace⁸

Recent court decisions denounce owners' abusive behaviour



It's hard to imagine that there's a condo manager anywhere in Ontario who would describe their job as easy. The breadth and depth of knowledge required to do the job well are astounding. The hours are long, and condo managers rarely get to "switch off." They are never more than a few feet away from their phone, even when taking a shower.

Soft skills are necessary to do the job well, including communication, time management, and people management. On any day, a condo manager can be pulled in many different directions, depending on the latest crisis or deadline.

While there are no statistics, anecdotal evidence suggests that almost every condo manager has experienced some form of workplace disrespect, and a majority have experienced [workplace harassment](#). Hopefully, only a very few were subjected to physical threats or assault; but there shouldn't be any at all.

Condominium corporations have a duty to protect their directors, manager, staff, and owners. There are plenty of stories and increasing court cases and CAT decisions that shine a light on some outrageous behaviour.

⁸<https://www.reminetwork.com/articles/detoxifying-condo-managers-workplace/>



Replenishing the condo manager shortage⁹

Many condominium managers are subject to a lack of respect for their ability to do such a challenging job. That was supposed to change with licensing: condo managers would be considered professionals like lawyers and engineers.

Condo managers also deserve respect because this industry is in crisis. Unless something changes, there simply won't be enough professionals to meet the legal requirements of having each condominium corporation managed by a licensed manager.

An RCM is best-in-class in the profession and has plenty of employment choices. Less than a quarter of all condominium managers hold this designation. RCMs have always been committed to high standards and continuing education, and they can find a new job almost immediately.

Top 7 signs a condo manager is respected¹⁰

No tolerance for abuse:

It should go without saying that threats or physical abuse warrant police involvement and advice from the corporation's solicitor. There's a perception by some that verbal or psychological abuse is "part of the job" and isn't a "big deal." Foul language or verbal abuse should not be tolerated. Boards have accountability for making the bad behaviour stop. Trying to avoid legal expenses should not be a barrier to protecting the condo manager. Have a Workplace Harassment Policy in place and enforce it.

Perspective.

The manager has probably done 50 (or 100?) things right today. Going off the deep end about the one or two things that weren't done right, including a typo in a notice, is an over-reaction. The courts have said that corporations aren't expected to be perfect, so the manager shouldn't be either. Ask rather than accuse when in doubt about something a manager has done.

Realistic expectations.

Acknowledgement that a manager can't get everything done at once and tasks need to be prioritized. Major physical building projects, legal disputes, ongoing noise complaints and flood investigations all take time away from regular duties. Sometimes a manager might feel like a magician when they have accomplished so much in a day or solved a particularly complex problem, but they don't actually have a magic wand. There are only eight hours in a workday and five days in a workweek.

Work-life balance.

Recognition that the manager has a right to personal time. Perhaps a meeting can be held at 8 a.m. or 5 p.m. instead of 8 p.m. so that the manager can enjoy time with their family. Equally, if a condo manager stays late for a meeting, it should be standard practice to come in late or leave early the following day. With no commuting time and less socializing, Zoom meetings are more productive and more respectful of the manager's time.

Contract hours do not equal office hours.

The manager has many tasks and duties which require quiet concentration or private time for confidential discussions with a resident. If the posted office hours when residents can drop by are from 9 a.m. to 5 p.m., when does the manager find that quiet time? Would it truly negatively impact residents if the hours were, for example, 9 a.m. to 3 p.m.? This would provide the manager with two hours a day of valuable uninterrupted time.

Appreciation.

The manager is thanked for their efforts, their guidance and their long hours. In many condominiums, the manager will be thanked only once a year (at the AGM), and sometimes not even then. It makes a huge difference to the work environment when a condo manager feels supported by the board and the community.

Compensation.

Fairly compensated for their knowledge and expertise and skills, especially in a workforce which is experiencing shortages.

¹⁰<https://www.reminetwork.com/articles/detoxifying-condo-managers-workplace/>

If a By-law Enforcement Officer Comes to My Door, Do I Have To Let Them In?¹¹

The question, “If there’s a by-law enforcement officer at my door, do I have to let them in?” is a question that comes up frequently. The answer, like most answers that involve the law, is, “It depends.”

Municipalities in Ontario can hire law enforcement officers and inspectors to enforce various provincial statutes as well as local by-laws. These officers and inspectors are afforded very broad investigative powers, which can surprise property owners who might otherwise assume that such officers have lesser rights than police officers.

In fact, municipal law enforcement officers often have *greater* powers than the police in terms of access to private property.



¹¹https://www.svlaw.ca/blog/details/item/by-law-officer-my-rights?utm_source=Master+List&utm_campaign=bdf6dbc18d-May-2022-Newsletter&utm_medium=email&utm_term=0_67e3d6bf6bdf6dbc18d-4029113&mc_cid=bdf6dbc18d&mc_eid=f61fd67fe0

*When **Can** A By-Law Enforcement Officer Come Onto My Property?*

The *Municipal Act, 2001* permits municipalities to pass by-laws. These by-laws allow the municipality to enter onto your land *at any reasonable time without a warrant* for the purposes of investigating alleged by-law infractions or determining compliance with orders.

The province of Ontario states that powers related to by-law enforcement include:

- powers of entry for purposes of inspection to determine if a by-law is being complied with, and to search for and seize evidence with a warrant.

While police would generally need a warrant to go traipsing around in your backyard looking for evidence, municipal by-law enforcement officers are permitted to hop fences, peer through windows, and generally help themselves to your private property, all without any judicial oversight.

*When **Can't** A By-Law Enforcement Officer Come Onto My Property?*

The major caveat to this broad right-of-entry power is that an officer shall not enter a room or place *being used as a dwelling* without your permission or a warrant.

So, in general, municipal by-law enforcement officers can access any part of your property without a warrant, except the inside of any building that is being used as a residential dwelling. This caveat, therefore, excludes commercial or other non-residential buildings.

The content of this article is intended to provide a general guide to the subject matter and is not legal advice. Specialist advice should be sought regarding your specific circumstance.



ASSIGNING & SUBLETTING RENTAL UNITS¹¹

There are times when a tenant may need to move out of their home, either temporarily or permanently before the end of their lease. In this situation, a tenant may want someone else to take over their lease, either temporarily or permanently.

Permanently Moving Out (Assignment of the Rental Unit):

If the tenant wants someone else to take over their lease permanently, they may consider assigning their rental unit to someone else. If they have someone in mind whom they will assign their lease to, that is referred to as a “specific request” and the person who will be taking over the rental unit is referred to as “the potential assignee”. If the tenant does not have anyone particular in mind, it is referred to as a “general request”. The tenant may assign their rental unit to another person if they obtain the landlord’s consent. Whether the request to assign the rental unit is a general request or a specific request, the landlord may either consent to the assignment of the rental unit or they may refuse to consent to the assignment of the rental unit. However, in the case of a “specific request”, the landlord may also agree to the assignment of the rental unit to the potential assignee, or they may consent to the assignment of the rental unit but may refuse to consent to the assignment to the specific assignee. While the landlord may or may not consent to the assignment (either generally or to a specific person), the landlord may not arbitrarily or unreasonably refuse to consent to the assignment. If the tenant asks the landlord to consent to the assignment of the rental unit and the landlord either refuses to consent to the assignment or does not respond (one way or the other) within seven days after the request is made, the tenant may give the landlord a notice of termination of the tenancy within 30 days after the date the request is made.

¹¹[https://mailchi.mp/23d67251f25c/subletting-or-assigning-your-rental-unit-](https://mailchi.mp/23d67251f25c/subletting-or-assigning-your-rental-unit-8901553?e=cedb78c1b4)

[8901553?e=cedb78c1b4](https://mailchi.mp/23d67251f25c/subletting-or-assigning-your-rental-unit-8901553?e=cedb78c1b4)



Temporarily Moving Out (Subletting the Rental Unit):

If the tenant wants someone else to take over their lease temporarily, and the tenant plans on returning to live in the rental unit prior to the end of the tenancy agreement, they would need to sublet their rental unit to someone else. The tenant may sublet their rental unit to another person if they obtain the landlord’s consent. As is the situation with assigning a rental unit, a landlord may not arbitrarily or unreasonably refuse to consent to the subletting of a rental unit.

If a tenant is renting a home and wants to turn over the rental unit to someone else either temporarily or permanently, they can do so, if they obtain the landlord’s consent. The tenant can either assign the rental unit to another person, (an assignee), in which case the tenant moves out of the rental unit permanently, and the assignee takes over all of the obligations and is entitled to all of the benefits under the tenancy agreement. The tenancy agreement continues with the main difference that the agreement is now between the landlord and the assignee.

If the tenant only plans on moving out for a temporary period and plans to return to the rental unit prior to the end of the tenancy agreement, with the landlord’s consent, the tenant can sublet the rental unit to another person (subtenant). The rental agreement remains unchanged; the tenant remains responsible to the landlord for all of the tenant’s obligations and the landlord remains responsible to the tenant for all of the landlord’s obligations.

In either case, the landlord cannot arbitrarily or unreasonably deny consent; otherwise, the tenant can give a notice of termination of the tenancy within 30 days after the request is made.

Condominium

Residential

Commercial

Rental



NADLAN-HARRIS PROPERTY MANAGEMENT INC.

500 Champagne Drive, Toronto, ON M3J 2T9

AN ACMO 2000 COMPANY



We are a team of dedicated experts, specializing in professional property management of:

- High-Rise/Low-Rise Condominiums
- Residential/Commercial/Industrial
- Town Home Condominiums
- New Condominium Development Consulting
- Customized Community Websites
- Shared Facilities

p(/ f!..c/!JQ

Proud members of: **p(/ 1-, C::MQ CCI**

Tel: 416-915-9115 Ext. 25 Fax: 416-915-9114 Email: info@nadlan-harris.com

www.nadlan-harris.com