

Regulations under Bill 60, *Fighting Delays, Building Faster* *Act, 2025*

Submissions to the Ontario Regulatory Registry

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About CCHR

The Canadian Centre for Housing Rights (CCHR) is Canada's leading registered charitable organization working to advance the right to adequate housing. For over 35 years, we have worked tirelessly at the intersection of human rights and housing, providing free services to renters facing evictions and human rights violations to remain housed, providing education and training about housing rights across Canada, and advancing rights-based housing policy through research, policy development, advocacy, and law reform.

Overview

Renters across Ontario are in crisis. They [spend more](#) of their income on housing costs than homeowners, while [earning less](#). [Nearly 25 per cent of Ontario renters are in core housing need](#) (compared to just over six per cent of homeowners), meaning their housing is unaffordable, in need of major repairs, and/or overcrowded. Meanwhile, [economic and no-fault evictions are on the rise](#), so renters are now more likely to lose their homes because their incomes are unable to keep pace with rising rents, or due to landlord factors, such as own use, sale, or redevelopment.

With few affordable housing options available in the private rental market or community housing sector, renters have nowhere else to go when they lose their homes. Recent studies have shown [direct links between evictions and homelessness](#), the [deleterious health impacts of evictions](#), and the [disproportionate experiences of evictions among marginalized groups](#). These trends have contributed to unprecedented levels of homelessness across the province, with [85,000 people experiencing homelessness last year](#) (an eight per cent increase in just one year). While homelessness is above all a moral policy failure, it is also incredibly costly for governments, demanding outsized spending on [healthcare, justice, shelters, and other public services](#) (especially when compared to the cost of building and protecting affordable housing – and the people who live there).

The proposed regulations under [Bill 60, Fighting Delays, Building Faster Act, 2025](#), reflect a troubling shift toward reducing renter protections and expediting evictions at the expense of fairness, due process, and access to justice. If passed, they would reduce the Landlord and Tenant Board's (LTB) ability to consider and respond to individual circumstances, impose financial barriers to renters' participation in the legal process, and create rigid rules that fail to account for the complexities of renters' lives. In the current climate, such changes would almost certainly lead to an increase in evictions and homelessness, putting additional pressure on already strained shelters, hospitals, other social services, and the communities who serve them.

Moreover, the proposed regulations focus almost entirely on improving outcomes for landlords, while significantly reducing access to justice for renters. They would also do little to improve efficiency at the LTB, and in fact, may serve to increase caseloads and delays. The proposed changes would not lead to neutral improvements to LTB processes, but instead reflect a shift

towards prioritizing speed and convenience for landlords over fairness, equity, and access to justice for renters.

In the midst of a growing housing and homelessness crisis, governments should be working to ensure renters have safe, secure, and affordable homes through strong renter protections, equitable access to justice systems, and investments in affordable housing, not accelerating measures that threaten those fundamental human rights. A well-functioning residential tenancy system should balance efficiency with fairness, and recognize that eviction is a severe outcome with long-term consequences.

Following our previous [submission](#) on Bill 60, **CCHR maintains our call for the government to repeal Schedule 12 of Bill 60 and engage in meaningful consultation with renters, advocates, municipalities, and experts across the province on any proposed changes to provincial housing policies.**

However, recognizing the passage of the bill into law, we offer the following recommendations in an attempt to mitigate the harm to renters related to the current regulatory proposals.

Harm Mitigation Measures

Proposed Limits to Postpone Eviction Enforcement

The [proposal](#) to restrict the LTB's ability to postpone the enforcement of eviction orders would significantly constrain one of the Board's most important powers to ensure fair and equitable outcomes for renters. If passed, the proposal would only allow postponements to be granted if they are found to be not "unfair" to landlords or other renters in all eviction cases (both no-fault and at-fault), and if there are "compelling grounds to grant the postponement, after having taken into consideration all of the circumstances" in at-fault eviction cases. This would set an unreasonably high threshold that fails to account for the realities that renters face.

The proposal is particularly concerning, as it would limit the ability of adjudicators to use their discretion to weigh the severe and often irreversible harms of eviction outlined above (including homelessness) against comparatively lesser financial or administrative impacts on landlords. In so doing, it would also contradict the fundamental legal principle of [proportionality](#), which is grounded in international human rights law and ensures that eviction is treated as a last resort.

By distinguishing between no-fault and at-fault evictions, the proposal fails to recognize the very real and pressing affordability challenges facing renters, who are increasingly forced to choose between paying rent and buying groceries and other necessities. It also fails to recognize the myriad challenges that renters could face in the current climate, including sudden loss of income due to illness, job loss, or other socio-economic forces outside of their control. In practice, this proposal would result in more accelerated evictions, even in cases where renters may be actively attempting to secure funds, access rent banks, or resolve disputes, which would nullify the need for the eviction in the first place.

This proposal risks turning eviction enforcement into an inflexible process detached from human consequences and should be rescinded. However, if the regulation is enacted, to mitigate harm, the regulation should instead:

- Require adjudicators to explicitly prioritize the prevention of homelessness.
- Require adjudicators to apply a proportionality framework to ensure eviction is always treated as a last resort and all reasonable alternatives are considered.
- Require adjudicators to consider hardship factors in a structured way that take into account the risk of homelessness related to individual and broader socio-economic factors.
- Remove thresholds such as “compelling grounds” and “unfairness” to the landlord that unduly limit discretion.
- Remove the distinction between at-fault and no-fault evictions.

Proposed Limits to Set Aside Eviction Orders

The [proposal](#) to restrict the LTB’s ability to set aside eviction orders is fundamentally at odds with the principles of natural justice. If passed, the proposal would only allow the LTB to issue a set aside if they are satisfied that it would not be “unfair” to do so. Importantly, the proposal would prohibit the consideration of a change in the renter’s circumstances as a reason to issue a set aside.

The set-aside mechanism exists precisely to correct decisions made without full participation or where circumstances have materially changed, such as when renters secure funds, obtain legal assistance, or resolve underlying issues after an order is issued. Preventing adjudicators from considering these developments would result in avoidable evictions, even where the original basis for eviction no longer exists.

Furthermore, marginalized renters with limited access to legal information and advice might sign agreements to vacate their homes under duress and/or with limited or incorrect information about their rights. Limiting the LTB’s set-aside power would ignore these systemic power imbalances between landlords and renters and may lead to increased evictions based on so-called “consent” that was neither truly informed nor voluntary.

Moreover, the vague requirement that granting a set aside must not be “unfair” risks being interpreted in a way that prioritizes landlord convenience over renters’ rights. A fair system must allow decisions to be revisited when new, relevant information emerges, particularly where the consequence is the loss of housing and risk of homelessness.

To ensure that substantial justice, not procedural rigidity, remains the guiding principle in eviction-related decisions, this proposal should be rescinded. However, if the regulation is enacted, to mitigate harm, this proposal should instead:

- Ensure adjudicators retain broad discretion to consider changes in a renter’s circumstances to preserve meaningful access to set-aside remedies.

Proposed Timeframe to Pay Arrears Before Raising Issues

The [proposal](#) requiring renters to pay alleged arrears to raise issues during a hearing would introduce a deeply inequitable barrier to justice. If passed, the proposal would require renters to pay 50 per cent of alleged arrears claimed by the landlord at least seven days ahead of the hearing in order to raise issues. This would effectively create a “pay-to-be-heard” system that would prevent low-income and other marginalized renters (who are the least able to afford such payments) from raising legitimate concerns.

Under this proposal, renters facing serious maintenance issues, illegal rent increases, and/or landlord misconduct would be silenced unless they could meet a significant and unproven financial threshold on short notice. This would undermine the integrity of the adjudicative process and risk allowing unlawful and harmful landlord behavior to go unchallenged. It would also ignore the reality that arrears amounts are often disputed, and that renters may be entitled to abatements or offsets that would reduce or eliminate the claimed debt.

In addition, this requirement would result in significant administrative and judicial inefficiencies at the LTB, contradicting the stated goal of the regulatory changes. Renters who cannot afford the threshold payment but have legitimate concerns would be forced to file separate applications to have their cases heard. This would result in multiple proceedings where different adjudicators may hear cases involving the same parties and the same context. This would further exacerbate the LTB backlog and potentially increase the number of reviews and appeals. Further, limiting the chance to “set-off” rent arrears against renter claims during a single hearing might result in enforcement hurdles where both parties resort to small claims court for enforcement, which would add unnecessary pressure on the broader provincial legal system.

Conditioning participation on payment directly undermines legal principles of basic fairness, presumption of innocence, and access to justice. This proposal would set a dangerous precedent and should be rescinded. However, if the regulation is enacted, to mitigate harm, the proposal should instead:

- Enable renters to contest alleged arrears prior to the hearing and allow renters to raise issues without paying arrears ahead of the hearing.
- Require landlords to provide sufficient evidence proving any alleged arrears ahead of the hearing and dismiss applications that do not do so.
- Align timelines for hearings related to landlord and renter applications.
- Ensure renter applications are heard at the same speed as landlord applications.

Proposed Rules to Define “Persistent” Late Rent Payment

The [proposal](#) to define “persistent” late payment of rent is overly rigid and fails to reflect the economic realities faced by many renters. If passed, the proposal would define “persistent” late payment of rent as three late payments within a six-month period.

Income instability, delayed benefit payments, and precarious employment conditions frequently result in occasional late payments that do not reflect a renter’s ongoing

inability or unwillingness to pay rent. Automatically classifying three late payments as “persistent” removes necessary discretion from adjudicators and risks triggering eviction proceedings in situations that could be easily resolved through productive communication between the landlord and renter and/or repayment arrangements.

This proposal risks disproportionately impacting low-income renters and those reliant on variable income sources and should be rescinded. However, if the regulation is enacted, to mitigate harm, the proposal should instead:

- Require a sustained pattern of late payments over a longer period of time, combined with consideration of the reasons for lateness and the renter’s overall payment history.
- Apply the rule as a guideline rather than a rigid test, to ensure consideration for individual and systemic circumstances.
- Enforce penalties on landlords who intentionally cash payments late, refuse a method of payment, and/or claim a payment was late due to processing delays, including by dismissing applications, imposing fines, and/or requiring abatement of rent to the renter.

Proposed Timeframe for Occupancy for Landlords’ Own Use Evictions

The [proposal](#) to require landlords to move into a unit within a certain amount of time following an own-use eviction is a step in the right direction. However, it is insufficient to address the widespread misuse of own-use evictions. If passed, the proposal would require the landlord or their family member/caregiver to move into the unit within 60 days and establish a presumption of bad faith if they fail to do so.

Bad faith own-use evictions help spur the [financialization of housing](#), wherein housing is treated as a commodity to maximize profits, rather than as a basic need and fundamental human right. A 60-day occupancy requirement would not prevent landlords from occupying a unit briefly before re-renting it at a higher price, which would undermine the intent of the law and displace renters unnecessarily. The current penalties for such tactics are often seen as the cost of doing business and do not provide a meaningful deterrent.

Moreover, the proposal would put the onus on renters to prove whether the landlord acted in bad faith, which would also add to the caseload at the LTB.

To mitigate harm, the proposal should instead:

- Retain the requirement that the landlord or related person must occupy the unit for at least 12 months.
- Shift the onus of proof of occupancy onto landlords.
- Limit the ability of adjudicators to make exceptions based on the “specific facts of the case.”
- Increase penalties for bad-faith evictions.
- Increase renter compensation for no-fault evictions (or at an absolute minimum, retain the current compensation requirement of one month’s rent).
- Maintain a rental registry to track rental ownership, rent prices, and property conditions.

Conclusion

In the midst of an escalating housing and homelessness crisis, CCHR, alongside partners and community members across the province, are calling on the government to champion evidence- and human rights-based solutions to ensure that everyone in Ontario has access to safe, secure, and affordable housing that meets their needs. The proposed regulatory changes risk undermining fundamental principles of fairness, access to justice, and housing stability. Rather than restricting the discretion of the LTB and imposing new barriers on renters, we call on the government to:

- **Strengthen eviction prevention measures, including by implementing strong rent regulation (e.g., re-introducing vacancy control, removing the November 2018 exemption, and restricting above guideline rent increases) and establishing a [provincial rent bank program](#).**
- **Enhance procedural protections, including by upholding the principles of fairness, access to justice, and equity, and recognizing the power imbalance between landlords and renters.**
- **Empower adjudicators to make decisions that reflect the full context of each case and ensure eviction is always treated as a last resort.**
- **Build and protect deeply affordable and supportive non-market housing.**
- **Provide meaningful opportunities for engagement with renters, advocates, municipalities, and experts across the province.**

With a deep and long history advocating for the right to housing in Ontario, CCHR is ready to work with the government, opposition parties, and community partners to implement solutions that address the root causes of the housing and homelessness crisis and uphold the right to housing for all.

Sincerely,



Margaret Flynn

Director of Policy, Research, and Law Reform
Canadian Centre for Housing Rights (CCHR)

CC:

- Hon. Doug Ford, Premier
- Hon. Rob Flack, Minister of Municipal Affairs and Housing
- Hon. Graydon Smith, Associate Minister of Municipal Affairs and Housing
- Hon. Doug Downey, Attorney General
- Hon. Michael Tibollo, Associate Attorney General
- Marit Stiles, Leader of the Official Opposition
- Catherine McKenney, Official Opposition Critic for Housing
- Kristyn Wong-Tam, Official Opposition Critic for Attorney General
- John Fraser, Liberal Leader in the Legislature
- Adil Shamji, Liberal Critic for Housing
- Lee Fairclough, Liberal Critic for Homelessness
- Lucille Collard, Liberal Critic for Attorney General
- Mike Schreiner, Leader, Green Party of Ontario
- Aislinn Clancy, Deputy Leader, Green Party of Ontario