

## Are you a tenant under the Residential Tenancies Act?

**IMPORTANT:** The legal information contained in this sheet is intended to help you understand who a tenant under the Residential Tenancies Act is. **It is not intended to serve as legal advice or to replace the guidance of a lawyer.**

The *Residential Tenancies Act (RTA)* sets **rights and responsibilities** for residential tenancies, including rent, maintenance, and repairs. It provides **protections to tenants**. Disputes may be resolved by the Landlord and Tenant Board (**LTB**).

### TENANT AND LEASE

#### Key points

A **tenant** is defined as a person who occupies, or has the right to occupy, a rental unit under a lease or with the landlord's agreement, according to the **Residential Tenancies Act (RTA)**.

The person may rent an apartment, a condo, a house, a room in a house, etc.

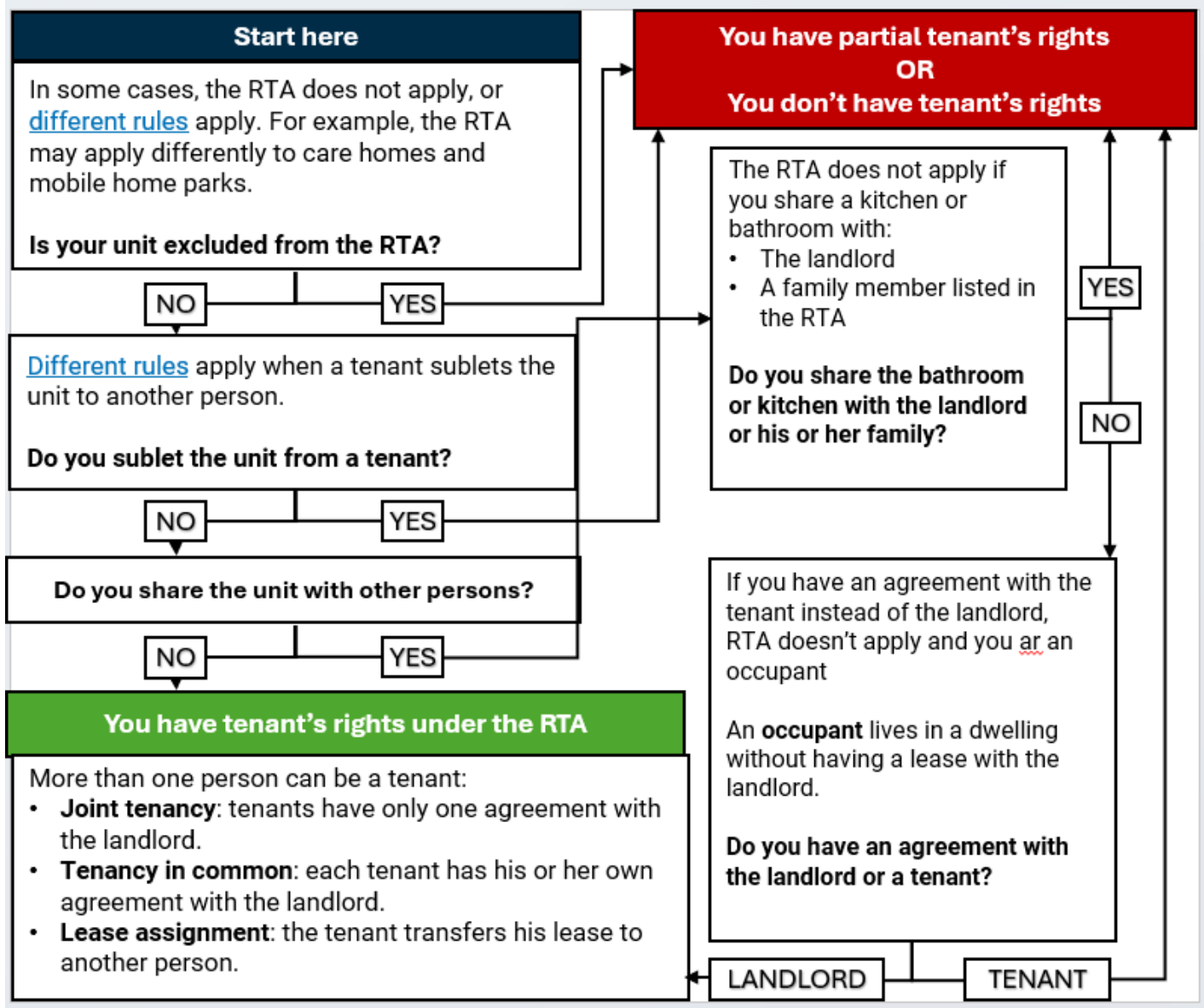
Since **April 30, 2018**, a written **lease** is required for all new residential rentals in Ontario. This helps clarify the rights and responsibilities of tenants and landlords.

Even if a person has not yet signed a lease but lives in the rental unit with the landlord's agreement in exchange for rent, they are considered a tenant.

#### RESOURCES

- [Brochure: A Guide to the Residential Tenancies Act](#): This guide is a summary of Ontario's RTA.
- [Do you share rental housing?](#): This tool can help you figure out what laws might apply to you.
- [Landlords, Tenants, Occupants and Residential Tenancies](#): Interpretation Guidelines assist the parties in understanding the LTB's usual interpretation of the law.

This **chart** helps determine if you have tenant's rights under the **RTA**.



**Note: The Landlord and Tenant Board resolves disputes between tenants and landlords.**

## NON-TENANTS

### Remedies

In Ontario, if you are not a tenant under the **RTA**, other options may be available, for example:

- **Small Claims Court:** For claims of \$50,000 or less, including requests for the return of belongings.
- **Superior Court of Justice:** For civil claims over \$50,000, for the return of belongings valued over \$50,000, and for other civil claims not handled elsewhere.
- **Human Rights Tribunal:** For cases of discrimination or failure to accommodate under the *Human Rights Code*.

**Important:** Legal advice is required to confirm the **RTA**'s application and to identify different options available to your case.

The **Legal Information Centre of Ontario** offers free confidential legal information and referral services in English and French to anyone with a legal problem who is located in Ontario. **Book an appointment [online](#) or call us at 1 (844) 343-7462** (toll-free) for a 30-minute legal information meeting.



Ministère de la Justice  
Canada

Department of Justice  
Canada



**The Law  
Foundation  
of Ontario**

*Advancing access to justice*