

# TENANT TIP SHEET

## HAVING GUESTS IN YOUR HOME



Under the Residential Tenancies Act (RTA), tenants in Ontario are permitted to invite or allow guests to stay at their home. However, there may be legal consequences of having guests in your unit. In some cases, it could lead to a notice to end your tenancy. Learn your rights and what you can do to avoid potential legal problems.

### YOUR RIGHTS

- If you've invited or allowed someone into your rental unit or residential complex, you are responsible for their actions.
- Your landlord does not have the right to decide who you invite into your home, when you invite them into your home, or how long they stay. If your landlord attempts to control or restrict who you invite into your home, this may amount to harassment.
- You are entitled to your right to privacy and are not obligated to inform your landlord every time a guest stays over or moves in. Your landlord cannot charge for overnight guests.
- Your landlord does not have the right to charge extra fees or increase your rent because a guest is staying with you (e.g. overnight guests).
- \*If you live in subsidized government housing, there may be exceptions to some of these rights.

### GUESTS IN YOUR HOME

- The law does not prevent you from allowing guests to stay at your home temporarily or indefinitely. However, there may be consequences to doing so.
- If your guest causes damage to the property, the landlord is allowed to hold you responsible. This may result in eviction or and/or payment of compensation to replace or repair the damages.



- You are responsible for your guest's actions while on premises, e.g. disturbance of the reasonable enjoyment of other long term guests/occupants.
- Tenants and landlords should also be mindful of occupancy limits so as to not cause the living arrangement to fall out of code.

### SUBLETTING WITHOUT LANDLORD PERMISSION

- Subletting is when the original tenant rents the unit to someone else (a subtenant) for a specific period of time. Your name stays on the lease, but a separate legal agreement will be made with the person subletting and the landlord.
- You cannot sublet without your landlord's permission as the landlord would be subject to significant liability concerns.
- If your landlord finds out you have been subletting the property without their permission, they can file to terminate your tenancy and to evict you and your subtenant.
- You are still responsible to your landlord for the actions of your subtenant during the sublet period.

### WHAT YOU CAN DO

- Avoid inviting guests who may cause problems.
- Check your local by-laws for occupancy limits
  - Waterloo: Call 519-747-8785, TTY (for deaf) 1-866-786-3941
  - Kitchener: Call 519-741-2345
  - Cambridge: Call 519-623-1340 ext. 7907
- Learn more about shared living arrangements: [www.cleo.on.ca/english/roommates](http://www.cleo.on.ca/english/roommates)
- If your landlord is threatening to evict you because of damages caused by your guest, visit [www.cleo.on.ca/en/publications/tenantsaccess/eviction](http://www.cleo.on.ca/en/publications/tenantsaccess/eviction) for next steps.

Get **free** legal advice regarding guests in your home and how to enforce your right by contacting:



450 Frederick St. #101, Kitchener ON N2H 2P5

Phone: 519-743-0254 or Online Contact Form found at: [www.wrcls.ca](http://www.wrcls.ca)

