

# LEGAL REQUIREMENTS FOR HEATING AND COOLING



## COOLING

Your landlord does not have to provide air conditioning as it's not considered a "vital service". However, air conditioning may be included in your rental agreement at an additional fee.

## HEATING

Your landlord cannot interfere with or withhold the supply of a vital service, which includes heat. If this occurs, contact the RHEU (Rental Housing Enforcement Unit) to make a complaint as soon as possible. Get the complaint number and follow up as instructed.

Your landlord must make sure the heating is working and that your unit is warm enough. Depending on where you are in Ontario, the temperature of your unit must be 20-21°C all year round.

## NEXT STEPS

### STEP 1: TELL YOUR LANDLORD ABOUT THE PROBLEM

- If your unit is too cold because of problems like poor maintenance, poor insulation in the walls or drafty windows, you may have a maintenance issue that the landlord is required to address.
- See our [Repairs & Maintenance Tenant Tip Sheet](#).
- If there is a problem with the heating in your unit, immediately tell your landlord what is wrong and ask to have the problem fixed.
- Take notes of when you talked to your landlord and what you both said.
- You should also take notes of the temperature at different times during the day and night.
- Speak to the other tenants in your building and see if they have had similar problems. If you are experiencing similar problems, you may want to work together.
- If your landlord does not fix the problem as soon as possible, send a letter (or email) to them and keep a copy for yourself. Continue to pay your rent while your landlord works on repairing the problems.
- You can use the *Repair Request Form for Tenants* on [www.stepstojustice.ca](http://www.stepstojustice.ca)
- Your hydro cannot be disconnected during the winter (from November 15-April 30) even if there is an unpaid balance.
- If the utility company shut off the supply, contact them to ask why. Make notes about who you spoke to, when, and what they said. If your landlord had told them to turn it off, ask the company to provide you a letter stating this.

## STEP 2: MAKE A COMPLAINT

If your landlord told the utility company to shut it off:

- Contact the Rental Housing Enforcement Unit (RHEU) at 1-888-772-9277 and make a complaint as soon as possible.
- Ask for the complaint number and follow up as instructed.

## STEP 3: CALL AN INSPECTOR

If your landlord does not fix the problem, you can call:

- Your local by-law department or property standards department
- Your town or city hall
- Your municipal office

Many cities, towns and municipalities have inspectors who can order your landlord to fix the heating problems. If an inspector makes an order, ask for a copy of this for your records.

## STEP 4: APPLY TO THE LANDLORD AND TENANT BOARD

- You can apply to the Landlord and Tenant Board if your landlord is still refusing to fix the problem. (The LTB makes decisions for disputes between tenants and landlords.)
- After you apply to the LTB, they will schedule a hearing where you and your landlord can explain the problem to a Board member.
- Before this hearing, you and your landlord may be able to mediate the problem in front of a dispute resolution officer. This is an option only when all parties are willing.
- At the hearing, it is up to you to convince the Board member about the problem. It is important that you bring evidence to your hearing, e.g. witnesses, photos, audio or video recordings, inspectors' reports, work orders, letters, notes, and anything that can help you prove your case.

Get **free** legal advice to see if your unit is covered under the RTA 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)

