

Scenario # 1

“But my brother did it !”

A landlord (Joe) rents an apartment to a young man (Bob) for \$500 a month. They go through the apartment and sign the rental agreement. Joe gives a copy of the signed rental agreement to Bob. They do not complete a move-in checklist, but both agree that the apartment is in perfect condition.

A couple of months later, Bob’s wages get cut and now he cannot afford to pay the rent himself. So he allows his brother to stay with him even though the rental agreement says that only Bob is to live there. There is an extra bedroom and Bob charges his brother \$200 a month, which helps Bob pay the rent.

When Bob goes out of town one weekend, his brother has a party and the police are called. Bob gets a call on Monday morning at work from the landlord Joe, telling him not to have any more parties. Bob says “ I didn’t have a party. I wasn’t even home on the weekend. My brother must have had the party.”

Joe tells Bob that he could be evicted because he let his brother move in without permission. Bob gets angry, telling Joe it is his place and he can let anyone he wants live there. The next day he gets an eviction notice from the landlord.

Questions:

- 1. Why is Bob being evicted?**
- 2. Is the landlord allowed to evict Bob for letting his brother live with him?**
- 3. Who is responsible for the trouble caused by the party the brother had on the weekend? Bob? Or his brother?**
- 4. What could Bob have done differently to avoid the eviction notice?**

Scenario # 2

“Strike 3....uh....Strike 6”

A landlord (George) rents out an apartment to a young woman (Jane) and her children. George asks Jane if she thinks she can afford the rent of \$1,200 per month as he thinks it may be too high for her to manage. Jane says she can manage the rent, so they do a rental agreement and a moving-in checklist. As with most rental agreements, she must pay the rent by the last day of the month for the following month. Jane moves in.

Not long after, Jane’s car breaks down and she has to buy another second hand car. This means she cannot afford the rent because of her car payments. But she does some extra casual bar-tending work in the evening and manages to pay the rent by the 8th of the month. Six months go by with her paying the rent late each month, although she does manage to pay it eventually.

One day she gets an eviction notice. She doesn’t understand why because she has always paid the rent each month. Jane disputes the eviction notice in court and loses. She is evicted and now has a bad tenant history which will make it harder to rent again.

Questions:

- 1. Is it legal for George to evict Jane?**
- 2. Why did George evict Jane?**
- 3. What could Jane have done that might have prevented the eviction?**

Scenario # 3

“Pipe Gripes”

Jane has been renting her apartment for about a year. The building seems to be well maintained and manager is friendly and helpful. It is close to her child’s daycare and work. She is happy that she signed a lease. A few months ago, there was a clog in her toilet because a babysitter had been flushing diapers. When she reported the problem to the manager, he suggested that they try using a plunger. If that did not work, he would need to call a plumber, as plumbing is not part of the manager’s regular maintenance duties. A plumber was needed and Jane had to pay the \$120 for rooting out the pipes. Money she could not afford.

This week she lost her engagement ring down the kitchen sink drain. She was very upset about losing the ring and also that she might have to pay another plumbing bill. Jane called her best friend whose boyfriend, Doug, does a lot of his own home repairs. Doug came over to investigate and said yes that he could open the trap easily and he found her ring! However, while putting the pipes back together, he cracked one of the pipes. Doug patched it up with tape and silicone glue.

However, there was a slow leak, which Jane did not discover until a few months later. It caused the ceiling in the apartment below hers to rot and fall apart. The landlord discovered that it was Jane’s faulty kitchen pipes and that these pipes had been “tinkered with”. The landlord told Jane she had to pay to fix both the plumbing and the ceiling in the apartment below. Jane thinks this is unfair.

Questions:

- 1. Is the landlord being unfair? Shouldn’t insurance cover the cost for building repairs?**
- 2. Why didn’t Jane report the second plumbing issue?**
- 3. What could Jane have done to avoid her 2 plumbing problems?**
 - a) clogged toilet**
 - b) the kitchen pipe leak**

Preventing Household Clogs is Free

Remember your plumbing system can't handle anything out of the ordinary.

Place trashcans near the toilet: for trash, cotton swabs, wet wipes, and other items that don't belong in the sewer system.

Place mesh catchers over your shower drains to prevent hair from clogging up the pipes.

Common household clogs are a pain. Most of the time they can be prevented by paying a little more attention to what's being put *down the drains* in your home. Test your knowledge by answering the quiz below.

To flush or not to flush?

Common household items

✓ = good to go X = clog

- Disposable Diapers
- Coffee Grounds
- Hot Wax
- Feminine Hygiene Products
- Wet Wipes
- Paint
- Pesticides
- Fertilizers
- Flower Gel
- Grease
- Cooking Oil / Salad Oil
- Scraps of Food
- Motor Oil
- Antifreeze

Scenario Answers

1. *“But ... my brother did it !”*

A landlord (Joe) rents an apartment to a young man (Bob) for \$500 a month. They go through the apartment and sign the rental agreement. Joe gives a copy of the signed rental agreement to Bob. They do not complete a move-in checklist, but both agree that the apartment is in perfect condition.

A couple of months later, Bob’s wages get cut and now he cannot afford to pay the rent himself. So he allows his brother to stay with him even though the rental agreement says that only Bob is to live there. There is an extra bedroom and Bob charges his brother \$200 a month, which helps Bob pay the rent.

When Bob goes out of town one weekend, his brother has a party and the police are called. Bob gets a call on Monday morning at work from the landlord Joe, telling him not to have any more parties. Bob says “I didn’t have a party. I wasn’t even home on the weekend. My brother must have had the party.”

Joe tells Bob that he could be evicted because he let his brother move in without permission. Bob gets angry, telling Joe it is his place and he can let anyone he wants live there. The next day he gets an eviction notice from the landlord.

Questions:

1. Why is Bob being evicted?

Suggested Answer:

Bob is being evicted because he let his brother live there without the permission of the landlord. In the tenant-landlord agreement, it will say who can live in the apartment. No one else can move in without the permission of the landlord. If the landlord does allow someone else to move in, he is allowed to charge a higher rent for the unit.

The party is a problem as well. Bob is responsible for any problems caused by anyone in his apartment and can’t say he was not responsible because he was

not home. But the **main problem** is that he allowed someone else to live there without permission.

Tenants can have short term visitors stay with them, but this can be only short visits. Some tenancy agreements will say how long a visit can be.

2. Is the landlord allowed to evict Bob for letting his brother live with him?

Suggested Answer:

He is absolutely allowed to evict him for this.

3. Who is responsible for the trouble caused by the party the brother had on the weekend? Bob? Or his brother?

Suggested Answer:

A tenant is responsible for anything anyone does in his suite unless someone broke in and did damage and the tenant laid charges against them with the police. He is responsible for anything, children, pets, relatives or friends do in his suite, even if he is not home at the time.

4. What could Bob have done differently to avoid the eviction notice?

Suggested Answer:

Bob could have talked to the landlord and told him that he needs his brother to stay with him to help with the rent. There is enough space with the extra bedroom. The landlord has the right to allow this or not allow it. He may want references for the brother before he agrees and he may increase the rent for the suite because there is an extra person living there. However, the landlord does have the right to refuse, in which case the brother cannot stay and Bob will need to find someone else agreeable to the landlord -- or -- come up with the rent money some other way.

2. “Strike 3....uh....Strike 6”

A landlord (George) rents out an apartment to a young woman (Jane) and her children. George asks Jane if she thinks she can afford the rent of \$1,200 per month as he thinks it may be too high for her to manage. Jane says she can manage the rent, so they do a rental agreement and a moving-in checklist. As with most rental agreements, she must pay the rent by the last day of the month for the following month. Jane moves in.

Not long after, Jane’s car breaks down and she has to buy another second hand car. This means she cannot afford the rent because of her car payments. But she does some extra casual bar-tending work in the evening and manages to pay the rent by the 8th of the month. Six months go by with her paying the rent late each month, although she does manage to pay it eventually.

One day she gets an eviction notice. She doesn’t understand why because she has always paid the rent each month. Jane disputes the eviction notice in court and loses. She is evicted and now has a bad tenant history which will make it harder to rent again.

Questions:

1. Is it legal for George to evict Jane?

Suggested Answer:

Yes it is legal for George to evict Jane. Tenants are not allowed to be frequently late with rent. They can be evicted immediately if they have not paid by the 15th of the month. If they are repeatedly late with the rent over time, they can also be evicted.

2. Why did George evict Jane?

Suggested Answer:

She was evicted because she was repeatedly late paying her rent.

3. What could Jane have done that might have prevented the eviction?

Suggested Answer:

Jane could have talked to her landlord and explained what happened with her car and that she took extra casual work to pay the rent, but that it takes until the 8th of the month to make enough extra money to pay the rent. The landlord may agree to allow her the extra time if he knows why she is late, but he has the right not to allow this. Landlords also have deadlines on when they must pay their bills and he may need the money by the beginning of the month. If he does not allow this, she will need to find another way to have the money she needs for the full rent when it is due at the beginning of the month. She may be able to look at her budget and find somewhere in it that she can save some money for the beginning of the month, or she may be able to talk to a budget counsellor to help with ideas. She may be able to change the timing of when the car payments are due.

3. “Pipe Gripes”

Jane has been renting her apartment for about a year. The building seems to be well maintained and manager is friendly and helpful. It is close to her child’s daycare and work. She is happy that she signed a lease. A few months ago, there was a clog in her toilet because a babysitter had been flushing diapers. When she reported the problem to the manager, he suggested that they try using a plunger. If that did not work, he would need to call a plumber, as plumbing is not part of the manager’s regular maintenance duties. A plumber was needed and Jane had to pay the \$120 for rooting out the pipes. Money she could not afford.

This week she lost her engagement ring down the kitchen sink drain. She was very upset about losing the ring and also that she might have to pay another plumbing bill. Jane called her best friend whose boyfriend, Doug, does a lot of his own home repairs. Doug came over to investigate and said yes that he could open the trap easily and he found her ring! However, while putting the pipes back together, he cracked one of the pipes. Doug patched it up with tape and silicone glue.

However, there was a slow leak, which Jane did not discover until a few months later. It caused the ceiling in the apartment below hers to rot and fall apart. The landlord discovered that it was Jane’s faulty kitchen pipes and that these pipes had been “tinkered with”. The landlord told Jane she had to pay to fix both the plumbing and the ceiling in the apartment below. Jane thinks this is unfair.

Questions:

2. Is the landlord being unfair? Shouldn’t insurance cover the cost for building repairs?

Suggested Answer:

No he is not being unfair since the repairs she had done without his permission caused the damage. He has the right to claim any costs from Jane regardless of whether he has insurance for this or not. If he does, he will be paying a high cost for this insurance, likely have to pay a deductible that insurance will not

cover; also, if there are any claims against the insurance, the cost of his insurance will go up.

If Jane had bought tenant guard insurance with liability coverage, it would have paid the cost of the damages. The liability coverage would cover her responsibility for damage to the landlord's property. She would still have had to pay the deductible, but that would have been less than the full cost of repairs.

2. Why didn't Jane report the second plumbing issue?

Suggested Answer:

Jane did not want to have to pay any repair costs. If she had reported it to the landlord, he would likely have hired a plumber and charged Jane for the costs. However, if the repairs had not been done properly and caused more problems later, it would have been his responsibility, not Jane's. A tenant always need to tell a landlord about problems that need repairs and not do any repairs that could cause problems later. Plumbing and electric repairs to the building or appliances are always better to be done by the landlord.

3. What could Jane have done to avoid her 2 plumbing problems?

a) clogged toilet b) the kitchen pipe leak

Suggested Answer:

a) Jane could have avoided the clogged toilet drain but making sure that people using it knew not to flush anything that could clog a toilet (see the list in the handouts). Perhaps she could have put up a sign in the bathroom if she has other people using her bathroom.

b) Jane could have avoided taking off her rings or putting them down anywhere near sinks where there would be a risk of them falling into the drain. She could have told the landlord that she had dropped her ring in the kitchen sink and left the responsibility for opening the trap to him or a plumber. Then she would not have had any responsibility if it had not been done properly. Doing anything with plumbing or electricity is risky for tenants and should be left to the landlord.

Quiz Answers

Preventing Household Clogs is Free

Suggested Answer:

Oh, sorry.....that was rather a tricky quiz.

The entire list should be checked off as **Not to Flush**.

- How many items did participants mark with a ✓ ? Show of hands?
Which ones?
- Here's a great opportunity to discuss uncertainties and any good home preventative measures.
- Take some time to mention recycling programs for some of these products, such as paint and oil.
- Note: certain toilet paper products are advertised as particularly soft or fluffy – many rental properties will ask you NOT to use those products as they may cause clogging.