



Illegal Lockouts

**Can my
landlord
lock me out?**

It is illegal for your landlord to lock you out of your unit. You cannot be forced to move out unless your landlord has a legal reason to end the tenancy **and** your landlord has applied for, and received, an eviction order from the Landlord and Tenant Board (the Board). An eviction order is a Board order that tells you that you must move out of your unit.

**Who can
legally force
me out of
my unit?**

In most cases, a landlord is required to give a tenant a Notice of Termination. Then, if the tenant doesn't leave as requested, the landlord must file an application with the Board for an eviction order. The tenant is required to move out only if the Board decides that the tenant must be evicted and the Board issues an eviction order.

If the Board issues an eviction order and the tenant doesn't leave on their own by the date stated in the eviction order, the landlord must file the order with the Court Enforcement Office (Sheriff) to have the Sheriff come to make sure that the tenant leaves the rental unit. The Sheriff is the only person who is allowed to force a tenant to move out of their unit.

**What can I do
if my landlord
locks me out
of my unit?**

If your landlord locks you out or evicts you illegally, you can:

- **Call the Police**

If you need immediate or emergency assistance, call the police. It helps if you have identification to prove your address. The police may be able to get your landlord to let you back into your unit.

- **Call the Investigation and Enforcement Unit (IEU) of the Ministry of Municipal Affairs and Housing**

After talking with you, a Compliance/Customer Service Officer may call the landlord and inform them of the law. Sometimes this will resolve the problem. If the landlord does not cooperate, an investigation may be started and the landlord may be taken to court.

What can I do if my landlord locks me out of my unit?
(continued)

In the Greater Toronto Area (GTA), the phone number for the IEU is **416-585-7214**, and if you're calling from outside the GTA, you can call the toll-free number at **1-888-772-9277**. Staff members are available to speak with you, **Monday to Friday from 8:30 a.m. to 4:30 p.m.**

What else can I do if my landlord locks me out of my unit?

- **File an application with the Board**

You can file an **Application About Tenant Rights** (Form T2) with the Board for an order requiring your landlord to let you back into your unit and continue your tenancy. There is no fee for this application. *(See “**Filing an application to get back into your unit**” below for more information).*

- **Get legal advice**

You can talk to a lawyer, someone at a legal clinic, or a paralegal who can give you advice on what you should do if you have been locked out. You can find a list of legal clinics on our website in the **Other Help** section or you can call the Board.

Getting Back into the Rental Unit

Filing an application to get back into your unit

If you have been illegally locked out or evicted by your landlord, you can file the **Application About Tenant Rights** (Form T2) to ask the Board for an order requiring your landlord to let you back into your unit and continue your tenancy. It is important that you act quickly, as it will be much more difficult to get back into your unit if the landlord rents it to someone else before your hearing.

You should also fill in the **Request to Extend or Shorten Time** form to ask for an urgent hearing if you want to move back into your unit. *(See “**How do I ask for an earlier hearing date?**” on page 3 for more information).*

How do I file an application?

You can fill out the **Application About Tenant Rights** (Form T2) and file it with the Board either in person, by fax or by mail. You can get this application and the instructions on how to complete it at any Board office or from our website.

What happens when I file my application?

When you file the completed application to the Board, staff will schedule a hearing. The Board schedules a hearing as soon as possible, but your hearing date may not be for several weeks.

If your situation is urgent, you can ask for an earlier hearing date by filling out a **Request to Extend or Shorten Time**. *(See “**How do I ask for an earlier hearing date?**” on page 3 for more information).*

How do I ask for an earlier hearing date?

If your situation is urgent and you need an earlier hearing date, you can ask that the time to hearing be shortened. Staff will give you a form called **Request to Extend or Shorten Time**. This form is also available on our website.

On the form, you will need to explain why your situation is urgent. When you file this request, a Member of the Board will decide whether or not to give you an earlier hearing date. The decision is made as quickly as possible, sometimes even on the day that you file your request.

On this form you may also ask that the Board make an interim order preventing the landlord from renting the unit to anyone else before the hearing is held.

Giving a copy of the application and Notice of Hearing

Generally the Board will send a copy of the application and the Notice of Hearing to you and the other parties to the application. However, if the Board is able to schedule your hearing for an early hearing date, the Board will order you to serve the application and Notice of Hearing on your landlord. Board staff will give you two copies of the Notice of Hearing which sets out the time, date and location of your hearing, as well as two copies of your application. You should keep one copy of both the Notice of Hearing and your application for yourself. The second copy is for you to give to your landlord.

It is important that you give the landlord (or their representative) copies of both the Notice of Hearing and the application right away, the same day if possible. You can do this in several ways such as delivering them by hand, courier or fax. Once you have given the landlord their copy, you must file a completed **Certificate of Service** with the Board explaining how and when you gave these documents to the landlord.

Attending the hearing

At the hearing, the Member will give you the chance to explain your side of the situation. The Member will also allow the landlord the chance to tell their side of the situation. You may bring a lawyer or an agent to represent you, and witnesses to support your case. You should bring extra copies of any documents you want to present.

What can the Member order?

Once the Member has heard what you and your landlord have to say, the Member will consider what was presented and issue an order. The Member may order that the landlord:

- allow you to move back into the rental unit, but only if it is still vacant,
- pay you an abatement of rent (a refund of your rent for the time period that you were locked out of your rental unit),
- pay you compensation for any costs you paid or will pay for property that was damaged or disposed of as a result of the landlord's actions,
- pay you for any other reasonable out-of-pocket expenses you paid or will pay because of the landlord's actions,
- pay to the Board an administrative fine of up to \$25,000, or
- not change any other tenants' locks again unless the law allows them to do so.

The Member may also order:

- that your tenancy be terminated, or
- anything else that may be considered appropriate.

The Member can order one or more of these remedies.

The Member may announce their decision at the end of the hearing, or they may wait and set their decision out in the written order. A copy of the order will be mailed to you and your landlord.

Enforcing the order

If the Member orders your landlord to let you move back into your unit and your landlord does not obey the order, you will need to have the order enforced. This means you will have to apply to the Court Enforcement Office and pay a fee to have the Sheriff come to your unit and make sure that the landlord lets you back in. Again, you will need to act quickly; the order will expire in 15 days. This means that if you do not file it with the Court Enforcement Office during that time, the Sheriff cannot enforce the order and make your landlord let you move back into your unit.

For More Information

Contact the Landlord and Tenant Board

This brochure provides general information only. For more information about the law, or to obtain copies of the Board's forms and publications, you can:

- visit the Board's website at www.LTB.gov.on.ca,
- call the Board at **416-645-8080** or toll-free at **1-888-332-3234**, or
- visit your local Landlord and Tenant Board office. For a list of Board office locations visit the Board's website, or call the numbers listed above.