



## Social Justice Tribunals Ontario

*Providing fair and accessible dispute resolution*

Landlord and Tenant Board

### Form T6

# Tenant Application about Maintenance

### Instructions

- **Section A:** When to use this application..... [p. 1](#)
- **Section B:** How to complete this application..... [p. 1](#)
- **Section C:** What to include when you file your application..... [p. 7](#)
- **Section D:** How to file your application..... [p. 7](#)
- **Section E:** What to do if you have any questions..... [p. 8](#)

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**SECTION****A****When to use this application**

You can use this application to apply to have the Landlord and Tenant Board (LTB) determine whether your landlord:

- has not repaired or maintained the rental unit or the residential complex,
- or**
- has not complied with health, safety, housing or maintenance standards.

If the problem has been fixed, you must apply within one year of the date the problem was fixed.

You can make this application if you are either a **current** or **former tenant**.

**SECTION****B****How to complete this application**

Read these instructions before completing the application form. You are responsible for ensuring that your application is correct and complete. Follow the instructions carefully when you complete the application form.

The information you fill in on the form will be read electronically; therefore, it is important to follow the instructions below:

- Print clearly or type and do not touch the edges of the boxes.
- If there are more boxes in a line than you need, start from the left and leave the extra boxes blank.
- Do not fill in boxes that do not apply to you (for example, if you do not have a fax number, do not fill in boxes in the space marked “Fax Number”).
- If the instructions tell you to shade a box or a circle (for example, circles marked “Yes” or “No”), shade the box or circle completely.

**PART 1: GENERAL INFORMATION****Address of the rental unit covered by this application**

Fill in the complete address of the rental unit, including the unit number (or apartment or suite number) and the postal code.

If the street name includes a direction that will not fit in the five spaces provided (such as Northeast) use the following abbreviations: *NE* for Northeast, *NW* for Northwest, *SE* for Southeast, *SW* for Southwest.



## **PART 2: REASONS FOR FILING THIS APPLICATION**

You can make this application if the landlord has not repaired or maintained the rental unit or the residential complex or has not complied with health, safety, housing and maintenance standards. If the problem has been fixed, you must apply within one year of the date the problem was fixed.

A landlord is responsible for maintaining a residential complex and the rental units in a good state of repair and fit for habitation and for complying with health, safety, housing and maintenance standards. The responsibilities of the landlord of a mobile home park or leasehold community also include maintaining the park roads in a good state of repair, removing snow and garbage and maintaining the water supply, sewage disposal, fuel, drainage and electrical systems in a good state of repair.

### **Explaining your Reasons**

Describe the maintenance problem in detail. Indicate the date the problem started and whether it is ongoing. If the problem was fixed within the last year, indicate the date it was fixed and who fixed it. If you are not sure of the exact dates, provide approximate dates. Explain who and what may have caused the problem.

Also, in the space provided fill in the date you first informed the landlord about the maintenance problem.

## **PART 3: REMEDIES**

There are nine different remedies which the LTB can grant in an order for a *Tenant Application about Maintenance*. If the LTB issues an order in your favour, it may decide to order a different remedy or remedies than you request.

The most the LTB can order based on your claims is \$25,000. If you believe the landlord owes you more than \$25,000, and you want to collect the full amount, you should apply to court and not to the LTB. Once the LTB issues an order, you no longer have any claim to amounts greater than \$25,000.

Shade the appropriate box(es) for the remedy(ies) you want the LTB to include in its order.

**Remedy 1:** The landlord must pay me a rent abatement.

A rent abatement can relieve the tenant from their obligation to pay all or some portion of their rent for a specified period of time.

If you choose this remedy, you must fill in the dollar amount of the abatement you want the LTB to order. You must also fill in the amount of your current rent and how often you pay it (for example, by the month or the week). In the box provided, explain in detail how you determined the amount that you are asking for. Attach additional sheets if necessary.

**Remedy 2:** The landlord must pay me for the costs to repair or replace my property that was damaged, destroyed or disposed of because the landlord did not repair or maintain the rental unit or the residential complex.

If the LTB determines that your property was damaged, destroyed or disposed of as a result of the landlord's failure to repair or maintain the rental unit or residential complex, the LTB can order the landlord to pay you compensation for the costs that you have incurred or will incur to repair or replace your property.

If you choose this remedy, you must fill in the dollar amount of the compensation you want the LTB to order. In the box provided, explain in detail how you determined the amount you are asking for. Describe how your property was destroyed, damaged or disposed of. Also, you must explain whether or not your property can be repaired. If you believe that repairing the property is not reasonable and that it must be replaced, tell the LTB why you think this. Attach additional sheets if necessary.

**Remedy 3:** I had or will have out-of-pocket expenses because the landlord did not repair or maintain the rental unit or the residential complex. The landlord must pay me for these expenses.

If the LTB determines that the landlord did not repair or maintain the rental unit or the residential complex as claimed on your application, and as a result of these actions you experienced or will experience additional costs, the LTB may order the landlord to pay you for any reasonable out-of-pocket expenses (actual costs you paid to third parties) that you have paid or will pay.

Fill in the dollar amount of the compensation you want the LTB to order. In the box provided, describe in detail the additional expenses that you have incurred or will incur and how you determined this amount. Explain how the landlord's failure to repair or maintain the rental unit or the residential complex has caused or will cause you to incur these expenses. Attach additional sheets if necessary.

**Remedy 4:** I did repairs, replacements or other work because the landlord did not repair or maintain the rental unit or the residential complex. I want the LTB to authorize the work I did and to order the landlord to pay me for my costs.

You can choose this option if you did the repair or other work yourself, or purchased a replacement at your own expense because the landlord did not repair or maintain the rental unit or the residential complex and you want the landlord to pay you for these costs. For example, if you paid to have your refrigerator repaired, the LTB could approve the repair and order the landlord to refund you the cost by a specific date. The LTB could also allow you to deduct the amount owing from future rent payments.

If you choose this remedy, shade the box on the form. Indicate the total costs in the space provided. Describe the work you did or the item you purchased and provide a detailed explanation of how you determined the amount you are asking for. Attach additional sheets if necessary.

**Remedy 5:** I want the LTB to allow me to do the repairs, replacement or other work that is necessary and to order the landlord to pay me for my costs.

The LTB can authorize you to do the repair or other work, or to purchase a replacement item and order the landlord to pay you for them. For example, if you are willing to pay to have your refrigerator fixed, the LTB could approve the repair and order the landlord to refund you the cost of the repair by a specific date. The LTB could also allow you to deduct the repair costs from future rent payments.

In the box provided, describe in detail what work you plan to do, how much will it cost and provide a detailed explanation of how you calculated the cost of the repairs, replacement or other work that is necessary. Attach additional sheets if necessary.

**Remedy 6:** I want the LTB to order the landlord to do the repairs, replacement or other work that is necessary.

The LTB can order the landlord to complete the repair, replacement or other work by a specific date. It is an offence for the landlord to contravene such an order.

In the box provided, explain in detail what work you want the landlord to do.

**Remedy 7:** I want the LTB to order that the landlord cannot increase the rent for this rental unit until the landlord completes the work necessary to fix any serious maintenance problems that the landlord has been ordered to do or will be ordered to do.

If you want the LTB to stop the landlord from increasing the rent until the landlord has completed the repairs, replacements or other work necessary to fix any serious maintenance problems, shade this box on the form.

**Remedy 8:** I want the LTB to end my tenancy.

If you want the LTB to end your tenancy, shade this box on the form and indicate the date you would like the tenancy to end.

If you ask for this remedy and the LTB orders it, the LTB may include provisions in its order to evict you if you do not move out by the date set out in the order. This means that if you do not move out, your landlord can file the order with the Sheriff to have you evicted.

**Remedy 9:** I want the LTB to order other remedies.

The LTB can make any other order that it considers appropriate. If you want the LTB to issue an order which provides for remedies that are not reflected in remedies 1 through 8, explain in detail what order you would like the LTB to make in the space provided. Attach additional sheets if necessary.

## **PART 4: SIGNATURE**

If you are the tenant, shade either the circle marked “Tenant 1” or “Tenant 2” depending on whether you filled in your name under “Tenant 1” or “Tenant 2” on page 1 of the form. Then, sign the application form and fill in the date.

If you are the tenant’s representative shade the circle marked “Tenant’s Representative”. Then, sign the application form and fill in the date.

## **REQUEST FOR ACCOMMODATION OR FRENCH-LANGUAGE SERVICES**

The LTB wants to ensure that everyone who uses its services can ask for and receive accommodation and/or French Language services in order to be able to participate in its proceedings on an equal basis.

Shade the appropriate box or boxes on the form to indicate whether you need accommodation under the Ontario *Human Rights Code*, French-language services or both. The LTB will not include a copy of this form when we give the other parties a copy of the application form. However, the information will be included in your application file. The file may be viewed by other parties to the application.

If you require accommodation under the *Human Rights Code*, explain what services you need in the space provided.

## **PAYMENT AND SCHEDULING INFORMATION FORM**

Complete this form to provide the LTB with the information required to process your application. Your application will not be accepted if you do not pay the application fee at the time you file the application. If you owe money to the LTB as a result of failing to pay a fee or any fine or costs set out in an order, your application may be refused or discontinued.

You may request a fee waiver if you meet the financial eligibility requirements set out by the LTB. You will need to complete the *Fee Waiver Form* which is available from the LTB website at [sjto.ca/ltb](http://sjto.ca/ltb). For more information about fee waivers and the eligibility criteria, go to the fee waiver rules and practice direction on the Rules of Practice page of the LTB website.

### **Part 1: Payment Method**

Shade the appropriate box to show whether you are paying by cash, debit card, money order, certified cheque, Visa or MasterCard. You cannot pay by cash or debit card if you are filing your application by fax or mail. If you are paying by credit card, include the cardholder’s name and signature, the card number and expiry date. The information you fill in on this part of the form is confidential. It will be used to process your application, but will not be placed on the application file.

## Part 2: Information Required to Schedule the Hearing

The LTB will normally schedule your hearing between 3 weeks and 6 weeks after the date you file your application. The LTB will schedule your hearing on the first available hearing date within this 3 week period. If there are any dates that you are not available during this 3 week period, list them here. The LTB will not schedule your hearing on the date(s) you indicate you are not available and will schedule your hearing on the next available hearing date. **The LTB will not contact you to schedule a hearing.**

### SECTION

## C

### What to include when you file your application

To file this application, you must include the following:

- The completed T6 application form,
- The application fee (listed on the cover page of the application).

**Your application will be refused if you do not pay the application fee.**

### SECTION

## D

### How to file your application

You can file your application in one of the following ways:

#### 1. e-File

Complete and pay for your T6 application online using [LTB e-File](#).

If you e-File your application you must pay by credit card or debit card.

#### 2. In Person at the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you file your application in person at an LTB office, you can pay the application fee by cash, debit card, certified cheque, money order, Visa or MasterCard.

#### 3. By Mail

Mail your T6 application to the nearest LTB office.

To find a list of LTB [office locations](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you mail your application, you can pay the application fee by certified cheque or money order, Visa or MasterCard.

#### 4. By Fax

You can fax your application to the nearest LTB office.



To find a list of LTB [office fax numbers](#) visit the LTB website at [sjto.ca/ltb](#). You can also call the LTB at 416-645-8080 or 1-888-332-3234 (toll-free).

If you fax your application you can pay the application fee by Visa or MasterCard.

**Certified cheques and money orders must be made payable to the *Minister of Finance*.**

SECTION

**E**

**What to do if you have any questions**

You can visit the LTB website at: [sjto.ca/ltb](#)

You can call the LTB at 416-645-8080 from within the Toronto calling area, or toll-free at 1-888-332-3234 from outside Toronto, and speak to one of our Customer Service Representatives.

Customer Service Representatives are available Monday to Friday, except holidays, from 8:30 a.m. to 5:00 p.m. They can provide you with **information** about the *Residential Tenancies Act* and the LTB's processes; they cannot provide you with legal advice. You can also access our automated information menu at the same numbers listed above 24 hours a day, 7 days a week.