



June 30, 2016

Residential and Commercial Tenancies Unit
Housing Policy Branch
Ontario Ministry of Municipal Affairs and Housing
777 Bay Street, 14th Floor,
Toronto ON M5G 2E5
Email: residential.tenancies@ontario.ca

Public Consultation re: Ontario's Residential Tenancies Act, 2006 (RTA)

Dear Ontario Ministry of Municipal Affairs and Housing:

The Ottawa Council on Smoking or Health (OCSH) is a volunteer organization established in 1978. Our goals are to: create a social environment where non-smoking is the norm; assist in establishing smoke-free environments; prevent youth from starting to smoke; encourage smokers to quit; and advocate for better smoking cessation resources.

The OCSH has worked on the issue of smoke-free multi-unit housing for the past 10 years in response to ongoing complaints from individuals and families in our community.

We are therefore writing in support of the following government proposal:

3.1 Proposal: Explore whether to allow landlords to terminate a tenancy based on violation of no-smoking provisions in tenancy agreements.¹

The OCSH fully supports:

- 100% smoke-free policies for multi-unit dwellings in Ontario.
- Allowing a landlord to “terminate a tenancy on the ground that the tenant has caused undue damage, seriously impaired the safety of any person, or substantially interfered with the reasonable enjoyment of the landlord or other tenants.”
- Allowing a landlord to terminate a tenancy if a tenant violates a no-smoking agreement.
- Not requiring landlords to prove that smoke has caused damage, impaired safety, or interfered with reasonable enjoyment.

- Applying no-smoking provisions to all types of smoking, including: **any weeds, herbal products or substances that can be lit, smoked, burned, heated, combusted, or vapourized and that create any smoke, vapour, gases, particles, or other substances that can be inhaled** (e.g. all tobacco products, herbal cigarettes, marijuana, medical marijuana, electronic cigarettes, and waterpipes). **There should be no exceptions since decades of scientific evidence confirms that there is no safe level of exposure to second-hand smoke indoors or outdoors.**
- The no-smoking provisions should apply to all indoor and outdoor spaces of multi-unit dwellings, including **balconies, air intakes, and within 9 meters of all entranceways.**

For many years, the OCSH has received heartbreakng letters from parents with young, asthmatic children; adults; and seniors with chronic health conditions who live in multi-unit dwellings and who are exposed to **tobacco and marijuana second-hand and third-hand smoke on a daily basis.** Many individuals live on limited incomes or disability incomes and they are desperate for safe housing.

We urge the province of Ontario to enact changes to the *Residential Tenancies Act, 2006* as quickly as possible to ensure that the hundreds of thousands of Ontario residents who live in multi-unit dwellings are finally offered legal protection from second-hand smoke and have a safe, healthy, and affordable place to live.

Respectfully submitted,

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President
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/CBG

cc: Honourable Bill Mauro, Minister of Municipal Affairs, MPP Thunder Bay- Atikokan
Honourable Dr. Eric Hoskins, Minister of Health and Long-Term Care, MPP St. Paul's
Honourable Chris Ballard, Minister Responsible for the Poverty Reduction Strategy and Minister of Housing, MPP Newmarket-Aurora

REFERENCE

¹ Ontario Ministry of Municipal Affairs, Ontario Ministry of Housing. Long-Term Affordable Housing Strategy Update - Proposals to Encourage Small Landlords to Provide Rental Housing.
<http://www.mah.gov.on.ca/Page14837.aspx>