

Tenant and Landlord Rights and Obligations Information Package

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Tenant and Landlord Rights and Obligations Information Package

What this package is for

The Tenant and Landlord Rights and Obligations Information Package is provided by the City of Waterloo to help renters and landlords understand their rights, responsibilities and where to get help on issues related to rental housing.

This package is intended for general information purposes only. It does not replace legal advice or the authority of the Landlord and Tenant Board or other regulators. Laws and municipal programs may change from time to time, and the most up to date information can be found at: www.waterloo.ca/rentals

Renting in Waterloo: How the system works

In Waterloo, under the City's Rental Licensing Bylaw, landlords are required to get a licence for renting out units in most low-rise residential buildings. Having a licence helps ensure rental units meet minimum safety standards and that required inspections are completed.

Our bylaw officers work with Waterloo Fire Rescue staff to conduct inspections of gas-burning appliances every two years, and electrical safety inspections every five years. Extra inspections may happen if a tenant makes a complaint or if the City identifies a concern.

Currently, landlords of high-rise residential buildings like apartments and condos are not required to get a licence.

Who is responsible for what

Province of Ontario

- Sets tenant and landlord rights under the Residential Tenancies Act.
- Establishes rent increase limits.
- Regulates eviction rules and compensation requirements.
- Oversees the Landlord and Tenant Board (LTB).

Landlord and Tenant Board

- Resolves tenancy disputes.
- Issues eviction orders.
- Decides on claims related to unpaid rent.
- Orders compensation or rent refunds.

Region of Waterloo

- Housing Stability and Prevention Services.
- Emergency Shelter and Housing Support.
- Affordable Housing Programs.
- Public Health Services.
- Mental Health and Addiction Supports.

City of Waterloo

What the City does not do:

- The City does not approve eviction notices, but we do require a licence to ensure proper notification has been made and that renovations are done properly and with proper compensation to the tenant, when applicable.
- The City does not stop landlords from applying for building permits when renovation work meets Ontario Building Code requirements.
- The City does not evict tenants, order rent refunds or cancel tenancies.
- The City does not provide independent legal advice.

What the City does to support safe and liveable housing:

- Enforce property and lot maintenance standards, such as minimum requirements for buildings and yards, garbage storage and removal.
- Ensure licensed properties are meeting fire safety requirements.
- Enforce noise and nuisance regulations, such as setting limits on noise and activities that disturb others.
- Ensure properties meet safety and inspection requirements through our Rental Licensing Program.
- Require a landlord to apply for a Rental Renovation Licence before issuing an N13 notice.
- Supports tenants through our Tenant Support Liaison and Tenant Support Fund.

Renovations and evictions

Rules for renovation-related evictions are set out in the Residential Tenancies Act and the City's Rental Renovation Licensing Bylaw. A landlord may only require a tenant to move out for renovations if the work is so extensive that it cannot be safely completed while the tenant stays in the unit and if a building permit is required for the work.

Before asking a tenant to move out:

- The landlord must get a report from a qualified person indicating the work is so extensive that the tenant must be evicted.
- The landlord must get a valid building permit.

If these conditions are met:

- The landlord must issue an N13 Notice to the tenant and get a Rental Renovation Licence from the City within seven days of issuing the N13 Notice.
- The landlord must provide at least 120 days of written notice before the termination date listed on the notice.

If you receive a N13 notice, it does not mean you have to move out immediately. You have the right to challenge the eviction by filing an application with the Landlord and Tenant Board.

The Landlord and Tenant Board can:

- Decide whether the eviction is allowed.
- Set the final move-out date.
- Issue an enforceable eviction order.

As a tenant, you have the right of first refusal to return to the unit after the renovations are done, at the same rent you paid, plus any potential increases in the rent guidelines set by the Province of Ontario. In certain situations, you may also be entitled to financial compensation.

Renovations can affect you as a renter in different ways, including rent, access to your unit, or whether you may need to move out. The rest of this package explains what landlords can and cannot do, and what your rights are as a renter.

Renter rights: What renters can expect

Your rights as a renter in Waterloo are protected by the Residential Tenancies Act.

Key rights include:

- **The right to live in a safe and well-maintained unit.** Your landlord must keep your unit in good repair and in compliance with health, safety, fire safety and property standards. This includes functioning heat, hot water, plumbing, electricity, windows and doors that lock properly, safe stairs and railings, and addressing issues like leaks, mould, pests or damaged fixtures.
- **Protection from illegal lockouts.** Your landlord cannot change the locks, block access to your unit, shut off utilities or remove your belongings without a legal eviction order from the Landlord and Tenant Board. Lockouts without an order are illegal.
- **Protection from harassment or intimidation.** Your landlord cannot threaten, pressure or attempt to force you to move out. Repeated unwanted contact, intimidation or interference with your reasonable enjoyment of the unit is not allowed.
- **The right to dispute evictions.** Your landlord must follow strict legal rules before ending your tenancy. Eviction notices can be challenged, and only the Landlord and Tenant Board can issue a final eviction order. You are not required to move out just because a notice was given.
- **The right to privacy.** Landlords must provide at least 24 hours written notice before entering your unit and state the reason for entry, unless there is an emergency that requires immediate attention.
- **The right to reasonable enjoyment.** You have the right to use of your unit without unnecessary disturbance from your landlord or others under their control.
- **The right to have guests.** You can have visitors or temporary guests in your unit. Your landlord cannot restrict this unless occupancy limits set by law are exceeded or there are legal restrictions to them being on the property, like a no trespassing order.

Renter responsibilities: What renters need to do

As a renter, you are responsible for maintaining your rental unit and following the rules in the Residential Tenancies Act and municipal bylaws. That includes:

- Paying rent on time as outlined in the lease agreement.
- Keeping the unit clean, including regularly taking out the garbage and basic housekeeping.
- Reporting maintenance issues quickly to the landlord to prevent further damage.
- Repairing or paying for damages caused beyond normal wear and tear.
- Avoiding disturbing others and following the Waterloo noise and nuisance bylaws.
- Using the unit for lawful purposes only.
- Following building rules, such as garbage sorting, parking requirements and occupancy limits.
- Keeping smoke and carbon monoxide alarms working properly by replacing batteries when needed and not disabling or tampering with them.
- Not changing locks and keys.
- Not making excessive changes to your unit without approval from your landlord.

What to expect from your landlord

Under the Residential Tenancies Act and municipal bylaws, landlords are responsible for:

- Meeting all health, safety and property standards and following fire and building codes, including having working smoke and CO alarms.
- Responding to maintenance requests within a reasonable time.
- Completing required inspections and getting the necessary licences, including rental licences and renovation licences.

Landlords have the right to:

- Collect rent, as set out in the lease agreement.
- Enter your unit for valid reasons like inspections, repairs, showings to new tenants or maintenance work. Unless it's an emergency, they must give you 24 hour notice, include the reason and come between 8 a.m. and 8 p.m.
- Issue official notices for problems like unpaid rent, damage to the unit, serious behaviour concerns and renovations. These notices must follow the rules and timelines under the Residential Tenancies Act.
 - A notice does not end your tenancy or mean you must leave. An eviction can only happen if the Landlord Tenant Board issues an order.

Landlords are not allowed to:

- Harass or interfere with tenant rights.
- Take actions like locking out tenants, changing locks, removing doors, shutting off utilities.
- Demand tenants leave without a legal eviction order.
- Force you to sign paperwork ending your tenancy without direction from the Landlord and Tenant Board.

Rent rules

The Province of Ontario sets the rules for rent, including how much it can be increased. Rent can only go up by the amount allowed under these rules, unless the landlord gets special approval from the Landlord and Tenant Board.

- Landlords must give 90 days written notice (using the N1 form) of any rent increase.
- Key deposits must be no more than one month's rent and can only be used for the last month of tenancy.

Illegal charges or fees can be disputed with the Landlord and Tenant Board.

Reporting problems and resolving disputes

Tenants and landlords are encouraged to resolve issues directly where possible.

- Clearly explain the issue in writing (email or text recommended) and allow reasonable time for a response.
- Document issues by keeping records of communications, photos and dates.
- Maintain copies of notices or agreements.
- Seeking support from independent legal services.

Who to contact:

For property standards, rental licensing, or evictions concerns, contact the City of Waterloo:

Call 519-747-8785 or email municipal-enforcement@waterloo.ca

For issues such as rent disputes, evictions, or compensation, contact the Landlord and Tenant Board

Call 1-888-332-3234 or email ltb@ontario.ca