

OpenDoors

Rent Increase Guideline Set for 2015

Every year, the Manitoba government sets the rent increase guideline – the amount landlords can increase the rent on units without applying to the branch. As of January 1, 2015, the rent increase guideline is 2.4 percent.

For 2015, the government used a new method to calculate the guideline. It is based on the percentage change in the average annual “All-Items” Consumer Price Index (Manitoba only), published by Statistics Canada. To see how the annual rent increase guideline is calculated, visit www.manitoba.ca/rtb and click on the Rent Increase Guideline button.

Landlords who want to increase the rent by the guideline amount must give tenants written notice, at least three months before a rent increase takes effect.

Exceptions to the rule

The guideline applies to most rented residential apartments, single rooms, houses and duplexes. However, some units are exempt from Part 9 of *The Residential Tenancies Act* and do not have to follow the annual rent increase guideline.

This includes:

- units renting for \$1,435 or more per month as of December 31, 2014
- personal care homes
- approved rehabilitated rental units
- new buildings less than 15 years old where an occupancy permit was first issued or a unit was first occupied after April 9, 2001
- new buildings less than 20 years old where an occupancy permit was first issued or a unit was first occupied after March 7, 2005



Objecting to a rent increase

Tenants can object to any rent increase, whether the amount is at, below or above the rent increase guideline. When the rent increase is at or below the guideline amount, tenants must explain why they are objecting. *The Residential Tenancies Act* identifies the following reasons for objecting to a guideline or less rent increase:

- The landlord is not maintaining the rental unit or building.
- The landlord has reduced or taken away a service or facility.
- The landlord is not meeting any other obligation under a tenancy agreement or the act.
- The tenant believes the landlord's costs have not increased.

To object to an increase, tenants must send a letter to the Residential Tenancies Branch explaining why they are objecting to the increase. The branch must receive this letter no later than 60 days before the rent increase date.

What's New at the Residential Tenancies Branch?

Changes to *The Residential Tenancies Act* are now in effect. More changes will come into force in January, 2015.

Highlights of the changes in effect now:

- Landlords who allow pets in the tenant's rental unit will be able to charge one month's rent as a pet damage deposit (for deposits collected after August 1, 2014).
- How the government calculates the annual rent increase guideline is explained in the Residential Rent Regulation.
- If a landlord carries out renovations in an unreasonable way that interferes with a tenant's enjoyment of the unit and this causes the tenant(s) to move out of the unit, the landlord is considered to have ended the tenancy. If this happens, the landlord may have to pay:
 - the tenant's moving costs, up to the amount allowed under the act
 - the tenant's additional expenses (within reason) related to the move
This may include whichever is more – one month's rent (and any tenant services charge) or any increase in rent (and any services charge) that the tenant may have to pay, for up to 12 months.
- Tenants, or any other person a tenant allows into the building, must not participate in illegal activity in the residential complex that:
 - causes damage to a rental unit or the building
 - interferes with the enjoyment of a rental unit or the building by another tenant, occupant or the landlord, or someone the landlord or the tenant lets in the building
 - harms the security, safety, health or well-being of another tenant, occupant or the landlord, or someone the landlord or the tenant lets in the building

A landlord can give a tenant a notice of termination for illegal activity, even if the tenant (or a person the tenant lets into the building) has not been convicted of a crime related to the unlawful activity. The branch can also issue an Order of Possession to a landlord. In those cases, the landlord must show evidence of the illegal activity and its effect on the building or its residents to show that a termination of the tenancy is needed.

- If a person does not take part in a hearing and the branch grants an order of possession for non-payment of rent, that person will need to apply for leave to appeal with the Residential Tenancies Commission, if they want to appeal the branch's order.

If someone wants to apply for leave to appeal, they must take their evidence, showing why they could not take part in the hearing, to the commission within the appeal deadline and pay a filing fee. Leave to appeal may be granted if:

- the person can show why they were reasonably unable to take part in the hearing
- they can show that the order was based on wrong or misleading information

If leave is granted, the person does not have to pay another filing fee to appeal the order.

Other changes will come into effect on January 1, 2015. For more information, visit our website at www.manitoba.ca/rtb.



Carbon Monoxide – A Deadly Gas

Carbon monoxide is a colorless, odorless, poisonous gas. It is called the silent killer because people do not know they've been exposed to the gas until it is too late. Without a carbon monoxide detector, carbon monoxide can kill you and your family.

Major sources of carbon monoxide in homes and apartments are fossil fuel-burning boilers, furnaces, water heaters, fireplaces and parking garages.

Important reminders

To prevent carbon monoxide poisoning, **NEVER:**

- use a gas stove, gas oven, propane heater, gas-powered generator or any other unsafe source to heat your home
- use a barbecue, camp stove or propane lantern in your home or garage
- leave your car, lawn mower or other gas-burning appliance running in an attached garage

Signs of carbon monoxide poisoning include:

- nausea
- dizziness
- tiredness
- headaches

Manitoba laws do not require landlords to install carbon monoxide detectors in rental units. You may install your own if the space you rent has any risk factors.

Plug-in detectors, with a battery back-up, are available at most home improvement stores. Carbon monoxide detectors should be installed within 4.57 metres (15 feet) of the entrance to a bedroom and on each level of a multi-level home.

For more information on carbon monoxide detectors, visit www.winnipeg.ca/fps/ or www.winnipeg.ca/fps/pdfs/Carbon%20Monoxide%20Safety.pdf.



Preventing Discrimination in Rental Housing

What is discrimination?

Discrimination describes any action or decision that treats a person or a group negatively because of race, age, sex, disability or other characteristics protected under *The Human Rights Code* (www.manitobahumanrights.ca/index.html). Discrimination in rental housing based on protected characteristics is prohibited. This includes ancestry, ethnic background or origin, source of income, physical or mental disability.

How can discrimination happen between landlords and tenants?

Discrimination can happen in the application process. Landlords must ensure they do not discriminate when reviewing applications.

Discrimination could include:

- not renting to people based on their income source
- not renting to a single parent with children because they may be too noisy
- not giving reasonable accommodation for people with special needs that are based on a protected characteristic
- not renting to a person who relies on a service animal

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(Preventing Discrimination in Rental Housing - continued)

Sometimes, discrimination occurs because people do not understand what is allowed and what they must do. To learn about your rights and responsibilities under *The Human Rights Code*, visit www.manitobahumanrights.ca. You can also call or visit the Manitoba Human Rights Commission office nearest you:

Winnipeg

700-175 Hargrave Street
Winnipeg, MB R3C 3R8
204-945-3007

Brandon

341- 340 Ninth Street
Brandon, MB R7A 6C2
204-726-6261

The Pas

2nd Floor – Otineka Mall
P.O. Box 2550
The Pas, MB R9A 1M4
204-627-8270

Or call:

Toll free 1-888-884-8681
TTY 1-888-897-2811

Need information?

Winnipeg

302-254 Edmonton Street
or call 204-945-2476

Brandon

143-340 9th Street
or call 204-726-6230

Thompson

113-59 Elizabeth Drive
or call 204-677-6496

Toll free 1-800-782-8403

Online: manitoba.ca/rtb

Offline: in person or by phone

Visit your branch office

**Monday to Friday
from 8:30 a.m. to 4:30 p.m.**

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