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**Official Report
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(Hansard)**

G-25

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des débats
(Hansard)**

G-25

**Standing Committee on
General Government**

Rental Fairness Act, 2017

2nd Session
41st Parliament

Tuesday 16 May 2017

**Comité permanent des
affaires gouvernementales**

Loi de 2017 sur l'équité
en location immobilière

2^e session
41^e législature

Mardi 16 mai 2017

Chair: Grant Crack
Clerk: Sylwia Przedziecki

Président : Grant Crack
Greffière : Sylwia Przedziecki

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
GENERAL GOVERNMENTCOMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES

Tuesday 16 May 2017

Mardi 16 mai 2017

*The committee met at 1531 in committee room 2.*RENTAL FAIRNESS ACT, 2017
LOI DE 2017 SUR L'ÉQUITÉ
EN LOCATION IMMOBILIÈRE

Consideration of the following bill:

Bill 124, An Act to amend the Residential Tenancies Act, 2006 / Projet de loi 124, Loi modifiant la Loi de 2006 sur la location à usage d'habitation.

The Chair (Mr. Grant Crack): Good afternoon, everyone, members of the committee, Clerks, legislative counsel, Hansard, communications, members, ladies and gentlemen. I'll call the Standing Committee on General Government to order.

Today we are here to consider clause-by-clause consideration of Bill 124, An Act to amend the Residential Tenancies Act. We have before us 28 amendments to the bill. I would like to remind members that we are on an order from the House, and I shall read exactly how we're going to proceed.

We will proceed normally until 5 p.m. At that time, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto, one 20-minute waiting period pursuant to standing order 129(a) being permitted.

Having said that, are there any questions or comments regarding any section of the bill before we begin? Mr. Hardeman.

Mr. Ernie Hardeman: No, I don't have any comments about the sections until we get to them. I just ask your indulgence: Sometimes I get behind as we're going through too quickly, so I hope that, if possible, you would ask a second time before we move forward.

The Chair (Mr. Grant Crack): Okay, very good. Further questions or comments concerning Bill 124? There being none, we shall begin clause-by-clause consideration.

There are no amendments to section 1. Is there any discussion on section 1? There being none, I shall call for the vote. Shall section 1 carry? Those in favour? Those opposed? I declare section 1 carried.

We shall move to section 2. Any discussion with regard to section 2? There being none, I shall call for the

vote. Shall section 2 carry? Those in favour? Any opposed? I declare section 2 carried.

Ms. Ann Hoggarth: Mr. Chair?

The Chair (Mr. Grant Crack): Ms. Horw—Ms. Hoggarth.

Ms. Ann Hoggarth: You just about did a big boo-boo there.

I just want to say my favourite speech at this time: If we're able to bundle some of them, would we do that, please?

The Chair (Mr. Grant Crack): I would say we could. There will be some opportunities later on, but there are not that many that would require bundling. But if you request that, I will request the committee to consider that.

We shall move to section 3. There is an amendment. It's PC motion number 1, which is an amendment to subsection 3(1), subsection 6(1) of the Residential Tenancies Act, 2006. Mr. Hardeman, would you be so kind as to read that into the record?

Mr. Ernie Hardeman: I move that subsection 3(1) of the bill be struck out.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: This is the first of our amendments related to voting out the section to remove the proposed one-month cash penalty for the owner of an apartment who needs the unit for their own use.

The Chair (Mr. Grant Crack): Further discussion? Madame Des Rosiers.

Mr. Ernie Hardeman: Recorded vote, please.

The Chair (Mr. Grant Crack): Okay. Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: I recommend voting against this, because we are going to take the position that compensation is needed. The entire bill is designed to provide security of tenure to tenants, and when the landlord decides to evict for his or her own use, there are lots of expenses that are borne by tenants. This one month's compensation, to us, is viewed as a good way to compensate the person for these expenses, the break in his or her life and the breach of the secure-tenure principle. So we will vote against this.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman?

Mr. Ernie Hardeman: On that topic, I don't disagree, except I think that that's the way it is with everyone who moves in and out, for whatever reason they're leaving

their apartment. We pay. We give 30 days' notice so you have that month to find other places. Obviously people are moving from one apartment to another on a regular basis. In a lot of cases, that's what they want to do.

So I think it's inappropriate that someone who rents an apartment—in fact, we want them to do that, because we have a shortage. I think it's inappropriate to say, “We're going to penalize you if you rent the apartment that you bought for a purpose but you don't need it right now. Don't you dare rent it, because if you do, we'll charge you a penalty to get it for the purpose for which you originally bought it.”

I think there's some concern that a lot of the time, particularly in-house apartments, maybe you have it as a—I'm not sure if I can use the words “granny flat” anymore, but you have it for an aging parent or someone to move there and they're not quite ready to do that yet. You've constructed the apartment. If you rent it out for six months and all of a sudden the time has come that they need to move in, to have to pay a penalty to use your own property for the purpose for which you purchased it, I think, is a negative effect. That's why we're moving that forward.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): There is a request for a recorded vote, which will be entertained.

Ayes

Hardeman.

Nays

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): I declare PC motion number 1 defeated.

Therefore, there are no amendments to section 3. Is there any discussion on section 3? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): There is a recorded vote request, which will be entertained.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): I declare section 3 carried.

We shall move to section 4. There are no amendments. Is there any discussion on section 4? There being none, I shall call for the vote. Shall section 4 carry?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): That will be entertained. I did not have the opportunity to see any hands going up. There is a recorded vote request.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman.

The Chair (Mr. Grant Crack): I declare section 4 carried.

We shall move to section 5. There are no amendments. Any discussion on section 5? There being none, I shall call for the vote. Those in favour of section 5 carrying? Those opposed? I declare section 5 carried.

We shall move to section 6. We have PC motion number 2, which is an amendment to section 6, on subclause 47.0.1(1)(b)(ii) of the Residential Tenancies Act, 2006. Mr. Hardeman.

Mr. Ernie Hardeman: I move that subclause 47.0.1(1)(b)(ii) of the Residential Tenancies Act, 2006, as set out in section 6 of the bill, be struck out and the following substituted:

“(ii) the landlord has complied with the demand within 21 days since the day the tenant made the demand and the tenant has not entered into a written tenancy agreement with the landlord before that day, nor the proposed tenancy agreement provided to the tenant by the landlord.”

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: This amendment would ensure that tenants cannot use refusing to sign a new standard lease as a way to break the lease if they have an existing written lease. I think it's very important that we understand the process. The landlord must provide a standard provincial lease, if requested by the tenant, within 21 days.

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If he presents the lease, and the tenant says no to the lease—under the present bill, even though the tenant has a written lease already, they can break that lease because they didn't sign the new one. The landlord doesn't have that same option to say, “We can break the lease if you don't sign it.”

We accept the fact that if there was no previous lease, if the tenant does not like the lease as it's written, the tenant should be able to say, “Thank you, but no, thank you. I don't want that lease.”

But if they already have a lease that is exactly the same, that they're bound by, then should they not have to be bound by the new lease they requested? It would seem to me that they just requested the new lease to try and break the lease. I think this is to prevent that.

The Chair (Mr. Grant Crack): Further discussion? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: The bill requires the mandatory use of a standard lease, and it does mandate that the landlord should provide the lease.

Our concern with the motion is that it might indeed reward a landlord who at least had had illegal clauses before, that now are being forced upon this tenant, and the tenant is unable to get out of a lease that may include illegal or abusive clauses. That's the reason for the standard lease.

In our view, this is an amendment that actually rewards too much a landlord that may not have provided the lease in adequate time.

Furthermore, I think it does provide for the tenant to decide whether they want to renew the relationship, based on the standard lease. That's an important part of the bill.

The Chair (Mr. Grant Crack): Mr. Hardeman.

Mr. Ernie Hardeman: I appreciate the explanation. I think this amendment allows, in fact, that if the tenant presently has a lease, and they like it better than the new one being presented, they don't have to take the new one.

But they can't use that new one to not accept the lease—the new one—and also to give up on the old one, so that they break the lease because they asked for a new one.

I think that's what we're trying to correct here. Hopefully, the government would support that.

The Chair (Mr. Grant Crack): Further discussion on PC motion number 2?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): That is in order. There is no more discussion. I shall call for the vote on PC motion number 2.

Ayes

Hardeman.

Nays

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): I declare PC motion number 2 defeated.

There are therefore no amendments to section 6. Any discussion on section 6?

Mr. Ernie Hardeman: Recorded vote, please.

The Chair (Mr. Grant Crack): There being none—and a request for a recorded vote is in order—therefore, I shall call for the vote.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman.

The Chair (Mr. Grant Crack): I declare section 6 carried.

We shall move to section 7. There is one amendment, PC motion number 3, which amends subsections 7(2) and (3) on clauses 48(1)(a) to (d) and subsection 48(1.1) of the Residential Tenancies Act, 2006. Mr. Hardeman.

Mr. Ernie Hardeman: I move that subsection 7(2) of the bill be struck out and the following substituted:

“(2) Clauses 48(1)(a) to (d) of the act are repealed and the following substituted:

“(a) any of the following persons if the landlord is an individual:

“(i) the landlord,

“(ii) the landlord's spouse,

“(iii) a child or parent of the landlord or the landlord's spouse, or

“(iv) a person who provides or will provide care services to the landlord, the landlord's spouse, or a child or parent of the landlord or the landlord's spouse, if the person receiving the care services resides or will reside in the building, related group of buildings, mobile home park or land lease community in which the rental unit is located; or

“(b) any of the persons described in subsection (1.1) if,

“(i) the landlord is a corporation in which an individual or the individual's spouse, separately or together, own all of the voting shares of the corporation, and

“(ii) the corporation owns no more than three residential units.’

“(3) Section 48 of the act is amended by adding the following subsection:

“Where landlord is a corporation

“(1.1) The persons to which clause (1)(b) applies are,

“(a) the individual;

“(b) the individual's spouse;

“(c) a child or parent of the individual or the individual's spouse; and

“(d) a person who provides or will provide care services to the individual, the individual's spouse, a child or parent of the individual or the individual's spouse, if the person receiving the care services resides or will reside in the building, related group of buildings, mobile home park or land lease community in which the rental unit is located.”

The Chair (Mr. Grant Crack): Further debate?

Mr. Ernie Hardeman: This would allow an individual or couple who purchased a rental unit through a corporation to still be eligible to use that unit for personal use as long as the corporation owns three or less units.

We heard during committee that a number of small landlords have bought one or two units, but they have done so through a corporation. The way the bill is currently written would prevent these people from being

able to use their own properties. We understand that the government is intending to stop large corporations from using this exemption, but unless we have this exemption, it's going to end up including people who rented their units while they were away at work, parents who bought their unit planning that their children would live in it while they went to school or seniors who bought the unit with the intention of downsizing when their house became too much work.

The Landlord Self Help Centre and the Federation of Rental-housing Providers were very supportive of this type of amendment. It really is just to deal with the difference between what an individual can do and what an individual can do under the name of a corporation.

I ran a corporation in my feed business for many years. It was owned by me and my wife together, and it made no difference day in, day out. We were the owners of that. The fact that it was in a corporate name should not have deprived me—and didn't—of any of the benefits that I could derive from the things that corporation owned. I think this bill does that. It takes away that ability from people who own it through the name of a corporation as opposed to directly as individuals.

The Chair (Mr. Grant Crack): Further debate?

M^{me} Nathalie Des Rosiers: Yes. I think we recognize that this is the outcome of the bill. Indeed, I think there are two reasons why I'll recommend voting against this. It's a difficult issue to cross, but when people choose the corporate vehicle, they make a choice and they do so for tax reasons or for—they've made a choice to use the condo or the thing for particular purposes. They have made a choice.

For the tenant who comes in and signs a lease that has "0125 Corp." as opposed to Mr. and M^{me} Des Rosiers—if they go and see Mr. or Mrs. Des Rosiers, they will know that because I'm an individual, there's a likelihood, there's a risk that someday I may want to take that condo back. But if you sign with "014 Ontario," the visibility of that risk is not there. You don't know whether it's an individual or if it's a large corporation. After I've thought about it quite a bit, on balance, I decided that I will vote against this amendment.

The Chair (Mr. Grant Crack): Mr. Hatfield had his hand up first, and then Mr. Hardeman.

Mr. Percy Hatfield: I will be supporting the amendment. I guess I see it somewhat differently. I see that sometimes the government takes this cookie-cutter approach and won't listen to, in this case, smaller landlords. Mr. Baker used to be a small landlord. Had he bought that condo that he used to rent out under a corporate name and wanted to move his mother in, he wouldn't be allowed to do that, which, to me, is unfair.

We heard from a lot of people, smaller landlords in particular, who said—I'm not sure their number was correct when they said 90% of the units available in Ontario are offered by small landlords. I think research came up with maybe in the neighbourhood of 60% of all the apartment units in Ontario are made available through small landlords. They may have incorporated along the

way, but they have few units individually, either as themselves or through corporations.

1550

The way I read this motion by Mr. Hardeman is that it allows small personal corporate landlords owning three or fewer units to evict tenants for the landlords' own use and distinguishes between true corporations and small corporations that are perhaps set up by a family for personal investment purposes. I know, in the NDP, we're always wary of broadening the landlord's-own-use provision, but this motion is limited, reasonable and it's supportable. I just don't think that we can turn our backs on—even though they did it for tax purposes, to form a corporation.

We talked about having a standard lease and we heard from the real estate corporation that they have this very convoluted lease that it takes a realtor or a lawyer to understand and walk you through it. I don't think most of us in Ontario, especially newcomers to our great province, want to hire a lawyer or want to hire a real estate agent to make them aware of the small-print provisions in a standardized lease.

It's one thing, with your legal background, to say that they might differentiate between "I'm renting from a corporation" or "I'm renting from an individual." I don't think most people would. Because of that, I can't support your opposition to this motion, because we're trying to make things simple. We're trying to make it easier for people to get in and out of leases, because of the affordable housing crisis we're in. To me, this motion makes perfect sense, and I will be supporting it.

The Chair (Mr. Grant Crack): Mr. Hardeman.

Mr. Ernie Hardeman: In the explanation from the parliamentary assistant, I guess I would just question—to me, in the real world, if a person is renting a unit from someone who only has no more than three units, so we're talking about a basement apartment or an upstairs, I don't think that tenant is going to look to see whether the actual deed of the property is in the name of a corporation or an individual. They're going to say, "I'm renting this apartment from you," and they're going to sign that.

I just don't see the challenge of saying just because and for whatever reason it was turned into a corporation—I'd like to say, I mentioned my own corporation. I'm not arguing with you that it wasn't for tax purposes, but that should not change the fact that I couldn't then use what I own for my own benefit at some time, if I saw fit. To suggest that you're not being able to use that clause at all because you have incorporated the building makes no sense to me at all.

To me, it makes sense that that's why the definition has "no more than three units," so we're not talking about a high-rise and we're not talking about a landlord with 10 units in one building, where the person would expect permanency. You're talking about in a house. For an individual to say, "My mother is thinking of moving in here eight months from now. I want to rent it for a while"—to me, I think they should be allowed. You couldn't put that in a lease, but you should be allowed to

make that decision with the property. That's why this motion is here.

The Chair (Mr. Grant Crack): Further discussion? There being none—

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): —I shall call for the vote on PC motion number 3. It will be a recorded vote.

Ayes

Hardeman, Hatfield.

Nays

Anderson, Baker, Colle, Des Rosiers, Hoggarth.

The Chair (Mr. Grant Crack): I declare PC motion number 3 defeated.

Therefore, there are no amendments to section 7. Any discussion on section 7? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): There is a recorded vote request, which will be entertained.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): There are none opposed. I therefore declare section 7 carried.

We shall move to section 8. We have NDP motion number 4, which is an amendment to section 8 on section 48.1, the Residential Tenancies Act, 2006. Mr. Hatfield.

Mr. Percy Hatfield: I move that section 48.1 of the Residential Tenancies Act, 2006, as set out in section 8 of the bill, be struck out and the following substituted:

“Compensation, notice under s.48

“48.1 If a landlord gives the tenant a notice of termination of the tenancy under section 48, the landlord shall offer the tenant another rental unit acceptable to the tenant or compensate a tenant in an amount equal to,

“(a) if the rental unit to which the notice relates is located in a residential complex that contains five or more residential units, three months' rent; or

“(b) one month's rent in any other circumstance.”

The Chair (Mr. Grant Crack): Further discussion? Mr. Hatfield.

Mr. Percy Hatfield: It's an amendment that was supported by the ACTO and the FMTA. Larger landlords owning residential complexes with five or more units who evict tenants for personal use must pay three months' compensation. Smaller landlords pay just one month's compensation, as per the existing provision in Bill 124.

Under an existing provision in the RTA, larger landlords currently must pay three months' compensation

when they need to vacate a unit for demolition or a conversion. This is consistent with that provision.

It is no small thing to evict a tenant and uproot their lives. Larger landlords have greater flexibility to find solutions when they need an apartment for their own use. This gives them a greater incentive to seek a solution that doesn't require the eviction of a tenant.

The Chair (Mr. Grant Crack): Further discussion on—what is it?—PC motion number 4?

Mr. Percy Hatfield: No, it would be an NDP motion, Chair.

The Chair (Mr. Grant Crack): Where is it? Oh, sorry. I'm reading the wrong one. NDP motion 4, sorry. Mr. Hardeman.

Mr. Ernie Hardeman: We believe that this unfairly increases the penalty on people based on where the unit is located, not on how many units they own. If a person owns one condo in a building of 100, they would be subject to this penalty clause, where the landlord who owns 10 houses with three units in each one would not. We don't agree with penalizing people who legitimately want to use their own property; even less so when they are penalized more based on where that property is located.

During committee, we heard from Hatfield Developments, a company with much more than five units. The presenter gave the example of her mother, who helped start the company, and the fact that she would like to move into one of the units one day, when her house gets to be too much for her to handle. People like that should not be penalized, regardless of the number of units, just because there are a lot of units.

With that, we will not be supporting the motion.

The Chair (Mr. Grant Crack): Mr. Hatfield.

Mr. Percy Hatfield: Just for clarification, that's Hapfield—H-A-P—Developments, not H-A-T. And as I recall, the daughter who was here representing the family—they had incorporated. So as a corporation, she was disturbed that she couldn't move her mother in—not from the number of units, just the fact that she was incorporated as opposed to an individual.

The Chair (Mr. Grant Crack): Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: We'll recommend voting against it because, indeed, we think the way it's drafted, it does require a small landlord, an individual who owns one condo unit in a large building, to pay three months' compensation to a tenant, and that creates a discrepancy in the way in which the bill is organized.

We continue to think that one month is appropriate compensation for the disturbance that the tenant has to incur.

The Chair (Mr. Grant Crack): Further discussion on NDP motion number 4? There being none, I shall call for the vote.

Mr. Percy Hatfield: Recorded vote, please.

The Chair (Mr. Grant Crack): That is in order.

Ayes

Hatfield.

Nays

Anderson, Baker, Colle, Des Rosiers, Hardeman, Hoggarth, Munro.

The Chair (Mr. Grant Crack): I declare NDP motion number 4 defeated.

There are therefore no amendments to section 8. Any discussion on section 8?

1600

Mr. Ernie Hardeman: Recorded vote, please.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 8 carried.

We shall entertain NDP motion number 5, creating a new section on subsections 49(1) and (6) of the Residential Tenancies Act. Mr. Hatfield.

Mr. Percy Hatfield: Chair, in the interest of time, if you would allow me to state the purpose, for the record, before reading it. Just in case you rule it out of order, it might save a bit of time.

The Chair (Mr. Grant Crack): You need to read the motion in order first.

Mr. Percy Hatfield: All right, I will do that.

I move that the bill be amended by adding the following section:

“8.1(1) Subsection 49(1) of the act is amended by adding ‘for a period of at least one year’ after ‘residential occupation’ in the portion before clause (a).

“(2) Section 49 of the act is amended by adding the following subsection:

“‘Application

“(6) This section does not authorize a landlord to give a notice of termination of a tenancy with respect to a rental unit unless the purchaser is an individual.”

The Chair (Mr. Grant Crack): I’m going to declare this motion out of order, as this motion seeks to amend a section, which is section 49 of the Residential Tenancies Act, that is not open in the bill before us, and it is therefore beyond the scope of the bill. Of course, it’s out of order. Thank you very much.

Mr. Percy Hatfield: You knew all of that before I started reading it.

The Chair (Mr. Grant Crack): Good try, Mr. Hatfield. Much appreciated.

We shall move to section 9. We have PC motion number 6, which amends section 9, section 55.1 of the Residential Tenancies Act, 2006: Mr. Hardeman.

Mr. Ernie Hardeman: I move that section 55.1 of the Residential Tenancies Act, 2006, as set out in section 9 of the bill, be amended by striking out “48.1”.

The Chair (Mr. Grant Crack): Further discussion on PC motion number 6? Mr. Hardeman.

Mr. Ernie Hardeman: Mr. Chair, this is a subsequent amendment to our notice to vote against part 8. It would remove a reference to 48.1, a section that would require the landlord to pay a penalty for one month’s rent when they need to use the apartment for personal use. We’re supporting the measures to ensure that the personal-use evictions aren’t being misused, but we should not be penalizing people who in good faith rent out apartments and now, due to a change in circumstance, need that space for themselves or their families.

This section doesn’t apply to large corporations; it applies to young couples that need the space for a growing family, people who are moving in an elderly parent that needs care or a child who is unemployed. It also applies to seniors who need to move in a caregiver. We don’t think that people should be penalized for the fact that they need to use their own property.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hatfield.

Mr. Percy Hatfield: I’m surprised that this wasn’t withdrawn because, as I understood it, it was house-keeping related to part 8, which was opposed by the PCs. But since it passed, I thought it would have been withdrawn. Nonetheless, I’ll oppose it, since it’s on the floor.

The Chair (Mr. Grant Crack): Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: Yes, I think we have a disagreement about whether this compensation is a good policy. Certainly we think that to be consistent we need this to be in the bill once we have compensation of one month being part of the bill.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: Mr. Chair, I would accept both comments in the vein in which they were given, but I would point out that if I had withdrawn it I would not have been allowed to read it into the record.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on PC motion number 6.

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): It will be a recorded vote.

Ayes

Hardeman, Munro.

Nays

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): I declare PC motion number 6 defeated. Hence, there are no amendments to section 9. Any discussion on section 9?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): A request for a recorded vote will be entertained.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 9 carried.

We shall move to section 10. We have NDP motion number 7, which amends section 10, on clauses 57(5)(a) and (b), the Residential Tenancies Act, 2006. Mr. Hatfield.

Mr. Percy Hatfield: I move that clauses 57(5)(a) and (b) of the Residential Tenancies Act, 2006, as set out in section 10 of the bill, be struck out and the following substituted:

“(a) advertises the rental unit for rent; or

“(b) enters into a tenancy agreement in respect of the rental unit with someone other than the former tenant.”

The Chair (Mr. Grant Crack): Further discussion?

Mr. Percy Hatfield: This motion removes the “at a higher rent” limitation in this clause. Sometimes landlords evict tenants, claiming that they need their unit for their own use, but then, they turn around and they rent it out again. Bill 124 attempts to crack down on such abuse by presuming bad faith if, within one year of the eviction, the landlord rents out the unit at a higher rent.

But landlords may want the tenant out for reasons other than to get a higher rent. Maybe the landlord doesn't like the way a tenant complains about maintenance. Maybe the landlord doesn't want to rent to LGBT people. Maybe the landlord has a friend who wants to move in. Who knows? The point is, if the landlord says they need the unit for their own personal use, then they shouldn't be renting it out less than a year after evicting someone. Whether the landlord charges a higher rent or not should not matter.

The Chair (Mr. Grant Crack): Further discussion?

M^{me} Nathalie Des Rosiers: I will recommend voting in favour of this amendment. I think it is consistent with the intention to curb the abuses that we have heard about and that we have seen in the landlord-own-use evictions.

The Chair (Mr. Grant Crack): Further discussion?

Mr. Ernie Hardeman: I guess it's becoming obvious that this isn't for landlords. This bill is for tenants. It seems strange to me that one gives notice that they want to use their basement flat because their children are coming home from university and they have no place to live, so they go and live in the basement. They have to

give notice to the people living in the basement apartment. They give notice and, of course, a month after they get home, they get a job in a different town and they move out and all of a sudden, they can't rent that apartment again for 14 months. It just doesn't make any sense.

We want more units for rent, and here we are saying that because you asked to use the apartment for personal family use, you're going to be penalized and the building has to be empty for 14 months. It boggles the mind that anyone would suggest that was a supportable approach to take to someone who has been renting their basement apartment. Just because they needed some of their own property for a period of time, that somehow they should be penalized, that they can't financially benefit from it for a year—I just can't understand that anyone could do that.

I can understand that this was done and the government's proposal is to have this clause in there to make sure people aren't evicting their tenants. Incidentally, where I come from, people don't evict many good tenants to get them out so they can rent to somebody else, particularly not at the same rent. Even if it's at the same rent, they have to have it vacant for a year. I just can't believe that anyone would support that. I can assure you, Mr. Chair, we will not be supporting that.

The Chair (Mr. Grant Crack): Further discussion?

Mr. Percy Hatfield: My good friend from Oxford—I think his mind is boggled. I think he said it boggles the mind. But I have to remind him, when he said it's obvious that this bill isn't for landlords, it's for tenants, well, it's called the Residential Tenancies Act. It's not called the residential landlords act. So, yes, I would hope we're here to protect tenants, not landlords.

The Chair (Mr. Grant Crack): Further discussion? There being none—

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): —I shall call for the vote on NDP motion number 7.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare NDP motion 7 carried.

1610

We shall move to NDP motion number 8, which proposes to amend section 10 with new clauses 57(5)(c) to (e), the Residential Tenancies Act, 2006. Mr. Hatfield.

Mr. Percy Hatfield: I hope, unlike the Blue Jays, I'm on a roll here. Maybe I'll get two wins in a row.

I move that subsection 57(5) of the Residential Tenancies Act, 2006, as set out in section 10 of the bill,

be amended by striking out “or” at the end of clause (a) and by adding the following clauses:

“(c) advertises the rental unit, or the building that contains the rental unit, for sale;

“(d) demolishes the rental unit or the building containing the rental unit; or

“(e) takes any step to convert the rental unit, or the building containing the rental unit, to use for a purpose other than residential premises.”

The Chair (Mr. Grant Crack): Further discussion? Mr. Hatfield.

Mr. Percy Hatfield: Bad faith can be presumed for other reasons than if the landlord rents out the unit within one year after claiming to need the unit for their own personal use. If the landlord tries to sell a unit within a year, that shows bad faith. If the landlord tries to demolish or convert the unit, that shows bad faith.

The landlord may prefer to pay one month’s rent for the personal-use eviction than three months’ rent for the conversion, and so they abuse section 48. They may prefer to sell the unit without a tenant, and so they abuse section 48.

This amendment just strengthens the principle that if a landlord claims they need a unit for their own personal use and must uproot the life of a tenant and evict them, then they had better not turn around and sell, demolish or convert the unit they said they would live in for at least one year.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman, I noticed your hand up first.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. I think this is one that one could call “adding insult to injury.” First, we say that if you need the apartment for someone else—a caregiver, a child or anyone—for personal use, and then that use changes—your mother passes away—you can’t do anything with that apartment for a year because you’re not allowed to.

With this one, it isn’t enough that they’re now going to have a vacant apartment there; we say that in that whole year, they cannot change what they’re going to do with that house either. If their mortgage payment was dependent on that apartment being rented, they’re going to lose the house because they can’t pay the mortgage. This amendment says that they can’t in any way change the house or do anything with it for that period of time, because they had to use it as a hospice, to have a caregiver for their mother, who was there in her last days. Now, all of a sudden, they’re stuck for a year, and they lose their house. They can’t make the mortgage payment.

This is—I give up.

The Chair (Mr. Grant Crack): Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I’d like to reassure you that they can do something. It’s a rebuttable presumption of bad faith. In both examples, you can go in front of the board and say, “My mother died.” You can therefore move on and rent it out. It’s a presumption of bad faith that you can rebut if you have good circumstances to do so.

We will support this amendment. In our view, it provides the adequate balance between the landlord and the tenant, in the context of which, consultations disclosed the ability of landlords to abuse this own-use eviction. The reason why this bill has been put forward is to ensure that we protect security of tenure of people who are in their home and are being pushed out, at times, by landlords who are abusing this ability.

I just want to reassure again that it is a presumption of bad faith. To the extent that you have evidence that circumstances have changed, the landlord certainly can speak to that and be able to use his or her property appropriately, so we will support this.

The Chair (Mr. Grant Crack): Mr. Hardeman?

Mr. Ernie Hardeman: I guess I just want to say that I think you’d be hard pressed to find a single landlord who had an apartment in the basement who would agree with a policy that says, first of all, that when people don’t pay their rent, we have trouble at the Landlord and Tenant Board, we have to wait all this time, and we heard that over and over again. Now we’re saying, “Yes, but that’s okay; when you have an empty one and you want a tenant, before you can get one, you can go to the Landlord and Tenant Board and get an appointment sometime in the next year to see whether you should be allowed to have someone come in.”

Obviously, the government says they’re going to support this one and so we’ll let them go ahead and do that, but I want to assure you—and I want a recorded vote because I don’t think there’s anyone who would agree that this is a good policy to increase housing in the province of Ontario—ever.

The Chair (Mr. Grant Crack): Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: I just want to be on the record: You need a tenant to oppose you. You don’t have to ask permission of the Landlord and Tenant Board. It only arises if indeed the previous tenant suddenly realizes that she was enjoying the basement apartment; she was told, “Move out because my mother is moving in,” and a month later, the property is being demolished. Then she may think, “I was treated in bad faith. I was abused in that context.”

It’s only in that context that she may decide to apply to the Landlord and Tenant Board and then the landlord would have the opportunity to explain how his poor mother died and then the matter might be resolved. But it’s important to recognize the purpose of the bill. The bill is to indeed protect tenants, to ensure that they have security of tenure, because that is their home, that’s where they live, that’s where they raise their children, that’s where they belong in a community. That’s the purpose of the bill.

The Chair (Mr. Grant Crack): Mr. Hardeman?

Mr. Ernie Hardeman: If I could, I would just like to add, when the explanation came on the last answer, it was if the previous tenant in the few days or in a week’s time realizes that they’ve rented the apartment to someone else. It’s inappropriate; I would agree with that. But

these two motions don't do that. These two motions talk about 14 months later. To have that apartment sitting empty for 14 months just boggles the mind.

The Chair (Mr. Grant Crack): Further discussion?

Mr. Ernie Hardeman: A recorded vote, thank you.

The Chair (Mr. Grant Crack): Further discussion?

Ms. Ann Hoggarth: Maybe I'm missing something. Where do you get the 14 months from?

The Chair (Mr. Grant Crack): Through the chair, further discussion?

Mr. Ernie Hardeman: I'm not the government. I'm not sitting here explaining that the NDP motion—

Mr. Mike Colle: You said 14 months.

Ms. Ann Hoggarth: You said 14 months.

Mr. Ernie Hardeman: I'm not sitting here explaining the NDP motions—

The Chair (Mr. Grant Crack): Order, please. Further discussion? There being none, there has been a request for a recorded vote, which will be entertained.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare NDP motion number 8 carried.

There are two amendments that have carried in section 10. Is there any discussion with regard to section 10?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): There being none, there has been a request for a recorded vote, which will be entertained. Shall section 10, as amended, carry?

Ayes

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 10, as amended, carried.

We shall move to section 11. There are no amendments. Any discussion?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): There being none, a request for a recorded vote will be entertained.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro.

The Chair (Mr. Grant Crack): I declare section 11 carried.

We shall move to PC motion number 9, which proposes a new section, section 65.1 of the Residential Tenancies Act, 2006. Mr. Hardeman.

1620

Mr. Ernie Hardeman: I move that the bill be amended by adding the following section:

“11.1 The act is amended by adding the following section:

“‘Interpretation, smoking

“65.1 A tenant of a rental unit in a building described in subsection 65(1), another occupant of the rental unit or a person permitted in the building by the tenant shall be deemed to have substantially interfered with the reasonable enjoyment of the building for all usual purposes by the landlord if the tenant, the occupant or the person smokes in the building contrary to the tenancy agreement of the tenant.””

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: If a tenant has signed a lease with a non-smoking clause that would allow the landlord to enforce it without having to prove that smoking in the building has caused damage or interfered with reasonable enjoyment—both tenants and landlords supported measures to make buildings more smoke-free. All things being equal, over 80% of people would choose smoke-free housing.

As was pointed out at the committee, 70% of the people in lower-income levels do not smoke. This clause would only impact tenants who have knowingly moved into a smoke-free building and signed a lease that includes a non-smoking clause. Other tenants in these buildings have a right to expect that when they move into a non-smoking building, they would not be exposed to second-hand smoke.

The government acknowledged the demand for this amendment in their consultation document last year—to encourage more small landlords—which stated: “Landlords and some tenants have advocated for enhanced rules that would provide for completely smoke-free environments. Small landlords, especially those providing a second unit in their home, may have a particular interest in having better means to enforce no smoking rules to accommodate their families’ and tenants’ preference for a smoke-free environment.”

The stakeholders support the Canadian Cancer Society and the Lung Association. The Non-Smokers’ Rights Association during the committee said, “Regarding the amendment, it’s currently legal for landlords to add a smoke-free clause to the lease. However, it must be enforced indirectly, either through a ‘Reasonable Enjoyment’ or through ‘Damage.’ Although it’s possible to use these sections, it’s not always straightforward. For example, sometimes, depending on the member, the landlords may have to demonstrate that not only did the tenant violate the lease by smoking, but it was substantially interfering with others.”

“Enforcing these clauses right now is indirect and cumbersome.”

This was presented to us at committee, and that’s why we have this amendment.

The Chair (Mr. Grant Crack): Further discussion? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: Certainly, I think we know that Ontario has a strong record for promoting a smoke-free Ontario. However, this is a difficult issue because we have heard through our consultations how creating the possibility of eviction for people who smoke and who are addicted to smoking may indeed have a tremendous negative effect on some groups in our society, particularly some people who just came out of homelessness.

We also heard that some indigenous partners raised the possibility that it’s already pretty hard for them to have access to the rental market. There’s lots of discrimination out there. They felt that the possibility of being evicted simply for the act of smoking would detrimentally affect them as a population of renters.

So I will recommend voting against it, and thinking, with time, as rates of smoking decrease in our population, we will get there.

I want to remind, as well, that when there is evidence that indeed the second-hand smoke negatively affects the landlord or the other tenants, it’s still possible to seek the eviction of the smoking tenant.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: I appreciate the explanation. In all of the times that I’ve heard anyone come to a committee presenting, I’ve never had a single person come to the committee and suggest that we should be finding ways to encourage smoking in a multi-residential building. It just doesn’t happen.

What we do get—I know I get them a lot in my office. You haven’t had your office open quite as long as I’ve had mine open, but I can tell you that there are a lot of complaints in multi-residential buildings because it’s supposed to be non-smoking, or even when it’s not, people coming in complaining about the people smoking next door, people smoking in the hallway, and nobody can do anything about it.

When we have an opportunity, such as this, and people come forward—the Lung Association, the cancer society all come forward—and say, “Do something to put some teeth into making it a non-smoking environment.” If I lit up a cigarette here, I would be removed from this committee if I didn’t want to let my cigarette go.

Somebody has to set the rules, and then they have to have the ability to enforce them. I think this amendment allows that to happen. I’m proud to present it, and I will let the vote take its course.

The Chair (Mr. Grant Crack): Thank you very much.

Mr. Ernie Hardeman: And it will be a recorded vote.

The Chair (Mr. Grant Crack): Very good, sir.

Further discussion on PC motion number 9? Mr. Hatfield.

Mr. Percy Hatfield: I wasn’t going to get into it, Chair; I was just going to oppose it.

I think it’s a bit rich coming from the party that represents landowners’ rights and property rights to then turn around and say, “You’re not allowed to smoke on your own property, on your own land”—whatever it is. I’m all in favour of banning smoking as much as we can, but when it comes to this issue, I just see members of your caucus who aren’t at the table today taking great exception to the comments you just made.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: I’d point out that this has nothing to do with what party I come from or what I represent and what the people in that party represent; this is to try to create a better environment for people who live in rental residential units where they have already signed a lease that says it is a smoke-free environment. These people—the five units in the building or the 10 units in the building—have all been guaranteed by their landlord that it will be a smoke-free building. Then people come into the building and they smoke, and there’s nothing that we’re or anyone else is willing to do about it. I think that’s totally wrong, on behalf of all the non-smokers in that building.

The Chair (Mr. Grant Crack): Further discussion on PC motion number 9? There being none, I shall entertain the recorded vote.

Ayes

Hardeman, Munro.

Nays

Anderson, Baker, Colle, Des Rosiers, Hatfield, Hoggarth.

The Chair (Mr. Grant Crack): I declare PC motion number 9 defeated.

We shall move to section 12. There are no amendments. Any discussion on section 12? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): It will be a recorded vote, as requested.

Ayes

Anderson, Baker, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro.

The Chair (Mr. Grant Crack): I declare section 12 carried.

We shall move to NDP motion number 10, which proposes amending section 13, on subsections 72(1) and (1.1), the Residential Tenancies Act, 2006. Mr. Hatfield.

Mr. Percy Hatfield: I move that section 13 of the bill be struck out and the following substituted—do I have to say “colon” every time there’s a colon?

The Chair (Mr. Grant Crack): No.

Mr. Percy Hatfield: No? All right. Thank you.

“13. Subsection 72(1) of the act is repealed and the following substituted:

“Landlord or purchaser personally requires premises

“(1) The board shall not make an order terminating a tenancy and evicting the tenant in an application under section 69 based on,

“(a) a notice of termination given under section 48 on or after the day section 13 of the Rental Fairness Act, 2017 comes into force, unless the landlord has filed with the board an affidavit sworn by the person who proposes to personally occupy the rental unit certifying that the person in good faith requires the rental unit for his or her own personal use for a period of at least one year; or

“(b) a notice of termination given under section 49 on or after the day section 13 of the Rental Fairness Act, 2017 comes into force, unless the landlord has filed with the board an affidavit sworn by the person who proposes to personally occupy the rental unit certifying that the person in good faith requires the rental unit for his or her own personal use for a period of at least one year.

“Same

“(1.1) The board shall not make an order terminating a tenancy and evicting the tenant in an application under section 69 based on a notice of termination given under section 48 or 49 before the day section 13 of the Rental Fairness Act, 2017 comes into force, unless the landlord has filed with the board an affidavit sworn by the person who proposes to personally occupy the rental unit certifying that the person in good faith requires the rental unit for his or her own personal use.”

1630

The Chair (Mr. Grant Crack): This motion is dependent on the passage of the previous NDP motion that I had ruled out of order. Therefore this one is out of order. I declare NDP motion number 10 out of order.

There are therefore no amendments to section 13. Any discussion on section 13?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): There being none, the request for a recorded vote will be entertained.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 13 carried.

We shall move to section 14. We have one amendment, PC motion number 11, which proposes to amend section 14, on subsection 73.1(1) of the Residential Tenancies Act, 2006. Mr. Hardeman.

Mr. Ernie Hardeman: We withdraw that motion.

The Chair (Mr. Grant Crack): That is in order. PC motion number 11 is withdrawn.

There are therefore no amendments to section 14. Any discussion? There being none, I shall call for the vote on section 14. Those in favour of section 14 carrying? Those opposed? I declare section 14 carried.

We shall move to section 15. There are no amendments. Any discussion?

Mr. Ernie Hardeman: Recorded vote.

Mr. Percy Hatfield: Do you want to bundle them?

The Chair (Mr. Grant Crack): Well, there are just two, so maybe we’ll just do it this way.

There is a recorded vote. That’s in order. Any discussion on section 15? There being none, I shall call for the vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 15 carried.

We shall move to section 16. There are no amendments. Any discussion? There being none, I shall call for the vote. Shall section 16 carry? Those in favour? Any opposed? I declare section 16 carried.

We shall move to PC motion number 12, which proposes to amend section 17, on subsection 83(4) of the Residential Tenancies Act, 2006. Mr. Hardeman?

Mr. Ernie Hardeman: We withdraw that.

The Chair (Mr. Grant Crack): That is in order. PC motion number 12 is withdrawn.

There are therefore no amendments to section 17. Any discussion?

Mr. Ernie Hardeman: Recorded vote.

The Chair (Mr. Grant Crack): That is in order. We shall entertain a recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 17 carried.

We shall move to PC motion number 13, which proposes a new section 17.1, on section 85.1 of the Residential Tenancies Act. Mr. Hardeman.

Mr. Ernie Hardeman: I move that the bill be amended by adding the following section:

“17.1 The act is amended by adding the following section:

“Execution of eviction order

“85.1 A sheriff acting under an order evicting a person may execute the order at any time after five days after the board makes the order.”

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: After the Landlord and Tenant Board has issued an order of eviction, this would reduce the delay from the sheriff acting on the order to five days. The Ontario Chamber of Commerce asked for a reduction in statutory delays in their submission. This reduction would only impact people where the Landlord and Tenant Board has already decided against them and a sheriff is needed to enforce the order.

Currently, a landlord needs to wait 14 days to file with the board, 30 to 60 days to get a hearing, five to 10 days after the hearing to get the order, 11 days before filing with the sheriff and seven days before the sheriff evicts the tenant. This amounts to 67 to 102 days' process, and the landlord losing two to three months of rent, assuming the tenant paid a last-month's rent deposit.

There currently is no timeline in the legislation; it just has been the practice of the Landlord and Tenant Board that landlords must wait 11 days. This would put the timeline into legislation and shorten it, to prevent professional tenants further dragging out the process. Of course, this was supported by the Ontario Chamber of Commerce.

The Chair (Mr. Grant Crack): Further discussion? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I'll recommend voting against this because, first of all, it deals with the matter of enforcement of eviction orders. It's a little bit outside of the bill.

But more importantly, it will also create some difficulties because we're no longer going to be talking about the effective date of evictions, which is a crucial element of the date that is set by the board. This would create two dates on which the sheriff could come: the five days after the day that the board makes the order, and this other effective date of eviction, which is set by the board.

In our view, it will confuse matters and, at times, may precipitate an eviction that ought not to have taken place.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: Again, I appreciate the explanation. I just want to point out that, presently, it's 11 days. This says the sheriff may do it in five days, not that they have to.

It seems to me that this is just an opportunity, rather than having it set at 11 days, so people can look, at least in a very small way, at shortening the time frame between the time that the Landlord and Tenant Board has set the notice of eviction and you must be gone. Obviously, that day has passed before they get an order for a sheriff to go and enforce it. For them to have an extra six days in there, to me, doesn't make a lot of sense. It seems more appropriate to shorten it off, recognizing that we are well beyond the time when the two, working together, would have come to a conclusion on whether they were going to be leaving or whether they weren't.

The Chair (Mr. Grant Crack): Further discussion on PC motion number 13? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): That is in order.

Ayes

Hardeman.

Nays

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare PC motion number 13 defeated.

There are no amendments to sections 18, 19 and 20. Would the committee, as requested by Ms. Hoggarth, consider bundling? I don't hear any objections. That will be entertained.

Any discussion on sections 18, 19 or 20? There being none, I shall call for the vote. Shall sections 18, 19 and 20 carry? I declare section 18 carried, I declare section 19 carried, and I declare section 20 carried.

We shall move to NDP motion number 14, which proposes new section 20.1, new section 113.1, the Residential Tenancies Act. Mr. Hatfield.

Mr. Percy Hatfield: I move that the bill be amended by adding the following section:

“20.1 The act is amended by adding the following section:

“Exception, s. 113

“113.1 Subject to section 111 and despite section 113, the lawful rent for the first rental period for a new tenant under a new tenancy agreement for a unit that was previously rented is,

“(a) if the rental unit was rented in the last 12 months, any amount that is equal to or less than the last lawful rent charged or that ought to have been charged to the previous tenant;

“(b) if the rental unit was not rented in the last 12 months, an amount that is equal to or less than the sum of,

“(i) the last lawful rent charged or that ought to have been charged to the previous tenant,

“(ii) all increases to the rent that the landlord would have been permitted to make under this act if the rental unit had been occupied, and

“(iii) all decreases to the rent that the landlord would have been required to make under this act if the rental unit had been occupied.”

The Chair (Mr. Grant Crack): Further discussion on NDP motion 14? Mr. Hatfield.

Mr. Percy Hatfield: Thank you, sir. Last week, we heard from renowned housing expert David Hulchanski. He said: “Vacancy decontrol in a failed market simply allows for plain and simple rent gouging. There is no excuse for 10%, 20%, 30%, 40% rent increases when

nothing has changed other than the fact that some people are fortunate enough to own something that is not being supplied and is absolutely needed. It is rent gouging that, right now, is being legally authorized by the Ontario government.”

1640

ACORN, the Federation of Metro Tenants' Associations and the Advocacy Centre for Tenants Ontario, among others, also expressed their opposition to vacancy decontrol. I think I have some quotations here from the Advocacy Centre for Tenants Ontario. To shorten it: “In conclusion, if you want to complete the job started here and make serious inroads into addressing the growing housing crisis, measures such as vacancy decontrol must be taken.”

We heard from lots of people last week, and I think we should take their concerns very seriously when we talk about finishing what we've started and doing something about vacancy decontrol.

The Chair (Mr. Grant Crack): Further discussion? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I recommend voting against this because vacancy decontrol is essential to the way in which the system works in Ontario.

Indeed, when you talk about rent control in Ontario, we're talking about protecting people and not protecting units. It's about what I've described as protecting the right to security of tenure: protecting the integrity of that tenant having access to continued living in a place where he or she can afford it. It is not about rent control à la New York; it's not about preventing landlords from adapting to the market when a tenant leaves.

Indeed, when we heard the testimony of Professor Hulchanski, although he did advocate for vacancy decontrol, he also was concerned that, in his vision, there was the possibility of several above-guideline increases. In a way, our system is much more about security of tenure for that tenant and regulating above-guideline increases, as we have done in this bill, as opposed to allowing lots of above-guideline increases whenever the landlord decides to do any investment in the property.

The vision is really about security of tenure and security of the person's ability to stay in that unit. The vision is not about limiting the ability of landlords, including small landlords, to put units on the market at the prices that they think they can get when the opportunity arises.

The Chair (Mr. Grant Crack): Mr. Hatfield.

Mr. Percy Hatfield: I appreciate what you've said. I also recall hearing from delegations that some landlords, if they want to get rid of you, will do some strange things. They can make phone calls in the middle of the night; during construction, they drive you crazy with all of the noise; make your life as difficult as possible; cut off your water for periods of time; shut down the elevators for periods of time: anything to get you out of there, so then they can jack up the rent by 20%, 30% or 40%.

We've heard from people who have expressed the opinion that, for landlords, when they have to do annual maintenance or maintenance on a regular basis, that should be part of their profits because they make millions of dollars. These big landlords make millions of dollars, and their maintenance should come out of their profits, as opposed to, often, the rent increases they keep piling onto the tenants.

I think vacancy decontrol is such a loophole. There are so many ways that unscrupulous landlords and greedy landlords can manipulate the system to try to force you out and convince you that you really would be happier someplace else, just for the simple reason that, once they uproot you, they can jack up the rent. That just isn't fair.

The Chair (Mr. Grant Crack): Further discussion? Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair.

Again, I think it's very important to remember that rent control—and I appreciate the comments from the parliamentary assistant. Rent control is to make sure that tenants in an establishment don't all of a sudden get someone—because the Premier is musing about removing rent control, the landlords double the rent. That shouldn't be allowed—and I think to make sure that, when you're living there, you don't have to move out because of the increase.

But, when you're out shopping for a new place to live, I think it's reasonable that, if you're a renter, you're in the same position as somebody shopping for a house to live in. In fact, you buy at the market rate—what the property should be getting today. Now, you have to remember, in the controls that are on it, it doesn't provide for the increased value that the buildings might be—the building might have been sold since the controls went on there, and the value may be a lot more. There has to be some point in time where there's a reckoning on whether the increases that were meant for the normal upkeep of the building are in fact covering the costs of the landlord. It could be a whole generation in some of the apartments, where people move there and they never move out, but when they do move out I think it's reasonable that people have to start at what the rents are today in that same market.

I also think, in the package that I went to hear about from the Premier and the Minister of Finance and the Minister of Housing—all together, making the big announcement: a 16-point plan to fix the shortage of housing and the ever-increasing price of housing—rent control was one of those 16 points. They're going to add rent control on everything after 1991. But so far there has been nothing in the rollout of the package that suggests that rent control is going to increase the availability of housing. It's being done for a totally different purpose, which is that escalating price of rent. But the issue that keeps coming up is, how do we get people to build more rental units? The truth is that this is going to take away from that immensely. If you say, “The price you set today, that's as much as you will ever get. The fact that

interest rates are going to go way up and you have your mortgage payments—that's too bad. This is all you get.”

I just think that's what rent control is, to keep the escalating prices—but at some point, you have to have a day of reckoning for each unit.

I strongly oppose decontrolling that part of the act. So I will be voting against this motion, Mr. Chair.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote.

Mr. Ernie Hardeman: Recorded.

The Chair (Mr. Grant Crack): There's a request for a recorded vote, which will be entertained. Those in favour of favour of NDP motion number 14?

Ayes

Hatfield.

Nays

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion 14 defeated.

We shall move to section 21. NDP motion 15 proposes to amend section 21, on subsection 120.1(3) of the Residential Tenancies Act, 2006. Mr. Hatfield?

Mr. Percy Hatfield: Thank you, Chair. I'll try to get through this one although I'm so shattered after that last vote—unanimous, against me.

I move that subsection 120.1(3) of the Residential Tenancies Act, 2006, as set out in section 21 of the bill—and I noticed the word “in” is missing from my copy: as set out “in” section 21 of the bill—be amended by striking out “April 20, 2017” wherever it appears and substituting in each case “March 20, 2017”.

1650

The Chair (Mr. Grant Crack): Further discussion? Mr. Hatfield.

Mr. Percy Hatfield: I guess we're talking about being open, being fair and being transparent. Bill 124 comes too late for many tenants, especially those whose landlords immediately jacked up the rent after getting wind of the government's plans a few weeks before the government announced this bill.

The motion would make Bill 124 retroactive to the 20th of March instead of the 20th of April. The reason for that—once the media puts it out there that this is coming, some landlords get nervous and want to hedge their bets, so they give notice that the rents are going up. And then, lo and behold, a month later, when the Premier and the minister announce their intention to bring it in the following Monday, we're in high cotton at that point. They had already announced that they were going to raise their rents knowing that the April 20 date wouldn't affect them because they did it a few weeks before, when the media first started running stories about changes coming.

I just think it's a matter of fairness. It will correct—maybe not for thousands of tenants, Chair, but maybe for hundreds; at least for dozens of people who were caught by their landlords in this scheme to raise their rents, trying to get ahead of the deadline.

The Chair (Mr. Grant Crack): Further discussion on NDP motion 15? Madame Des Rosiers?

M^{me} Nathalie Des Rosiers: I'm going to recommend voting against this motion. There is no perfect date. You have to draw the line somewhere.

I think, upon reflection, probably the date where there is fulsome knowledge of what's coming is probably the fairest thing to landlords. There may have been all sorts of people before who did it for legitimate reasons and so on, so we think it's more appropriate to deal fairly with when it was a real announcement. That's why April 20 has been chosen.

The Chair (Mr. Grant Crack): Mr. Hardeman.

Mr. Ernie Hardeman: I too am opposed to this motion. In reality, when the third party introduced a private member's bill that was going to put rent control on buildings, I don't think there were many landlords who took that seriously, that that was going to happen in the near future. So I don't think that's a magic date.

I do have real concerns with the Premier and the government going around musing about doing it and not doing it right away. It's like going around to read the budget to the people at the local Tim Hortons, and then introducing the budget and expecting people to be surprised when it comes. I think I share some of your concern with that period of time, between the time that both the Minister of Housing and the Premier were going around suggesting that they were working on a plan to change the rent control regime by dealing with those people who were exempt in the legislation from 1991.

I also have a real concern with legislation that decides to make taxation or any regulation retroactive. I think the date that's in there is the date that it was actually announced, and so at least it wasn't retroactive from that date on: “We've made it official. This is going to happen, so anything you do from here on in it's going to be made to today's date.”

But going beyond that date I think is—where do you stop? Maybe we could go back to 1991 and see how much we could collect.

Mr. Percy Hatfield: I'd like that.

Mr. Ernie Hardeman: I will be voting against this motion.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on NDP motion number 15. Those in favour of NDP motion number 15? Those opposed? I declare NDP motion number 15 defeated. Hence, there are no amendments to section 21. Any discussion on section 21? There being none, I shall call for the vote. Those in favour of section 21 carrying? Those opposed? I declare section 21 carried.

We shall move to PC motion number 16, which proposes a new section, section 120.2, in the Residential Tenancies Act. Mr. Hardeman.

Mr. Ernie Hardeman: I move that the bill be amended by adding the following section:

“21.1 The act is amended by adding the following section:

““Rental advisory committee

“120.2(1) Within 60 days after the day the Rental Fairness Act, 2017 receives royal assent, the minister shall appoint a rental advisory committee.

““Members

“(2) The committee shall be composed of not more than seven persons appointed by the minister, where,

“(a) not more than three persons represent tenants or tenants’ organizations;

“(b) not more than three persons represent landlords or landlords’ organizations; and

“(c) one person represents neither tenants or tenants’ organizations, nor landlords or landlords’ organizations.

““Duties of committee

“(3) The committee shall,

“(a) monitor the effect of the guideline on the rental housing market, including vacancy rates and the development of rental units that were not previously rented; and

“(b) report in writing to the minister on its monitoring no later than 30 days after the end of each period of three months that starts at the beginning of the month after the day the Rental Fairness Act, 2017 receives royal assent.

““Publication of reports

“(4) The minister shall publish a copy of each report of the committee on the ministry’s website on the Internet.””

The Chair (Mr. Grant Crack): Further discussion on PC motion 16? Mr. Hardeman.

Mr. Ernie Hardeman: This amendment would create a rental advisory committee made up of landlords and tenants that would report quarterly on vacancy rates and the development of new rental units.

Every expert we have talked to about housing affordability has said that our number-one problem is the lack of supply. This committee would provide ongoing monitoring of the levels of supply and serve as a resource for the Minister of Housing moving forward.

This was requested by the Federation of Rental-housing Providers of Ontario. The Ontario Board of Trade also asked for reporting on supply. I think that’s really why this is there: not only to deal with the challenge we’re facing today but to make sure that as we’re moving forward, what we’re doing is not making it worse rather than better. Hopefully as it moves forward, if that works really well, it will stay in business so this never happens again.

The Chair (Mr. Grant Crack): Further discussion on PC motion 16? Madame Des Rosiers.

M^{me} Nathalie Des Rosiers: I will recommend voting against this, because we already have in the Fair Housing Plan a housing advisory group that is going to be scheduled. This proposal locks in one particular format for the advisory group. It commits to having it ongoing, with reports every three months. That would be an added burden—an added bureaucracy, in a way. I think it’s too

rigid. It’s not necessary. We don’t need to have it in the act.

There certainly is a commitment to have a housing advisory group that will include expertise, including by economists, developers, tenants’ representatives, community groups and the real estate sector. So it’s a good idea, but it may not be in the bill.

The Chair (Mr. Grant Crack): Further discussion? There being none, I shall call for the vote on PC motion number 16. Those in favour of PC motion number 16? Those opposed? I declare PC motion 16 defeated.

We shall move to section 22. We have PC motion number 17, which proposes to amend paragraph 1 of subsection 126(1) of the Residential Tenancies Act, 2006. Mr. Hardeman.

Mr. Ernie Hardeman: I move that subsection 22(1) of the bill be struck out.

The Chair (Mr. Grant Crack): Further discussion?

Mr. Ernie Hardeman: This amendment would restore the ability of landlords to apply for above-guideline increases for extraordinary costs. We all know the impact of hydro increases on the people of Ontario, and landlords large and small are faced with those same increases.

In 2014, Toronto water rates increased 9%. In 2015, they went up 8%. Last year it was another 8%. Landlords, especially small landlords who include utilities in their rent, cannot absorb all these added costs without some ability to ask for additional rent if there are extraordinary increases in cost.

The Chair (Mr. Grant Crack): Mr. Hardeman, it’s 5 o’clock. I have my duty as Chair to interrupt the proceedings according to the—

Mr. Ernie Hardeman: Then I would request a 20-minute recess, Mr. Chair.

The Chair (Mr. Grant Crack): According to the order from the House, a 20-minute recess is in order, and that will be entertained effective immediately.

The committee recessed from 1700 to 1720.

The Chair (Mr. Grant Crack): I call the meeting back to order after the 20-minute recess. Of course, we’re on the order from the House, so I will read in the proposed amendments. We are on PC motion number 17.

Ms. Daiene Vernile: Chair, may I ask for a recorded vote?

The Chair (Mr. Grant Crack): If there are going to be requests for a recorded vote, let me do what I do. I’ll take a minute—not a minute, but a couple of seconds to pause, and if you could do it at that time, it would be much appreciated.

Ms. Daiene Vernile: I will do that.

The Chair (Mr. Grant Crack): Mr. Hatfield?

Mr. Percy Hatfield: Maybe we should just have recorded votes from here on through.

The Chair (Mr. Grant Crack): If that request would be made, I would entertain it.

Interjections: Agreed.

The Chair (Mr. Grant Crack): Thank you very much. There will be no need to say that. We will do a recorded vote on every one from here on in.

We are on PC motion number 17, which proposes to amend paragraph 1 of subsection 126(1), the Residential Tenancies Act, 2006.

Ayes

Hardeman, Munro.

Nays

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare PC motion number 17 defeated.

We shall move to NDP motion number 18, which proposes to amend subsection 22(2), on paragraphs 1 to 3 of subsection 126(3.1), the Residential Tenancies Act, 2006.

Ayes

Hatfield.

Nays

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion number 18 defeated.

We shall move to NDP motion number 19, which proposes new subsection 22(2.1), on new subsection 126(3.3), the Residential Tenancies Act, 2006.

Ayes

Hatfield.

Nays

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion number 19 defeated.

We shall move to NDP motion number 20, which proposes to amend subsection 22(3), on subsection 126(7), the Residential Tenancies Act, 2006.

Ayes

Hardeman, Hatfield, Munro.

Nays

Anderson, Colle, Des Rosiers, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion number 20 defeated.

We shall move to NDP motion number 21, which proposes to amend subsections 22(4), (5) and (6), on subsections 126(12) and (13), the Residential Tenancies Act.

Mr. Percy Hatfield: How do I withdraw, Chair?

The Chair (Mr. Grant Crack): Mr. Hatfield.

Mr. Percy Hatfield: If I could withdraw, since number 18 failed and it was housekeeping related to that.

The Chair (Mr. Grant Crack): All you have to say is, "Withdrawn." Thank you very much. Withdrawn.

We shall move to NDP motion number 22, which proposes to amend subsection 22(7), on subsection 126(15), the Residential Tenancies Act, 2006. As this motion was dependent on the passage of motions 19 and 21, I declare this motion out of order, as the two previous motions were lost and/or withdrawn.

We shall move to NDP motion number 23, which proposes to amend subsection 22(9), on subsection 126(17), the Residential Tenancies Act, 2006. Mr. Hatfield.

Mr. Percy Hatfield: Withdrawn.

The Chair (Mr. Grant Crack): Withdrawal is in order.

There are no amendments, therefore, to section 22. I shall call for the vote on section 22. It will be recorded.

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 22 carried.

We shall move to section 23. There are no amendments. I shall call the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 23 carried.

We shall move to NDP motion number 24, which proposes to amend subsection 24(2), on subsections 134(1.1) and (1.2), the Residential Tenancies Act, 2006.

Ayes

Hatfield.

Nays

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion number 24 defeated.

There are no amendments to section 24. I shall call for the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 24 carried.

We shall move to PC motion number 25, which proposes an amendment to section 25, on subsection 135(1.1), the Residential Tenancies Act, 2006. Those in favour—

Mr. Ernie Hardeman: Withdrawn.

The Chair (Mr. Grant Crack): It is withdrawn. That is in order.

There are therefore no amendments to section 25. I shall call for the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 25 carried.

We shall move to section 26. There are no amendments. I shall call the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 26 carried.

We shall move to PC motion number 26, which proposes a new subsection 26.1, on new section 191.1, the Residential Tenancies Act, 2006. Those in favour of PC motion number 26?

Ayes

Hardeman, Munro.

Nays

Anderson, Colle, Des Rosiers, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare PC motion number 26 defeated.

We shall move to section 27. There are no amendments. I shall call for the vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hoggarth, Munro, Vernile.

Nays

Hatfield.

The Chair (Mr. Grant Crack): I declare section 27 carried.

We shall move to section 28. There are no amendments. I shall call for the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 28 carried.

We shall move to section 29. There are no amendments. I shall call for the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 29 carried.

We shall move to section 30. There are no amendments. I shall call for the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 30 carried.

We shall move to section 31. We have PC motion number 27, which proposes to amend section 31, creating new subsection 241.1(2), the Residential Tenancies Act, 2006. I shall call the vote.

Ayes

Hardeman, Hatfield, Munro.

Nays

Anderson, Colle, Des Rosiers, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare PC motion number 27 defeated.

We shall move to section 31 in its entirety. There are no amendments that carried. I shall call the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

Nays

Hardeman, Munro.

The Chair (Mr. Grant Crack): I declare section 31 carried.

We are on section 32 now. There are no amendments. I shall call the recorded vote.

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 32 carried.

1730

We shall move to section 33. We have NDP motion number 28, which is an amendment proposed to subsection 33(2). I shall call the recorded vote.

Ayes

Hatfield.

Nays

Anderson, Colle, Des Rosiers, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare NDP motion 28 defeated. Hence, there are no amendments to section 33. I shall call for the recorded vote on section 33. Shall section 33 carry?

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 33 carried.

We shall move to section 34, short title, no amendments. I shall call the recorded vote. Shall section 34 carry?

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare section 34 carried.

We shall move to the title of the bill. There are no amendments. I shall call the recorded vote. Shall the title of the bill carry?

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare the title of the bill carried.

We shall move to the bill, as amended. I shall call for the recorded vote. Shall Bill 124, as amended, carry?

Ayes

Anderson, Colle, Des Rosiers, Hatfield, Hoggarth, Vernile.

The Chair (Mr. Grant Crack): I declare Bill 124, as amended, carried.

We shall move to reporting of the bill. There are no such things as amendments, I guess. Shall I report the bill, as amended, to the House? Those in favour?

Mr. Percy Hatfield: Point of order, Chair.

The Chair (Mr. Grant Crack): Not in a vote. Shall I report the bill, as amended, to the House?

Ayes

Anderson, Colle, Des Rosiers, Hardeman, Hatfield, Hoggarth, Munro, Vernile.

The Chair (Mr. Grant Crack): I declare that passed, and I shall report the bill, as amended, to the House.

Point of order, Mr. Hatfield?

Mr. Percy Hatfield: I was just wondering whether a 20-minute break was in order.

The Chair (Mr. Grant Crack): We already had it, and we were allowed one—

Mr. Percy Hatfield: Oh, you're only allowed one? See, I was wondering whether each member could ask for one. Not that I was going to ask for one; I was just wondering whether it would be in order, that's all.

The Chair (Mr. Grant Crack): I would thank you. I want to thank the Clerk for the great work she just did on the recorded votes. Before we adjourn, Mr. Hardeman?

Mr. Ernie Hardeman: Point of order: It's a question on procedure. I'm a stickler for procedure. When the House order says that at 5 o'clock every motion shall be deemed to have been moved, does that still allow members to withdraw a motion that has already been moved?

The Chair (Mr. Grant Crack): To answer your question, the motion always has to be read into the record before it can be withdrawn, so the proper process was followed today regardless of the order of the House. It's presumed to be moved, so it was moved and you withdrew it. If you're going to withdraw anyway—that's why I continued—

Mr. Ernie Hardeman: The only reason I asked is because the House said you were to put every question, not to decide whether the movers wanted them put.

Mr. Mike Colle: Okay, let's put this thing to rest.

Mr. Ernie Hardeman: With that, thank you very much for a job well done, Mr. Chair.

The Chair (Mr. Grant Crack): Thank you very much. There are two ways here, though, if I could just clarify for the committee. There's withdrawal and you're not moving a motion. You can achieve two things by saying we're not going to move it, but since this was deemed to be moved, it was opportune to withdraw.

Having said that, thank you, everyone, and thanks to the members of the committee and all the staff that's here. I declare this meeting is adjourned. I hope everybody goes to the House to watch me report the bill to the House tomorrow.

The committee adjourned at 1735.

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