



What to Look for in a Lease or Rental Agreement

What is a lease?

A lease is a legal agreement between you and the landlord that sets out both of your rights and responsibilities. It also sets out the terms and conditions you have agreed on, making it easier to resolve any misunderstandings and disagreements.

The term of a lease is typically 12 months. A landlord may ask you to sign a lease for longer, but you don't have to. In Ontario, the Residential Tenancies Act (RTA) sets out rules about what a landlord can and cannot require of a renter in private market rental housing (www.ontario.ca/laws/statute/06r17).

Waterloo Region Community Legal Services can tell you if your prospective housing likely falls under the RTA and, if so, what terms and conditions are legally enforceable. You can also talk to officers with the Landlord and Tenant Board (LTB) or contact the Community Legal Education of Ontario (CLEO) to learn more about other laws that apply. See contact information for these organizations below.

What terms and conditions are included in a lease?

The lease will say what the rent is, what is included in the rent (i.e., utilities, parking, cable TV), and if and when the rent will increase. In Ontario, there is an anniversary date for apartments. On that date the landlord can increase the rent whether you have lived in the apartment for one month or 11 months. He or she must give you 90 days' notice.

At the end of the lease (e.g., after the initial 12-month period), you do not have to sign another lease. You can continue to rent on a month-to-month basis. Many people choose this option as the conditions of the former lease still legally apply, but you can also give two month's notice to move without penalty.

Use the tip sheet, *Reviewing and Summarizing My Lease*, to summarize the terms and conditions of your lease.





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What should you be wary of in a lease?

Look for parts of the lease that may be unlawful, such as a restriction on visitors to your apartment. Don't sign until you are absolutely sure of what it says.

Read every word carefully, especially to see if anything has been added or taken out. If the landlord verbally agrees to changes, ask that the changes be added to the lease. If your landlord agrees to make repairs, ask the landlord to list the types of repairs in the lease.

Community Legal Services can tell you what a landlord can and cannot legally put in a lease. There are also online resources available (below) to learn more about the laws that apply.

What is a rental agreement and how is it different from a lease?

A rental agreement is similar to a lease in that it lays out your rights and responsibilities as a tenant and is legally binding. The main difference is that the rental agreement does not specify a length of time for the tenancy; you can give two months' (60 days) notice and move out at that time without financial penalty.

Take your time to review your lease or rental agreement

Take your time even if you are worried that the landlord will get impatient and decide not to rent to you. A lease is legally binding. If you rush into it now, you may regret it later. Make sure you know what the lease says and how long the term is for. Sign only if you are happy with the apartment and the lease and you are sure you can keep your part of the agreement.





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For more information and assistance:

Waterloo Region Community Legal Services

www.wrcls.ca

Unit 101

450 Frederick Street

Kitchener, ON N2H 2P5

Phone: (519)743-0254 Fax: (519)743-1588

Community Legal Education of Ontario

www.cleo.on.ca/en

Suite 506

180 Dundas Street West

Toronto, ON M5G 1Z8

Phone: 416-408-4420 Fax: 416-408-4424

E-mail: info@cleo.on.ca

Landlord & Tenant Board

www.sjto.gov.on.ca/lrb/legislation-and-regulation

Phone: 1-888-332-3234 TTY: 1-800-268-9242

Mon-Fri: 8:30 a.m.-5:00 p.m.

Please note that officers with the board can answer questions but can't give legal advice.

