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# Bill 144

## An Act to amend the Residential Tenancies Act, 2006

**Mr. P. Tabuns**

**Private Member's Bill**

1st Reading      June 1, 2017

2nd Reading

3rd Reading

Royal Assent



## EXPLANATORY NOTE

The Bill amends the *Residential Tenancies Act, 2006* to do the following:

1. Repeal and replace the rules relating to the landlord's responsibility to maintain a residential complex under section 20 of the Act.
2. Create a mechanism by which tenants may apply to the Landlord and Tenant Board in circumstances in which a landlord has failed to comply with certain orders or a previously mediated settlement.
3. Set out new rules for rent that can be charged by a landlord to a new tenant.
4. Expand the circumstances in which a tenant may apply to the Landlord and Tenant Board for an order determining the maximum amount of rent that the tenant may lawfully be charged.
5. Limit existing grounds on which a landlord can seek an above guideline rent increase to circumstances in which a landlord incurs an eligible capital expenditure and amend the current rules around what constitutes an eligible capital expenditure and when a landlord is eligible for an above guideline rent increase.
6. Establish a rent registry to be maintained by the Landlord and Tenant Board and set out rules requiring that landlords file statements with the Board for inclusion in the registry, providing for consequences for failing to file the statement and governing the disclosure of information in the registry.

The Bill also addresses amendments made to the *Residential Tenancies Act, 2006* by the *Rental Fairness Act, 2017*.

**An Act to amend the Residential Tenancies Act, 2006**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1 (1) Subsection 20 (1) of the *Residential Tenancies Act, 2006* is repealed and the following substituted:****Landlord's responsibility to repair**

(1) Subject to section 34, a landlord is responsible for providing and maintaining a residential complex, including the rental units in it, in a good state of repair and fit for habitation and for complying with health, safety, housing and maintenance standards.

**(2) Section 20 of the Act is amended by adding the following subsection:****Same**

(3) For greater certainty, a landlord is in breach of subsection (1) if the landlord fails in any way to maintain the residential complex, including the rental units in it, in a good state of repair, fit for habitation and in compliance with health, safety, housing and maintenance standards regardless of any efforts on the part of the landlord to maintain the residential complex.

**2 Paragraph 6 of subsection 30 (1) of the Act is repealed.****3 The Act is amended by adding the following section:****Application based on mediated settlement, prior order**

**31.1** (1) If a landlord has failed to complete specified repairs or replacements or other work within a period of time specified in a settlement or prior order a tenant may, without notice to the landlord, apply to the Board for an order under this section.

**Same**

(2) The tenant shall include with the application a copy of the settlement or prior order and an affidavit setting out the work that has not been completed.

**Order for payment**

(3) If the Board finds that the landlord has failed to comply with the settlement or prior order, the Board may make one or more of the following orders:

1. Order the landlord to pay to the Board an administrative fine not exceeding \$1,000 per day until the landlord satisfies the Board that the landlord has complied with the order or settlement.
2. Order an abatement of rent until the landlord satisfies the Board that the landlord has complied with the order or settlement.
3. Order an abatement of rent in the amount of the reasonable costs that the tenant will incur in completing the repairs or replacements or other work as set out in the order or settlement.

**Amendment to settlement, order**

(4) In an order under subsection (3), the Board may amend the settlement or prior order if it considers it appropriate to do so.

**Time limitation**

(5) No application may be made under subsection (1) in respect of a work order made under section 225 until the time limit for applying for a review of the work order under section 226 has elapsed and the landlord has not applied for a review or, if the landlord has applied for a review, the Board has made an order under subsection 226 (2).

**Definition**

(6) In this section,

“prior order” means either an order of the Board made under paragraph 4 of subsection 30 (1) or a work order made under section 225; (“ordonnance antérieure”)

“settlement” means a settlement mediated under section 194. (“règlement”)

**4 (1) Subsection 37 (7) of the Act is amended by adding “and” at the end of clause (a), striking out “and” at the end of clause (b) and striking out clause (c).**

**(2) Subsection 37 (9) of the Act is amended by striking out “clauses 7 (a), (b) and (c)” and substituting “clauses 7 (a) and (b)”.**

**5 Section 113 of the Act is repealed and the following substituted:**

**Lawful rent for new tenant**

**113** Subject to section 111, the lawful rent for the first rental period for a new tenant under a new tenancy agreement is,

- (a) 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 if the rental unit was previously rented in the last 12 months;
- (b) with respect to a rental unit that has not been 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; or
- (c) the rent first charged to the tenant if the rental unit was not previously rented.

**6 Section 114 of the Act is amended by striking out “6, 7 or 8” wherever it appears and substituting in each case “7 or 8”.**

**7 Subsection 115 (1) of the Act is repealed and the following substituted:**

**Application by tenant**

(1) A tenant, other than a new tenant who occupies a rental unit described in clause 113 (c), may apply to the Board for an order determining the maximum amount of rent that the tenant may lawfully be charged.

**Same**

(1.1) If at the time of the application an order made under paragraph 7 or 8 of subsection 30 (1) prohibits the landlord from giving a notice of a rent increase to the tenant or taking any rent increase for which notice has been given with respect to the tenant’s rental unit, the Board’s order will set out the amount of rent that the tenant may lawfully be charged,

- (a) until the prohibition in the order ends; and
- (b) after the prohibition in the order ends.

**Same**

(1.2) If the Board determines that the landlord has charged the tenant a rent that exceeds the maximum lawful rent, the Board shall order that the landlord rebate to the tenant any rent paid by the tenant in excess of the maximum amount of rent that the tenant may lawfully be charged.

**8 Section 117 of the Act is repealed and the following substituted:**

**Compliance by landlord, no notice required**

**117 (1)** Despite section 116, but subject to subsections (2) and (3) of this section, if an order was issued under paragraph 8 of subsection 30 (1), no notice of rent increase is required for the landlord to take a rent increase that the landlord would have been entitled to take in the absence of the order.

**Limitation**

(2) Subsection (1) applies only where the landlord,

- (a) has completed the items in work orders for which the compliance period has expired and which were found by the Board to be related to a serious breach of a health, safety, housing or maintenance standard; and
- (b) has completed the specified repairs or replacements or other work ordered under paragraph 4 of subsection 30 (1) found by the Board to be related to a serious breach of the landlord's obligations under subsection 20 (1) or section 161.

#### **Effective date**

- (3) The authority under subsection (1) to take an increase or charge an amount without a notice of rent increase is effective on the first day of the rental period following the date that the landlord completed,
- (a) the items in work orders for which the compliance period has expired and which were found by the Board to be related to a serious breach of a health, safety, housing or maintenance standard; and
  - (b) the specified repairs or replacements or other work ordered under paragraph 4 of subsection 30 (1) found by the Board to be related to a serious breach of the landlord's obligations under subsection 20 (1) or section 161.

#### **Date of annual increase**

- (4) In determining the effective date of the next lawful rent increase under section 119, an increase taken under subsection (1) shall be deemed to have been taken at the time the landlord would have been entitled to take it if the order under paragraph 8 of subsection 30 (1) had not been issued.

#### **9 Section 120 of the Act is amended by adding the following subsection:**

##### **Exception**

- (1.1) Despite subsection (1), a landlord who has not filed a statement in respect of a rental unit in accordance with section 182.3.2 may not increase the rent in respect of that unit until the statement is filed.

**10 (1) If this Act receives Royal Assent before subsection 22 (1) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (1) of the *Rental Fairness Act, 2017* is repealed.**

**(2) If subsection 22 (1) of the *Rental Fairness Act, 2017* is repealed by subsection (1), subsections 126 (1) and (2) of the Act are repealed and the following substituted:**

##### **Application for above guideline increase**

- (1) A landlord may apply to the Board for an order permitting the rent charged to be increased by more than the guideline for any or all of the rental units in a residential complex if eligible capital expenditures have been incurred respecting the residential complex or one or more of the rental units in it.

##### **Eligible capital expenditure**

- (2) For the purpose of this section, an eligible capital expenditure is an expenditure that funds a capital improvement that benefits the tenants of the residential complex, as determined in accordance with the regulations, repairs or replaces systems or things that require major repair or replacement and that,

- (a) is necessary to protect or restore the physical integrity of the residential complex or part of it;
- (b) is necessary to comply with subsection 20 (1) or clauses 161 (a) to (e);
- (c) is necessary to maintain the provision of a plumbing, heating, mechanical, electrical, ventilation or air conditioning system;
- (d) provides access for persons with disabilities;
- (e) promotes energy or water conservation; or
- (f) maintains or improves the security of the residential complex or part of it.

##### **Suite meter, utilities**

- (2.1) A capital expenditure for the installation of a suite meter or for compliance with subsection 138 (5) is only a capital expenditure if it meets the requirements under both subsection (2) of this section and subsection 137 (15) or 138 (10), as the case may be.

**(3) If this Act receives Royal Assent after subsection 22 (1) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (1) of the Act, as amended by subsection 22 (1) of the *Rental Fairness Act, 2017*, and subsection 126 (2) of the Act are repealed and the following substituted:**

### **Application for above guideline increase**

(1) A landlord may apply to the Board for an order permitting the rent charged to be increased by more than the guideline for any or all of the rental units in a residential complex if eligible capital expenditures have been incurred respecting the residential complex or one or more of the rental units in it.

### **Eligible capital expenditure**

(2) For the purpose of this section, an eligible capital expenditure is an expenditure that funds a capital improvement that benefits the tenants of the residential complex, as determined in accordance with the regulations, that repairs or replaces systems or things that require major repair or replacement and,

- (a) is necessary to protect or restore the physical integrity of the residential complex or part of it;
- (b) is necessary to comply with subsection 20 (1) or clauses 161 (a) to (e);
- (c) is necessary to maintain the provision of a plumbing, heating, mechanical, electrical, ventilation or air conditioning system;
- (d) provides access for persons with disabilities;
- (e) promotes energy or water conservation; or
- (f) maintains or improves the security of the residential complex or part of it.

### **Suite meter, utilities**

(2.1) A capital expenditure for the installation of a suite meter or for compliance with subsection 138 (5) is only a capital expenditure if it meets the requirements under both subsection (2) of this section and subsection 137 (15) or 138 (10), as the case may be.

**(4) If this Act receives Royal Assent before subsection 22 (2) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (2) of the *Rental Fairness Act, 2017* is repealed.**

**(5) If subsection 22 (2) of the *Rental Fairness Act, 2017* is repealed by subsection (4), section 126 of the Act is amended by adding the following subsections:**

### **Summary of work yet to be completed**

(3.1) The landlord shall include with an application under this section a summary of each of the following, if applicable:

1. Any item in a work order that relates to the residential complex and that has not yet been completed, regardless of whether or not the compliance period has expired.
2. Any item in an order made under any Act or municipal by-law that relates to the standard of repair or maintenance of the residential complex that has not yet been complied with, regardless of whether or not the compliance period has expired and regardless of whether the order was made against the landlord or another person or entity.
3. Any specified repairs or replacements or other work ordered by the Board under paragraph 4 of subsection 30 (1) in the residential complex and that has not yet been completed, regardless of whether or not the compliance period has expired.

### **Same**

(3.2) A summary referred to in subsection (3.1) shall include the following information:

1. A description of the work that was ordered to be carried out.
2. The person or entity who was ordered to carry out the work and the time for compliance specified in the order.
3. The person or entity who made the order and the date the order was made.
4. Such additional information as may be prescribed.

**(6) If this Act receives Royal Assent after subsection 22 (2) of the *Rental Fairness Act, 2017* comes into force, paragraphs 1 to 3 of subsection 126 (3.1) of the Act, as enacted by subsection 22 (2) of the *Rental Fairness Act, 2017*, are repealed and the following substituted:**

1. Any item in a work order that relates to the residential complex and that has not yet been completed, regardless of whether or not the compliance period has expired.

2. Any item in an order made under any Act or municipal by-law that relates to the standard of repair or maintenance of the residential complex that has not yet been complied with, regardless of whether or not the compliance period has expired and regardless of whether the order was made against the landlord or another person or entity.
3. Any specified repairs or replacements or other work ordered by the Board under paragraph 4 of subsection 30 (1) in the residential complex and that has not yet been completed, regardless of whether or not the compliance period has expired.

**(7) Subsection 126 (4) of the Act is repealed and the following substituted:**

**Information for tenants**

(4) A landlord shall make the information that accompanies the application under subsection 185 (1) available to the tenants of the residential complex in accordance with the prescribed rules.

**(8) If this Act receives Royal Assent before subsection 22 (3) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (3) of the *Rental Fairness Act, 2017* is repealed.**

**(9) If subsection 22 (3) of the *Rental Fairness Act, 2017* is repealed by subsection (8), subsection 126 (7) of the Act is repealed.**

**(10) If this Act receives Royal Assent after subsection 22 (3) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (7) of the Act, as amended by subsection 22 (3) of the *Rental Fairness Act, 2017*, is repealed.**

**(11) Subsections 126 (8) and (9) of the Act are repealed.**

**(12) Subsection 126 (11) of the Act is amended by striking out the portion before clause (a) and substituting the following:**

**Limitation**

(11) If the Board is satisfied that the percentage increase justified in an order under subsection (10) is more than 3 per cent,

**(13) Clause 126 (11) (a) of the Act is amended by striking out “costs and”.**

**(14) If this Act receives Royal Assent before subsection 22 (4) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (4) of the *Rental Fairness Act, 2017* is repealed.**

**(15) If subsection 22 (4) of the *Rental Fairness Act, 2017* is repealed by subsection (14), subsection 126 (12) of the Act is repealed and the following substituted:**

**Serious breach**

(12) Subsection (13) applies to a rental unit if the Board finds that,

- (a) the landlord,
  - (i) has not completed items in work orders for which the compliance period has expired and which relate to the residential complex,
  - (ii) or another person or entity, as applicable, has not complied with an order made under any Act or municipal by-law, for which the compliance period has expired, that relates to the standard of repair or maintenance of the residential complex,
  - (iii) has not completed specified repairs or replacements or other work ordered by the Board under paragraph 4 of subsection 30 (1) for which the compliance period has expired, or
  - (iv) is in serious breach of the landlord’s obligations under subsection 20 (1) or section 161; and
- (b) the rental unit is affected by,
  - (i) one or more items referred to in subclause (a) (i) that have not been completed,
  - (ii) the non-compliance referred to in subclause (a) (ii) that has not been remedied,
  - (iii) one or more repairs or replacements or other work referred to in subclause (a) (iii) that has not been completed, or
  - (iv) a serious breach referred to in subclause (a) (iv).

**(16) If this Act receives Royal Assent after subsection 22 (4) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (12) of the Act, as amended by subsection 22 (4) of the *Rental Fairness Act, 2017*, is repealed and the following substituted:**

**Serious breach**

(12) Subsection (13) applies to a rental unit if the Board finds that,

- (a) the landlord,
  - (i) has not completed items in work orders for which the compliance period has expired and which relate to the residential complex,
  - (ii) or another person or entity, as applicable, has not complied with an order made under any Act or municipal by-law, for which the compliance period has expired, that relates to the standard of repair or maintenance of the residential complex,
  - (iii) has not completed specified repairs or replacements or other work ordered by the Board under paragraph 4 of subsection 30 (1) for which the compliance period has expired, or
  - (iv) is in serious breach of the landlord's obligations under subsection 20 (1) or section 161; and
- (b) the rental unit is affected by,
  - (i) one or more items referred to in subclause (a) (i) that have not been completed,
  - (ii) the non-compliance referred to in subclause (a) (ii) that has not been remedied,
  - (iii) one or more repairs or replacements or other work referred to in subclause (a) (iii) that has not been completed, or
  - (iv) a serious breach referred to in subclause (a) (iv).

**(17) If this Act receives Royal Assent before subsection 22 (5) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (5) of the *Rental Fairness Act, 2017* is repealed.**

**(18) If this Act receives Royal Assent after subsection 22 (5) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (12.1) of the Act, as enacted by subsection 22 (5) of the *Rental Fairness Act, 2017*, is repealed.**

**(19) If this Act receives Royal Assent before subsection 22 (6) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (6) of the *Rental Fairness Act, 2017* is repealed.**

**(20) If subsection 22 (6) of the *Rental Fairness Act, 2017* is repealed by subsection (19), subclauses 126 (13) (b) (i) to (iii) of the Act are repealed and the following substituted:**

- (i) all items referred to in subclause (12) (a) (i) that affect the rental unit have been completed, if a finding was made under that subclause,
- (ii) all orders referred to in subclause (12) (a) (ii) that affect the rental unit have been complied with, if a finding was made under that subclause,
- (iii) all repairs, replacements and other work referred to in subclause (12) (a) (iii) that affect the rental unit have been completed, if a finding was made under that subclause, and
- (iv) the serious breach referred to in subclause (12) (a) (iv) no longer affects the rental unit, if a finding was made under that subclause.

**(21) If this Act receives Royal Assent after subsection 22 (6) of the *Rental Fairness Act, 2017* comes into force, subclauses 126 (13) (b) (i) to (vi) of the Act are repealed and the following substituted:**

- (i) all items referred to in subclause (12) (a) (i) that affect the rental unit have been completed, if a finding was made under that subclause,
- (ii) all orders referred to in subclause (12) (a) (ii) that affect the rental unit have been complied with, if a finding was made under that subclause,
- (iii) all repairs, replacements and other work referred to in subclause (12) (a) (iii) that affect the rental unit have been completed, if a finding was made under that subclause, and
- (iv) the serious breach referred to in subclause (12) (a) (iv) no longer affects the rental unit, if a finding was made under that subclause.

**(22) If this Act receives Royal Assent before subsection 22 (7) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (7) of the *Rental Fairness Act, 2017* is repealed.**

**(23) If subsection 22 (7) of the *Rental Fairness Act, 2017* is repealed by subsection (22), section 126 of the Act is amended by adding the following subsection:**

**Application**

(15) If an application is made under this section before the day section 10 of the *Real Rent Control Act, 2017* comes into force,

- (a) subsections (3.1) and (3.2) do not apply to the application; and
- (b) subsections (12) and (13), as they read the day before section 10 of the *Real Rent Control Act, 2017* came into force, continue to apply to the application.

**(24) If this Act receives Royal Assent after subsection 22 (7) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (15) of the Act, as enacted by subsection 22 (7) of the *Rental Fairness Act, 2017*, is repealed and the following substituted:**

**Application**

(15) If an application is made under this section before the day section 10 of the *Real Rent Control Act, 2017* comes into force,

- (a) subsections (3.1) and (3.2) do not apply to the application; and
- (b) subsections (12) and (13), as they read the day before section 10 of the *Real Rent Control Act, 2017* came into force, continue to apply to the application.

**(25) If this Act receives Royal Assent before subsection 22 (9) of the *Rental Fairness Act, 2017* comes into force, subsection 22 (9) of the *Rental Fairness Act, 2017* is repealed.**

**(26) If this Act receives Royal Assent after subsection 22 (9) of the *Rental Fairness Act, 2017* comes into force, subsection 126 (17) of the Act, as enacted by subsection 22 (9) of the *Rental Fairness Act, 2017*, is repealed.**

**11 Section 149 of the Act is amended by striking out “subject to subsection 6 (2)”.**

**12 The Act is amended by adding the following Part:**

**PART XI.1  
RENT REGISTRY**

**Rent registry**

**182.3.1** (1) The Board shall establish and maintain a rent registry for all rental units to which this Act applies and shall make the information available in accordance with section 182.3.3.

**Content of registry**

(2) The Board shall include in the registry any information contained in a statement filed by a landlord under subsection 182.3.2 (1) and any order made by the Board under paragraph 7 or 8 of subsection 30 (1) or subsection 126 (10).

**Updates to registry**

(3) The Board shall take reasonable steps to ensure that the information contained in the registry is accurate and may correct or update any information contained in the registry.

**Landlord to file statement**

**182.3.2** (1) Every landlord of a rental unit shall file with the Board a statement in a form approved by the Board.

**When statement due**

- (2) The landlord shall file the statement,
  - (a) within three months after the day the rental unit is rented, in the case of a rental unit that has not been previously rented or is not rented on the day this section comes into force; or
  - (b) within three months after this section comes into force in the case of all other rental units.

**Content of statement**

- (3) The statement shall set out the following information:
  1. The landlord’s name and address.
  2. If the landlord is not ordinarily resident in Ontario, the name and address of the landlord’s representative or agent in Ontario.

3. The municipal address of the rental unit.
4. The rent charged to the tenant as of the date of filing, including whether the rent amount includes rent attributable to services described under subsection 123 (1) or utilities and the amounts attributable to each.
5. Any other prescribed information.

**Copy to tenant**

- (4) The landlord shall also provide a copy of the statement filed under subsection (2) to the tenant.

**Tenant application**

- (5) The tenant may apply to the Board, on notice to the landlord, for an order determining the accuracy of the information in the statement filed under subsection (2) with respect to the tenant's rental unit.

**Board may make order**

- (6) If the Board determines that the information in the statement filed under subsection (2) is not accurate, the Board may correct the information or order that the landlord file another statement.

**Time limitation**

- (7) No application may be made under subsection (5) more than 60 days after the tenant has received the copy of the statement.

**Disclosure of information**

**182.3.3** (1) The Board shall disclose the information contained in the registry about a particular rental unit to any of the following individuals who request it:

1. The landlord or an individual authorized by the landlord.
2. The tenant, an individual who ceased to be a tenant of the rental unit within 12 months prior to the request or an individual authorized by the tenant or former tenant.
3. A prospective tenant who has applied to the landlord to occupy the rental unit.

**Same**

- (2) The Board shall take reasonable steps to verify that an individual who requests information in respect of a particular rental unit is a person described in subsection (1).

**Disclosure to tax authorities**

- (3) The Board may disclose information contained in the registry to a ministry or department or agency of the Government of Canada or Ontario that administers or enforces the *Income Tax Act*, the *Taxation Act, 2007* or the *Income Tax Act (Canada)*.

**Deemed compliance with FIPPA**

- (4) Any disclosure of personal information under subsection (3) is deemed to be in compliance with clause 42 (1) (e) of the *Freedom of Information and Protection of Privacy Act*.

**13 Subsection 184 (2) of the Act is amended by striking out "or an application solely under paragraph 1 of subsection 126 (1)" at the end.**

**14 Subsection 196 (1) of the Act is repealed and the following substituted:**

**Board may refuse to proceed if money owing, statement not filed**

- (1) Upon receiving information that an applicant owes money to the Board as a result of having failed to pay any fine, fee or costs or has not filed a statement in accordance with subsection 182.3.2 (1),
- (a) if the information is received on or before the day the applicant submits an application, an employee in the Board shall, in such circumstances as may be specified in the Rules, refuse to allow the application to be filed;
  - (b) if the information is received after the application has been filed but before a hearing is held, the Board shall stay the proceeding until the fee, fine or costs have been paid or the statement has been filed, as the case may be, and may discontinue the application in such circumstances as may be specified in the Rules; or
  - (c) if the information is received after a hearing with respect to the application has begun, the Board shall not issue an order until the fine, fee or costs have been paid or the statement has been filed, as the case may be, and may discontinue the application in such circumstances as may be specified in the Rules.

**15 Section 233 of the Act is amended by adding the following clause:**

(g.1) provides false information in a statement filed with the Board under subsection 182.3.2 (1);

**16 (1) Clause 234 (k) of the Act is repealed.**

**(2) Section 234 of the Act is amended by adding the following clause:**

(r.1) fails to file a statement with the Board under subsection 182.3.2 (1);

**17 (1) Paragraph 12 of subsection 241 (1) of the Act is repealed.**

**(2) Paragraph 23 of subsection 241 (1) of the Act is repealed and the following substituted:**

23. governing the manner of determining if a capital expenditure benefits the tenants of a residential complex for the purposes of subsection 126 (2);

**(3) If this Act receives Royal Assent before subsection 30 (3) of the *Rental Fairness Act, 2017* comes into force, subsection 30 (3) of the *Rental Fairness Act, 2017* is repealed.**

**(4) If this Act receives Royal Assent after subsection 30 (3) of the *Rental Fairness Act, 2017* comes into force, paragraph 24.1 of subsection 241 (1) of the Act, as enacted by subsection 30 (3) of the *Rental Fairness Act, 2017*, is repealed.**

**(5) Paragraphs 29 and 30 of subsection 241 (1) of the Act are repealed.**

**(6) Subsection 241 (1) of the Act is amended by adding the following paragraph:**

61. governing the rent registry established under Part XI.1.

**(7) If this Act receives Royal Assent before subsection 30 (5) of the *Rental Fairness Act, 2017* comes into force, subsection 30 (5) of the *Rental Fairness Act, 2017* is repealed.**

**(8) If this Act receives Royal Assent after subsection 30 (5) of the *Rental Fairness Act, 2017* comes into force, subsection 241 (3) of the Act, as enacted by subsection 30 (5) of the *Rental Fairness Act, 2017*, is repealed.**

#### **Commencement**

**18 (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.**

**(2) Sections 1 to 9, subsections 10 (2), (3), (5) to (7), (9) to (13), (15), (16), (18), (20), (21), (23), (24) and (26), sections 11 to 16 and subsections 17 (1), (2), (4) to (6) and (8) come into force six months after the day this Act receives Royal Assent.**

#### **Short title**

**19 The short title of this Act is the *Real Rent Control Act, 2017*.**