



**Ontario
Human Rights Commission**
**Commission ontarienne des
droits de la personne**



Writing a fair rental housing ad

Landlords and tenants want to comply with housing-related laws, but they don't always know all the rules. Both landlord and tenant groups want to increase awareness about human rights in housing and to end discrimination.

The Ontario Human Rights Commission created this guide to help landlords who are advertising their rental units and organizations that provide housing listings to prevent human rights violations and avoid complaints.

What Ontario's *Human Rights Code* says

You cannot deny a tenant housing because of:

- receipt of public assistance, like welfare or employment insurance
- race, colour or ethnic origin
- age, including 16- or 17-year-olds who are independent of their parents
- family status
- marital status, including people with common-law or same-sex partners
- ancestry, including people of Aboriginal descent
- sex, including pregnancy
- gender identity
- gender expression
- religious beliefs or practices
- place of origin
- sexual orientation
- disability
- citizenship, including refugee status
- gender identity
- gender expression

People are also protected from discrimination for being a friend or relative of someone identified by one of the above grounds.

These rules do not apply where a tenant shares a bathroom or kitchen with the landlord or the landlord's family.

Some ads openly discriminate

Some housing ads contain statements that openly discriminate:

- “Adult building” or “Not suitable for children”
- “Must have working income” or “Must provide proof of employment”
- “No ODSP”
- “Seeking mature couple.”

These ads discriminate because they show the landlord’s preference of some people over others based on *Human Rights Code* grounds like marital or family status, age, disability and/or receipt of public assistance (including if a person’s income is from student loans, the Ontario Disability Support Program or Ontario Works, pension or retirement funds).

Some ads discriminate by accident

Some landlords, when listing “selling points” to attract tenants, make statements that may discriminate, even if they don’t mean to. This often happens when you are trying to appeal to people you think may like the rental unit. Some examples are:

- Ideal for quiet couple
- Suitable for single professional
- Perfect for female student
- Suits mature individual or couple
- Great for working folks or students.

These statements suggest that the landlord prefers some people over others based on the *Code* grounds listed above. These ads discourage good tenants from applying, because they think they won’t be treated fairly.

Other common statements that might discriminate are:

- “Not soundproof” – may indicate bias against families with children
- “No pets” – Under Ontario’s *Human Rights Code*, persons with disabilities who use service animals (such as guide dogs) can not be denied access to any kind of housing based on a “no pets” rule.

What you can do to get the good tenants you need

The ideas and facts below can help you prepare ads that attract a full range of potential tenants. They can help you reach good tenants who might not have applied if they thought you would not consider them.

Describe the unit, not the tenant

Instead of naming the "ideal" person or people for the unit, list the rent, size and other information about the unit itself, the building, and nearby services that may appeal to tenants.

Example: Renting a smaller basement unit

The wrong way: "Perfect apartment for a student" or "ideal for a single professional."

The problem: Others who may also wish to rent it, such as a couple, a single parent, a senior or a person on ODSP, may think the landlord will not accept their application, even if they are able to pay the rent.

The right way: "Bright, cozy bachelor basement apartment, new kitchen cabinets, full bath, access to storage locker, shared laundry in friendly 5-unit building. \$750 per month including hydro and heat. On 2 bus routes, close to university, park, shops, community centre."

Think about the many ways tenants can pay rent

Residents don't have to be working to have money to pay the rent. Research shows that people living on social assistance, pensions or retirement income are just as likely to pay their rent as people who are working.

Tenants can provide you with many kinds of information to show they have income and are reliable. The *Human Rights Code* says that landlords can ask for:

- Rental history, credit references and/or credit checks – but do not view a lack of rental or credit history as meaning that a person cannot pay their rent. Young people, newcomers, women returning to the workforce after long periods of care-giving or the end of a marriage, and other people may have little or no rental or credit history, which is not the same as a bad credit rating. Other information, such as references or income, must be considered
- Income information – but you must look at this together with any available information on rental history, credit references and credit checks (such as through Equifax Canada). You can only use income information to confirm that the person has enough money to cover the rent. The only time you can base a decision to rent on income information alone is when the person makes no other information available
- A "guarantor" to sign the lease – but only if you have the same requirements for all tenants. Don't just ask some people, such as recent immigrants, young people or people on social assistance.

Don't apply rent-to-income ratios

Housing costs are often high in relation to income. Unless you are providing subsidized housing, it is illegal to apply a rent-to-income ratio, such as a 30% cut-off rule.

For more information see the OHRC website at www.ohrc.on.ca and look for human rights in housing, our *Policy on human rights and rental housing* and the Human rights and rental housing e-learning module.

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