

## ONTARIO'S STANDARD FORM OF RESIDENTIAL LEASE

by Alex Kolandjian

As of April 30, 2018, residential tenancies in Ontario that are subject to the *Residential Tenancies Act*, 2006 (i.e., most apartment, condominium, house and secondary unit tenancies, among others), must use a new standard form of residential lease.

This does not apply to existing leases or renewals of leases that were entered into before April 30, 2018.

The standard form of residential lease is essentially composed of three different sections:

1. **Mandatory fields:** These include the parties, the term, rent payable, allocation of utilities costs, which services are included, the amount of any deposit, insurance requirements, etc.;
2. **Optional additional terms:** This is where terms may be supplemented to the terms in the mandatory fields. These must not violate the *Residential Tenancies Act*, so it is imperative not to include any prohibited penalties or fees, restrictions on guests, no pet rules (unless included in condominium rules, etc.); and
3. **A general information guide:** This provides guidance for both landlords and tenants with respect to what is and is not permitted under the *Residential Tenancies Act* along with general practical guidelines to govern the landlord and tenant relationship. Key topics include: ending a tenancy, subletting, guests, pets, landlord entry, vital services and rent increases.

If requested by a tenant, a written lease must be provided by the landlord within 21 days of request or a tenant may withhold a month's worth of rent. If the lease is not provided within 21 days, the tenant can terminate the tenancy on 60 days' notice to the landlord.

The standard form of residential lease is very user-friendly and should reduce the number of illegal terms used in residential leases and the number of matters that appear before the Landlord and Tenant Board.

The introduction of the standard form of residential lease will have a substantial impact on residential landlords in Ontario. Please contact the undersigned if you require any assistance with respect to the new form, including incorporating terms from your old form and ensuring compliance with the *Residential Tenancies Act*.

The standard form of residential lease is available on the Ministry of Housing's website: <http://www.mah.gov.on.ca>.



[Alex Kolandjian](#)  
Partner

t: 416.849.4103  
[akolandjian@foglers.com](mailto:akolandjian@foglers.com)