***\*\*On behalf of SAWRO\*\****

**Withholding Rent to Preserve Cash**

Many community people have told SAWRO workers they will be withholding their rent payment this month because they lost wages due to the Covid-19 crisis. They want to preserve their cash for food and other necessities until they receive the COVID-19 emergency payments the federal government has promised to provide. This is an entirely rational action which anyone would consider reasonable in the extraordinary pandemic situation.  Such action is also socially responsible since it facilitates complying with pandemic containment measures.

If you do decide to withhold your rent, SAWRO recommends that you provide a written (or emailed) notice to your landlord of your intention. Provided below is a template for a notice to your landlord.

The notice will provide the landlord information about your decision in advance, will explain why you are withholding rent, and will outline how and when you intend to pay the rent due. Such notice will show that you are acting reasonably and in good faith. This may be helpful to you if the landlord takes court action in the future.

**Things to Consider**

There several things to be considered as you make your decision about withholding rent:

* The Ontario government has suspended the execution of residential eviction orders until further notice. Regardless of any notices, the landlord gives you or actions the landlord takes at the Landlord-Tenant Board, you will cannot be evicted at this time for non-payment of rent.
* Some penalties for late payment and fees may be assessed by the Landlord Tenant Board in the future. The penalties may be up to an amount equal to about 15% to20% of your rent.
* Emergency aid of up to $500/wk has been approved for workers who lost wages because of Covid-19 but payment will not be received before April 16 at the earliest.
* EI benefits are not usually received until more than a month after job loss. Workers who are eligible for benefits should expect longer delays than usual because the EI administrative system is reported to be overwhelmed by applicants
* The Ontario and City of Toronto have not made any adjustments to the social assistance (OW) program because of Covid-19. The very low benefit rates have not been increased and the restrictive eligibility criteria have not been reduced
* If after receiving your notice the landlord may request you sign a promise or other document.  It is not advisable to sign any document without legal advice. Ask for a copy of the document and seek free legal advice from a legal aid clinic.
* There is great uncertainty about the impact of Covid-19 on the number of jobs that will be lost and the length of time workers will be unemployed

Best regards,

Sultana R. Jahangir

Executive Director

South Asian Women's Rights Organization

sawro.office@gmail.com, moni.drum@gmail.com

416 686 0701, cell no. 647 857 9153

10 Teesdale Place, Apt 108, Scarborough, ON

M1L 1K9

**Template Letter: Notice to Landlord on Non-payment of Rent Due**

YOUR NAME

YOUR ADRESS AND APARTMENT NUMER

Toronto, Ontario, POSTAL CODE

 March 15, 2020

 Re: COVID-19 Emergency

 Dear rental management representative:

 Please be advised that as a result of the economic disruption being caused by the COVID-19 pandemic it will be necessary for me to withhold payment of the rent due on April 1, 2020. It may also be necessary for me to withhold rent due during subsequent months.

Non-payment of rent has been made necessary by [ MY LOSS OF EMPLOYMENT INCOME or ANTICIPATED LOSS OF EMPLOYMENT INCOME] as a result of public health measures during the pandemic. There is uncertainty about the duration of lost earnings. In this situation the only rational course I can follow is to preserve cash-on-hand to purchase food, medicine and other necessities of life for myself and my family.

The Canadian government has guaranteed that it will ensure everyone has sufficient financial supports to withstand their economic losses from the COVID-19 pandemic. Emergency income support measures have been announced by government ministers. I have every reason to expect that government aid is forthcoming. However, this aid may take some time to be delivered to those in need. I expect that I will be able to begin regular rent payments after the anticipated government aid has been received.

Please contact me using the information below if you have any questions about this communication or have any guidance about how I should proceed in this matter.

Sincerely,

YOUR NAME

email: YOUR EMAIL

phone: YOUR PHONE #