

# **Manitoba Residential Tenancies Branch**

**Annual Report  
2004**



---

**MINISTER OF  
FINANCE**

Legislative Building  
Winnipeg, Manitoba, CANADA  
R3C 0V8

The Honourable John Harvard, P.C., O.M.  
Lieutenant Governor of Manitoba

May It Please Your Honour:

I have the privilege of presenting for the information of your Honour, the Annual Report of the Residential Tenancies Branch on the administration of *The Residential Tenancies Act* for the year ending December 31, 2004.

Respectfully submitted,

A handwritten signature in black ink that reads "Greg Selinger".

Greg Selinger





---

**Finance**

Internet at: <http://www.residentialtenancies.mb.ca>

**Residential Tenancies Branch**

302-254 Edmonton Street  
Winnipeg MB R3C 3Y4  
CANADA

Toll Free: 1-800-782-8403

FAX: (204) 945-6273

E-Mail: [rtb@gov.mb.ca](mailto:rtb@gov.mb.ca)

Honourable Greg Selinger  
Minister of Finance  
Room 103, Legislative Building  
Winnipeg, Manitoba  
R3C 0V8

Dear Sir:

I have the honour of submitting the Residential Tenancies Branch Annual Report on the administration of *The Residential Tenancies Act* for the year ending December 31, 2004.

Respectfully submitted,

A handwritten signature in blue ink that reads "Roger Barsy". The signature is written in a cursive, flowing style.

Roger Barsy  
Director  
Residential Tenancies Branch

## **TABLE OF CONTENTS**

	<b><u>PAGE</u></b>
<b><i>INTRODUCTION</i></b>	<b><i>1</i></b>
<b><i>INFORMATION/EDUCATION ACTIVITIES</i></b>	<b><i>2</i></b>
<b><i>PARTS 1-8 OF THE RESIDENTIAL TENANCIES ACT</i></b>	<b><i>5</i></b>
<b><i>PART 9 OF THE RESIDENTIAL TENANCIES ACT</i></b>	<b><i>13</i></b>
<b><u>STATISTICAL SUMMARIES FOR MANITOBA</u></b>	
<b><i>TABLE 1: PARTS 1-8 OF THE RESIDENTIAL TENANCIES ACT</i></b>	<b><i>8</i></b>
<b><i>TABLE 2: PART 9 OF THE RESIDENTIAL TENANCIES ACT</i></b>	<b><i>16</i></b>
<b><i>TABLE 3: ORDERS ISSUED BY TYPE</i></b>	<b><i>20</i></b>
<b><i>TABLE 4: INCOMING CALLS, INTERVIEWS &amp; HEARINGS</i></b>	<b><i>21</i></b>
<b><i>TABLE 5: LIFE LEASES STATISTICAL SUMMARY</i></b>	<b><i>21</i></b>
<b><i>TABLE 6: SECURITY DEPOSIT COMPENSATION FUND ACCOUNTING SUMMARY</i></b>	<b><i>22</i></b>

## INTRODUCTION

The Residential Tenancies Branch administers *The Residential Tenancies Act*, *The Life Leases Act* and *The Condominium Act*.

The Residential Tenancies Branch:

- provides information to landlords, tenants and others on *The Residential Tenancies Act*, *The Life Leases Act* and *The Condominium Act*;
- investigates complaints of non-compliance with the legislation;
- mediates disputes between landlords and tenants;
- makes decisions on disputes between landlords and tenants about:
  - security deposits
  - repairs
  - terms and conditions of a tenancy agreement or life lease
  - the right to continue in occupancy
  - claims for compensation
  - privacy
  - non payment of utilities
  - life lease entrance fees
- makes decisions on landlords' applications for rent increases above the guideline and tenants' objections to any rent increases.

*The Residential Tenancies Act* requires the Director of Residential Tenancies to submit a report on the administration of the *Act* to the Minister within six months of the end of each fiscal year. The reporting period for this report is the 2004 calendar year. When the information is available, statistics on the activities of each of the Branch's offices are shown separately. Figures for the 2003 calendar year have also been provided for purposes of comparison and completeness. The figures for 2003 may vary slightly from the previous year's report. These variances are due to updates and revisions made to the data as files were processed and more complete information became available.

## **INFORMATION/EDUCATION ACTIVITIES**

### **Telephone Calls/Interviews**

The Branch has an Interactive Voice Response System. Callers to the Branch's Winnipeg office have the option of:

- speaking to a Client Service Officer
- listening to recorded information segments about rent increases, security deposits, landlord and tenant responsibilities and repairs
- having fact sheet information automatically faxed to them
- calculating the interest payable on a security deposit
- listening to recorded information on the Branch's location and hours of business
- adding their name to the mailing list for the Branch's newsletter.

Client Service Representatives in the Branch's Brandon and Thompson offices answer calls directly. In total, in 2004, the Branch's Client Service Area handled 53,553 phone calls. Statistics for the Interactive Voice Response System show that 23,581 callers received the information they needed without speaking to a Client Service Representative. Phone call statistics do not include calls received by Residential Tenancies Branch officers on specific files. In addition to the requests for information by phone, approximately 10,300 people came to Branch offices to request information or to file a formal complaint during 2004.

### **Speaking Engagements**

In 2004, staff of the Residential Tenancies Branch made 26 presentations for 335 tenants and held 12 sessions for 230 landlord participants. The Branch made 22 presentations for student groups involving 421 participants and nine sessions for 346 service providers (e.g. Employment and Income Assistance employees).

The Branch also had information booths at the Manitoba Bar Association's Law Day Open House, the University of Manitoba's Market Days and the Professional Property Managers' Association's "Suite Living". Staff had the opportunity to speak with approximately 350 people at these displays.

## **Website**

The Residential Tenancies Branch's website @ [www.residentialtenancies.mb.ca](http://www.residentialtenancies.mb.ca) provides answers to several frequently asked questions. The information is available in English and French. Landlords and tenants can download the most commonly used residential tenancy forms. The website has an automated security deposit interest calculation feature. The website also includes the Branch's Policies & Procedures Guidebook and links to *The Residential Tenancies Act* and *The Life Leases Act*. The web site had 53,075 visits (logons) from January 1, 2004 to December 31, 2004.

## **Rent Status**

Anyone who is considering the purchase of a rental property can apply to the Residential Tenancies Branch for a rent status report. A rent status report provides information on a property's rent history and can alert people to potential rent increase problems. The application and authorization forms can be downloaded from the Branch's website. In 2004, the Branch received and processed 156 applications for Rent Status Reports. These applications involved 191 buildings with 2,773 rental units.

## **Orders System**

The Residential Tenancies' Orders System is also available online. The Orders System provides information on the orders the Branch issues, except for rent regulation orders. Clients can access the system by:

- paying an annual subscription fee of \$250.00 and receiving a password; or
- paying a fee to search on line at Branch offices; there is a \$5.00 charge for each 30 minute search.

Users can search the system by landlord or tenant name or by the address of a residential complex. In 2004, there were 585 searches using the on-line Orders System.

### **Policies & Procedures Guidebook**

The Branch has a Policies & Procedures Guidebook, available in both English and French, to assist landlords, tenants and staff. The guidebook provides information on those areas not specifically dealt with in *The Residential Tenancies Act*. It also sets out the procedures for how the Branch handles most of the issues landlords and tenants refer to the Branch. The guidebook has 13 sections on topics like: security deposits, rent regulation, mediation, hearings and repairs. The Branch offered copies of the guidebook to various landlord and tenant organizations, all major libraries in the province as well as to our universities and colleges. The guidebook is available on the Branch's website.

### **Branch Newsletter**

In 2004, the Branch introduced its quarterly newsletter, "Open Doors." The newsletter provides information on changes to the legislation or Branch procedures and includes articles on topics of interest to landlords and tenants (e.g. security deposit claims, rent increases, smoke alarms, privacy). Anyone interested in receiving the newsletter can add their name to the mailing list by calling the Branch or visiting the Branch's website. The Branch has approximately 1,750 people on its mailing list. Clients can choose to receive the newsletter by mail, e-mail or fax. The newsletter is also available on the website.



## **PARTS 1 – 8 OF *THE RESIDENTIAL TENANCIES ACT***

Parts 1 - 8 of *The Residential Tenancies Act* deal with all residential landlord and tenant matters, except rent regulation. Table 1 provides a statistical summary of the activities of the Residential Tenancies Branch under Parts 1 – 8 of the legislation. The Branch opened 6,141 files in the 2004 calendar year. An additional 1,335 active files were carried over from the 2003 calendar year. The three offices processed 6,213 cases during 2004, leaving 1,263 files active for processing in 2005.

A significant number of the files opened in 2004 involved security deposit disputes. The Branch opened 1,717 security deposit claim files. Of these files, 856 claims were for the amount of the security deposit or less. The remaining 861 files were claims that landlords filed for amounts in excess of the security deposit. The Branch always schedules hearings to deal with claims for more than the amount of the security deposit. The target for issuing a hearing decision on a claim is within 10 working days of the hearing. The Branch's average time to issue claim decisions was approximately 38 working days. It took longer for the Branch to issue decisions because:

- (1) some hearing officers were participating in the Branch's reengineering project in addition to their hearing officer duties; this resulted in delays in issuing decisions for the hearings they took and also increased the workload for the remaining hearing officers;
- (2) the Branch experienced staff turnover in the Mediation/Adjudication Unit; new staff had to be trained for hearing officer duties and it took some time for them to reach capacity; and
- (3) many claims were more complex and lengthier in nature, resulting in longer hearings and longer time to write the decisions.

If there is a dispute over a notice to terminate a tenancy agreement, either a landlord or tenant can ask the Branch for assistance. In 2004, the Branch opened 471 of these files.

In addition, in 2004, the Branch received 1,765 applications for orders of possession from landlords. An order of possession is a written order the Branch issues to enforce a notice of termination. The Branch always schedules a hearing to consider an application for an order of possession. The Branch also has performance targets for processing order of possession files. The target for issuing these decisions is within three working days of the hearing. In 2004, the average time for issuing decisions on order of possession applications was two working days. The Branch issued 948 decisions on applications for an order of possession. In 792 cases, the Branch granted the landlord an order of possession. In 36 other cases, the Branch identified a condition that the tenant had to meet to remain in tenancy. If the tenant failed to meet the condition, the Branch would grant the order of possession. For example: If a tenant did not pay a specific amount by a specified date, the Branch would grant the landlord an order of possession. The Branch denied 83 applications for an order of possession (Table 3). The remaining applications were either mediated by an officer of the Branch or settled by the parties before the hearing.

In total, in 2004, the Branch held 1,576 hearings to resolve disputes between landlords and tenants on claims for compensation and orders of possession and to determine questions under *The Residential Tenancies Act*.

In 2004, the Branch opened 140 files relating to landlords' non-payment of utilities. The Branch also opened 816 repair files.

The Branch also opens files if landlords and tenants do not meet their obligations under *The Residential Tenancies Act*. In 2004, the Branch opened 816 of these files. These files include disputes over locks and doors, privacy, seizure of tenant's property, non-payment of rent, disturbance, withholding of services and unauthorized charges or fees. The Branch also opened 516 tenancy agreement or other dispute files, i.e. disputes over assignment and subletting, mobile home rentals, abandonment of premises and entitlement to collect rent.

The Security Deposit Compensation Fund holds unclaimed monies forfeited to the Crown under *The Residential Tenancies Act*. The purpose of the fund is to return security deposits to tenants when they have a valid claim to the money. Sometimes when the Branch orders a landlord to return a deposit to a tenant, the landlord does not comply with the order. The Branch will usually enforce the order by redirecting rent to recover the outstanding deposit. In some cases, redirecting rent is not possible, i.e. if the landlord no longer owns rental property or owes money to several creditors. If the Branch does not believe it can recover the deposit within a reasonable period of time, it may pay the tenant from the fund. In 2004, \$4,458.76 was paid to 11 tenants. After the money is paid to a tenant, the Branch continues to try to recover the money from the landlord. During this reporting period, the Branch recovered three security deposits from landlords totalling \$971.83; some of the funds recovered were for security deposits paid out during previous years. When the balance in the Security Deposit Compensation Fund exceeds \$30,000, the Branch may use the excess funds towards the cost of providing educational programs for landlords, tenants and others (Table 6).

Landlords and tenants of life lease complexes are covered by both *The Life Leases Act* and *The Residential Tenancies Act*. The Branch administers both Acts. In 2004, the Branch opened and processed two files relating to life lease rental units; one file dealt with an application for an order of possession; the other file related to a dispute over a tenancy agreement.

**TABLE 1****STATISTICAL SUMMARY FOR MANITOBA****PARTS 1 - 8 OF *THE RESIDENTIAL TENANCIES ACT***

	<b><u>JANUARY 1, 2003 – DECEMBER 31, 2003</u></b> (Files)	<b><u>JANUARY 1, 2004 – DECEMBER 31, 2004</u></b> (Files)	<b><u>APPEALS TO COMMISSION</u></b> (Files)
<b><u>SECURITY DEPOSIT DISPUTES</u></b>			
Carried forward from previous year	561	554	
Received			
Winnipeg	1,579	1,526	
Brandon	123	118	
Thompson	<u>54</u>	<u>73</u>	
TOTAL	2,317	2,271	
Processed			
Winnipeg	1,586	1,441	124
Brandon	132	109	10
Thompson	<u>45</u>	<u>74</u>	6
ACTIVE	<u>554</u>	<u>647</u>	
 <b><u>REPAIRS</u></b>			
Carried forward from previous year	352	297	
Received			
Winnipeg	714	774	
Brandon	33	27	
Thompson	<u>31</u>	<u>15</u>	
TOTAL	1,130	1,113	
Processed			
Winnipeg	755	836	16
Brandon	36	27	1
Thompson	<u>42</u>	<u>13</u>	-
ACTIVE	<u>297</u>	<u>237</u>	

**TABLE 1**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PARTS 1 - 8 OF *THE RESIDENTIAL TENANCIES ACT***

<b><u>UTILITIES</u></b>	<b><u>JANUARY 1, 2003 – DECEMBER 31, 2003</u></b> (Files)	<b><u>JANUARY 1, 2004 – DECEMBER 31, 2004</u></b> (Files)	<b><u>APPEALS TO COMMISSION</u></b> (Files)
Carried forward from previous year	59	60	
Received			
Winnipeg	271	138	
Brandon	9	2	
Thompson	<u>1</u>	<u>-</u>	
<b>TOTAL</b>	<b>340</b>	<b>200</b>	
Processed			
Winnipeg	274	177	2
Brandon	4	7	-
Thompson	<u>2</u>	<u>1</u>	-
<b>ACTIVE</b>	<b><u>60</u></b>	<b><u>15</u></b>	
 <b><u>TENANCY AGREEMENTS</u> *</b>			
Carried forward from previous year	19	10	
Received			
Winnipeg	40	47	
Brandon	3	3	
Thompson	<u>-</u>	<u>-</u>	
<b>TOTAL</b>	<b>62</b>	<b>60</b>	
Processed			
Winnipeg	48	41	2
Brandon	4	3	-
Thompson	<u>-</u>	<u>-</u>	-
<b>ACTIVE</b>	<b><u>10</u></b>	<b><u>16</u></b>	

\* Includes disputes over the terms of a tenancy agreement – for example: are utilities included in rent.

**TABLE 1****STATISTICAL SUMMARY FOR MANITOBA****PARTS 1 - 8 OF *THE RESIDENTIAL TENANCIES ACT***

	<b><u>JANUARY 1, 2003 – DECEMBER 31, 2003</u></b> (Files)	<b><u>JANUARY 1, 2004 – DECEMBER 31, 2004</u></b> (Files)	<b><u>APPEALS TO COMMISSION</u></b> (Files)
<b><u>NOTICE</u></b>			
Carried forward from previous year	38	30	
Received			
Winnipeg	389	427	
Brandon	33	39	
Thompson	<u>1</u>	<u>5</u>	
<b>TOTAL</b>	<b>461</b>	<b>501</b>	
Processed			
Winnipeg	397	428	12
Brandon	30	42	-
Thompson	<u>4</u>	<u>4</u>	-
<b>ACTIVE</b>	<b><u>30</u></b>	<b><u>27</u></b>	
 <b><u>ORDERS OF POSSESSION</u></b>			
Carried forward from previous year	110	110	
Received			
Winnipeg	1,752	1,610	
Brandon	41	43	
Thompson	<u>65</u>	<u>112</u>	
<b>TOTAL</b>	<b>1,968</b>	<b>1,875</b>	
Processed			
Winnipeg	1,761	1,582	129
Brandon	45	42	5
Thompson	<u>52</u>	<u>125</u>	4
<b>ACTIVE</b>	<b><u>110</u></b>	<b><u>126</u></b>	

**TABLE 1**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PARTS 1 - 8 OF *THE RESIDENTIAL TENANCIES ACT***

	<b><u>JANUARY 1, 2003 – DECEMBER 31, 2003</u></b> (Files)	<b><u>JANUARY 1, 2004 – DECEMBER 31, 2004</u></b> (Files)	<b><u>APPEALS TO COMMISSION</u></b> (Files)
<b><u>FAILURE OF LANDLORD/TENANT TO MEET OBLIGATIONS **</u></b>			
Carried forward from previous year	185	234	
Received			
Winnipeg	726	615	
Brandon	74	54	
Thompson	<u>66</u>	<u>47</u>	
<b>TOTAL</b>	<b>1,051</b>	<b>950</b>	
Processed			
Winnipeg	679	660	49
Brandon	69	56	2
Thompson	<u>69</u>	<u>49</u>	3
<b>ACTIVE</b>	<b><u>234</u></b>	<b><u>185</u></b>	
 <b><u>OTHER DISPUTES ***</u></b>			
Carried forward from previous year	67	40	
Received			
Winnipeg	422	410	
Brandon	37	27	
Thompson	<u>39</u>	<u>29</u>	
<b>TOTAL</b>	<b>565</b>	<b>506</b>	
Processed			
Winnipeg	446	439	-
Brandon	36	30	-
Thompson	<u>43</u>	<u>27</u>	-
<b>ACTIVE</b>	<b><u>40</u></b>	<b><u>10</u></b>	

\*\* Includes disputes over locks and doors, privacy, seizure of tenant's property, non-payment of rent, disturbance, withholding of services, unauthorized charges or fees.

\*\*\* Includes disputes over assignment and subletting, mobile homes, abandonment of premises and entitlement to collect rent.

**TABLE 1**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PARTS 1 - 8 OF *THE RESIDENTIAL TENANCIES ACT***

	<b><u>JANUARY 1, 2003 – DECEMBER 31, 2003</u></b> (Files)	<b><u>JANUARY 1, 2004 – DECEMBER 31, 2004</u></b> (Files)	<b><u>APPEALS TO COMMISSION</u></b> (Files)
<b><u>PARTS 1 – 8 TOTAL</u></b>			
Carried forward from previous year	1,391	1,335	
Received			
Winnipeg	5,893	5,547	
Brandon	353	313	
Thompson	<u>257</u>	<u>281</u>	
TOTAL	7,894	7,476	
Processed			
Winnipeg	5,946	5,604	334
Brandon	356	316	18
Thompson	<u>257</u>	<u>293</u>	13
ACTIVE	<u>1,335</u>	<u>1,263</u>	



## **PART 9 OF *THE RESIDENTIAL TENANCIES ACT***

Part 9 of *The Residential Tenancies Act* deals with the regulation of rents for residential premises. Each year the government sets an annual rent increase guideline. The guideline for 2004 was 1.5%. To increase rent above the guideline, a landlord must apply to the Residential Tenancies Branch. In 2004, the Branch received 347 applications to increase rent above the guideline. This is a significant increase over the number of applications the Branch received historically. During the five year period before 2001, the Branch received between 90 – 100 applications per year. The 347 applications affected 19,783 units (Table 2). The Branch carried over 159 applications, affecting 9,322 units, from the year 2003. During the 2004 calendar year, the Branch processed applications on 311 buildings affecting 17,704 units.

The Branch has performance targets for issuing decisions on applications for rent increase above the guideline. The target is to issue a decision within 90 days or three months of the Branch receiving an application. While the Branch was not able to achieve its processing target for many of the applications received in 2004, it was able to process approximately 52% of the applications within four months of receipt. The delays in processing applications were because:

- (1) the number of applications for approval of a rehabilitation scheme continued to increase; the Branch received 15 applications in 2002, 31 applications in 2003 and 35 applications in 2004; processing these applications is time-consuming, involving extensive investigation as well as on-site inspections and a minimum of two hearings; the Branch had to assign an officer to work almost exclusively on these applications;
- (2) some rent regulation officers were participating in the Branch's reengineering project in addition to their rent regulation duties; this resulted in delays in issuing their decisions and also increased the workload for the remaining officers; and
- (3) the Branch experienced staff turnover in the Rent Regulation Unit; new staff had to be trained to process applications and it took some time for them to reach capacity.

Tenants can object to any rent increase, whether at, above or below the guideline. In 2004, the Branch received objections to rent increases at or below the guideline from tenants of 104 units. The Branch completed work on objections on 43 units that it received in 2003. In total, the Branch processed objections on 73 units.

In the calendar year 2004, the Branch opened compliance cases affecting 1,327 units. Compliance cases usually involve situations where a landlord increases rent: by more than the annual rent increase guideline without applying to the Branch; without giving tenants the required notice; more than once in a 12 month period. The Branch completed its review of 904 compliance cases by year-end.

Under *The Residential Tenancies Act*, a landlord who plans to rehabilitate a rental unit/residential complex may apply to the Branch for an exemption from rent regulation. If the Branch approves a rehabilitation scheme, it can exempt a unit or complex from rent regulation for up to five years. The Branch issues final orders setting the exemption period once the landlord has completed the work required for the rehabilitation scheme. In 2004, the Branch received applications for 35 buildings affecting 1,086 units. The Branch completed work on 18 applications received in 2003. In total, the Branch processed 28 rehabilitation applications affecting 1,774 units before year-end.

Before withdrawing or reducing a service, a landlord must apply to the Branch for an order setting the value of the proposed withdrawal or reduction. An example of a withdrawal of service is when the payment for cable service switches from the landlord of a building to each tenant. The landlord applies for an order fixing the value of the rent reduction for each tenant. In the 2004 calendar year, the Branch received 11 applications for withdrawal of service affecting 221 units. The Branch carried over eight applications affecting 84 units from the year 2003. The Branch processed 10 applications affecting 88 units by year-end.

The Branch received 14 applications for laundry increase affecting 459 units in the 2004 calendar year. The Branch carried over 15 applications from the year 2003. During 2004, the Branch processed 25 applications for laundry increase affecting 1,527 units.

A tenant can ask a landlord to provide an item or service that is not usually included in the rent. If a landlord wants to provide the item or service and charge for it, they must apply to the Branch. In 2004, the Branch received 24 of these tenant-requested improvement applications, affecting 51 units. Several of these applications involved units where the landlord provided additional cable channels at the request of the tenants. Some of the other files involved the provision of dishwashers and in-suite washers and dryers. The Branch carried over 22 applications from 2003. The Branch processed 40 applications for tenant requested improvements involving 81 rental units by year-end.

Certain sections of Part 9 of *The Residential Tenancies Act* also apply to life lease complexes. Tenant living in non-profit complexes can ask the Branch to review rent increases proposed by the landlord. In 2004, the Branch opened two files relating to rent increases in life lease complexes. During the reporting period, the Branch completed work on five files; these files included cases carried over from the 2003 calendar year.

**TABLE 2**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PART 9 OF THE RESIDENTIAL TENANCIES ACT**

	<u>JANUARY 1, 2003 – DECEMBER 31, 2003</u>		<u>JANUARY 1, 2004 – DECEMBER 31, 2004</u>		<u>APPEALS TO COMMISSION</u>	
	BLDGS.	UNITS	BLDGS.	UNITS	BLDGS.	UNITS
<b><u>APPLICATIONS FOR RENT INCREASES ABOVE GUIDELINE</u></b>						
Carried forward from previous year	68	4,362	159	9,322		
Received						
Winnipeg	360	18,834	347	19,783		
Brandon	4	22	-	-		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
<b>TOTAL</b>	<b>432</b>	<b>23,218</b>	<b>506</b>	<b>29,105</b>		
Processed						
Winnipeg	262	13,762	311	17,704	122	600
Brandon	11	134	-	-	-	-
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>159</u></b>	<b><u>9,322</u></b>	<b><u>195</u></b>	<b><u>11,401</u></b>		
<b><u>TENANT OBJECTIONS TO GUIDELINE OR LESS</u></b>						
Carried forward from previous year	31	249	40	43		
Received						
Winnipeg	83	87	97	104		
Brandon	3	3	-	-		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
<b>TOTAL</b>	<b>117</b>	<b>339</b>	<b>137</b>	<b>147</b>		
Processed						
Winnipeg	73	292	70	73	-	-
Brandon	4	4	-	-	-	-
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>40</u></b>	<b><u>43</u></b>	<b><u>67</u></b>	<b><u>74</u></b>		

**TABLE 2**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PART 9 OF *THE RESIDENTIAL TENANCIES ACT***

	<u>JANUARY 1, 2003 – DECEMBER 31, 2003</u>		<u>JANUARY 1, 2004 – DECEMBER 31, 2004</u>		<u>APPEALS TO COMMISSION</u>	
	BLDGS.	UNITS	BLDGS.	UNITS	BLDGS.	UNITS
<b><u>COMPLIANCE</u></b>						
Carried forward from previous year	84	358	313	1,177		
Received						
Winnipeg	631	1,921	546	1,326		
Brandon	28	42	1	1		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
<b>TOTAL</b>	<b>743</b>	<b>2,321</b>	<b>860</b>	<b>2,504</b>		
Processed						
Winnipeg	404	1,021	443	898	13	27
Brandon	26	123	6	6	1	1
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>313</u></b>	<b><u>1,177</u></b>	<b><u>411</u></b>	<b><u>1,600</u></b>		
<b><u>APPLICATION - REHABILITATION</u></b>						
Carried forward from previous year	12	250	18	1,157		
Received						
Winnipeg	30	1,814	33	1,006		
Brandon	1	80	1	80		
Thompson	<u>-</u>	<u>-</u>	<u>1</u>	<u>-</u>		
<b>TOTAL</b>	<b>43</b>	<b>2,144</b>	<b>53</b>	<b>2,243</b>		
Processed						
Winnipeg	24	907	27	1,774	9	32
Brandon	1	80	-	-	-	-
Thompson	<u>-</u>	<u>-</u>	<u>1</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>18</u></b>	<b><u>1,157</u></b>	<b><u>25</u></b>	<b><u>469</u></b>		

**TABLE 2**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PART 9 OF *THE RESIDENTIAL TENANCIES ACT***

	<u>JANUARY 1, 2003 – DECEMBER 31, 2003</u>		<u>JANUARY 1, 2004 – DECEMBER 31, 2004</u>		<u>APPEALS TO COMMISSION</u>	
	BLDGS.	UNITS	BLDGS.	UNITS	BLDGS.	UNITS
<b><u>APPLICATION - WITHDRAWAL OF SERVICE</u></b>						
Carried forward from previous year	7	240	8	84		
Received						
Winnipeg	12	388	10	220		
Brandon	1	47	1	1		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
<b>TOTAL</b>	<b>20</b>	<b>675</b>	<b>19</b>	<b>305</b>		
Processed						
Winnipeg	10	543	8	86	3	3
Brandon	2	48	2	2	-	-
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>8</u></b>	<b><u>84</u></b>	<b><u>9</u></b>	<b><u>217</u></b>		
<b><u>APPLICATION – TENANT REQUESTED IMPROVEMENTS</u></b>						
Carried forward from previous year	6	20	22	42		
Received						
Winnipeg	19	33	24	51		
Brandon	-	-	-	-		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
<b>TOTAL</b>	<b>25</b>	<b>53</b>	<b>46</b>	<b>93</b>		
Processed						
Winnipeg	3	11	40	81	-	-
Brandon	-	-	-	-	-	-
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
<b>ACTIVE</b>	<b><u>22</u></b>	<b><u>42</u></b>	<b><u>6</u></b>	<b><u>12</u></b>		

**TABLE 2**  
**STATISTICAL SUMMARY FOR MANITOBA**  
**PART 9 OF THE RESIDENTIAL TENANCIES ACT**

	<u>JANUARY 1, 2003 – DECEMBER 31, 2003</u>		<u>JANUARY 1, 2004 – DECEMBER 31, 2004</u>		<u>APPEALS TO COMMISSION</u>	
	BLDGS.	UNITS	BLDGS.	UNITS	BLDGS.	UNITS
<b><u>APPLICATION - LAUNDRY INCREASE</u></b>						
Carried forward from previous year	2	16	15	1,173		
Received						
Winnipeg	20	1,259	14	459		
Brandon	-	-	-	-		
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>		
TOTAL	22	1,275	29	1,632		
Processed						
Winnipeg	6	101	25	1,527	-	-
Brandon	1	1	-	-	-	-
Thompson	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	-	-
ACTIVE	<u>15</u>	<u>1,173</u>	<u>4</u>	<u>105</u>		
<b><u>PART 9 TOTAL</u></b>						
Carried forward from previous year	210	5,495	575	12,998		
Received						
Winnipeg	1,155	24,336	1,071	22,949		
Brandon	37	194	3	82		
Thompson	<u>-</u>	<u>-</u>	<u>1</u>	<u>-</u>		
TOTAL	1,402	30,025	1,650	36,029		
Processed						
Winnipeg	782	16,637	924	22,143	147	662
Brandon	45	390	8	8	1	1
Thompson	<u>-</u>	<u>-</u>	<u>1</u>	<u>-</u>	-	-
ACTIVE	<u>575</u>	<u>12,998</u>	<u>717</u>	<u>13,878</u>		

**TABLE 3**

**ORDERS ISSUED BY TYPE**

	<b><u>January 1, 2003 – December 31, 2003</u></b>	<b><u>January 1, 2004 – December 31, 2004</u></b>
<b>Life Lease</b>	<b>63</b>	<b>156</b>
<b>Repairs</b>	<b>174</b>	<b>287</b>
<b>Utilities</b>	<b>752</b>	<b>411</b>
<b>Order of Possession</b>		
<b>Granted</b>	<b>743</b>	<b>792</b>
<b>Denied</b>	<b>69</b>	<b>83</b>
<b>Conditional *</b>	<b>32</b>	<b>36</b>
<b>Other**</b>	<b>5</b>	<b>37</b>
<b>Security Deposit ***</b>	<b>874</b>	<b>763</b>
<b>Rent Regulation</b>	<b>14,278</b>	<b>16,234</b>
<b>Other</b>	<b><u>1,329</u></b>	<b><u>1,417</u></b>
<b>TOTAL</b>	<b>18,319</b>	<b>20,216</b>

\*     **The figures in the conditional category refer to orders which identify that a condition must be met or the order of possession is granted.**

\*\*    **Other reasons resolving order of possession cases would be:**

- (1) a mediation settlement prior to the hearing**
- (2) the tenant vacated prior to the order**
- (3) affected party was not served properly**

\*\*\*   **Also includes orders on claims for amount in excess of the security deposit.**



**TABLE 4**

**INCOMING CALLS, INTERVIEWS AND HEARINGS**

	<b><u>January 1, 2003 – December 31, 2003</u></b>	<b><u>January 1, 2004 – December 31, 2004</u></b>
<b>Total Calls for Information *</b>		
Winnipeg	46,385	47,334
Brandon	3,052	2,837
Thompson	<u>3,171</u>	<u>3,382</u>
<b>Total</b>	<b>52,608</b>	<b>53,553</b>
<b>Interviews</b>		
Winnipeg	7,604	7,604
Brandon	2,347	2,128
Thompson	<u>170</u>	<u>141</u>
<b>Total</b>	<b>10,121</b>	<b>9,873</b>
<b>Hearings</b>		
Winnipeg	1,374	1,363
Brandon	102	89
Thompson	<u>81</u>	<u>124</u>
<b>Total</b>	<b>1,557</b>	<b>1,576</b>

\* These figures reflect the number of calls received for information through the Branch information lines and do not include an additional 40,000 – 50,000 calls to Residential Tenancies Officers.

**TABLE 5**

**LIFE LEASES STATISTICAL SUMMARY**

	<b><u>January 1, 2003 – December 31, 2003</u></b> (Files)	<b><u>January 1, 2004 – December 31, 2004</u></b> (Files)
Carried forward from previous year	17	6
Received	5	4
Processed	16	6
Pending	6	4
Appealed	2	2

**TABLE 6**

**SECURITY DEPOSIT COMPENSATION FUND ACCOUNTING SUMMARY**

<b>Balance as of January 1, 2004</b>	<b>\$53,216.06</b>
<b>Monies transferred into Fund (1)</b>	<b>18,818.93</b>
<b>Less monies paid to tenants to satisfy security deposit orders</b>	<b>(4,558.76)</b>
<b>Monies recovered from landlords through enforcement (2)</b>	<b><u>971.83</u></b>
	<b><u>\$68,448.06</u> (3)</b>
<b>Less expenditures for educational purposes (4)</b>	<b>(22,965.19)</b>
<b>Balance as of December 31, 2004</b>	<b>\$45,482.87</b>

- (1) **These funds were held by the Branch for two years from the date of receipts and include unclaimed security deposits, rent refunds and property sale proceeds.**
- (2) **The Branch recovered this money through rent redirects, garnishing orders and the Canada Revenue Agency's set-off program.**
- (3) **Section 36(4) of *The Residential Tenancies Act* states that when the balance in the Security Deposit Compensation Fund exceeds \$30,000, the excess may be used to contribute towards the cost of providing educational programs for landlords, tenants and the public.**
- (4) **Expenditures include: the Branch's newsletter, Policies and Procedures Guidebook, landlord/tenant information displays and brochures, the Branch's share of the cost for the 2004 Protect Yourself Calendar.**