



Ontario

Ministry of
Consumer and
Commercial
Relations

Registration
Division

Property
Law
Branch

BULLETIN NO. 86008

DATE: JULY 15, 1986

TO:
ALL LAND REGISTRARS

RENTAL HOUSING PROTECTION
ACT, 1986

- STATEMENT OF NON-CONTRAVENTION
- CERTIFICATE OF APPROVAL
- AGREEMENT AS CONDITION OF
APPROVAL

The Residential Housing Protection Act, 1986 prohibits the conversion of rental residential premises to any use other than rental residential premises without the approval of the council of the municipality in which the property is situated. Demolition, renovation or repair which would require vacant possession and the severance of linked rental premises are similarly prohibited. (Section 4)

The Act provides that any agreement, lease for twenty-one or more years or conveyance for the purpose of leasing or selling any share or interest in a co-operative is void unless the approval of the municipal council has first been obtained. (Section 5)

The Act and its Regulation contain exemptions which alter the application of these general principles.

With regard to the sale or lease of a share or interest in a co-operative, the Act permits the vendor to make a statement in any instrument or notice related to the agreement or conveyance that the agreement or conveyance does not contravene section 5 of the Act. (Subsection 5(4))

The statement may be relied upon as proof of the fact stated. The statement may be made by an attorney.

The Act also amends Section 47 of the Land Titles Act to add section 5 of the Rental Housing Protection Act, 1986 to the list of matters to which every title is subject.

Accordingly, the following are effective immediately:

1. A statement that "This transaction does not contravene section 5 of the Rental Housing Protection Act, 1986" may be contained in any instrument or notice tendered for registration in Registry or Land Titles;

2. In Land Titles, a notice containing the above statement may be registered at any time after the transaction to which it refers. Alternatively, a certificate of approval from the municipality may be registered or the certificate may be attached to an instrument or notice, provided the date of the approval is prior to the registration date of the previously registered transaction to which the approval relates;
3. In Registry, the above statement may be made by registered instrument or deposit at any time after the transaction to which it refers. Alternatively, a certificate of approval from the municipality may be registered or deposited, or attached to an instrument for registration or deposit;
4. Subsection 7(8) specifically authorizes the registration in Registry and Land Titles of agreements entered into with the municipality as a condition of an approval under the Act.