

May 2026

RE: Amendments to the *Residential Tenancies Act, 2006* – Air Conditioning in Rental Units

Dear Ministry of Municipal Affairs and Housing,

On behalf of the Ontario Non-Profit Housing Association (ONPHA) and our membership, I am writing to provide written feedback and considerations on recent amendments to the *Residential Tenancies Act, 2006* regarding the installation and use of window and portable air conditioning units in rental units.

ONPHA is the leading voice of non-profit housing in Ontario and has been championing affordable housing for over 30 years. Our members provide safe, affordable, and stable housing to over half a million Ontarians. Collectively, we are one of the largest developers in the country, with built assets amounting to ~\$38 billion.

ONPHA supports the intent of these amendments. Access to cooling is increasingly important for tenant health, safety, and quality of life, particularly as Ontario experiences more frequent and severe heat events. Many tenants living in non-profit housing include seniors, families with young children, people with disabilities, and other populations who may be at a heightened risk during extreme heat. Allowing tenants to install and use window or portable air conditioning units where air conditioning is not supplied by the landlord is a positive change.

At the same time, ONPHA encourages the Ministry to provide further guidance and implementation supports to ensure the amendments can be operationalized fairly, safely, and consistently across the province. This is particularly important for smaller non-profit providers, who may have limited administrative and technical support.

Specifically, further clarity is needed on how housing providers are expected to assess whether an installation has been installed “safely and securely.” This includes:

- Who may conduct an inspection, such as property management staff, maintenance staff, a qualified contractor, or another prescribed professional;
- What minimum factors should be assessed during an inspection, fastening, drainage, electrical load, extension cord use, balcony or exterior wall impacts, risks to people or property below, etc.;
- How providers should document inspections or concerns; and
- What steps are available where an installation appears unsafe or non-compliant.

Clear, practical guidance would help ensure that tenants can benefit from cooling while allowing our members to manage safety, building integrity, and liability risks in a consistent way.

ONPHA also notes that the provincial regulations allow landlords to increase rent where the landlord is obligated under the tenancy agreement to supply electricity and the tenant installs and uses a window or portable air conditioner. While we support the principle that electricity costs should be allocated fairly, in practice, calculating the actual or reasonable estimated electricity cost of an individual air conditioning unit may be difficult, particularly in older buildings with bulk metering.



Further guidance should be offered on how providers should calculate electricity costs in a way that is fair to both tenants and the landlord. This includes:

- Acceptable methods for estimating electricity costs where actual usage cannot be measured;
- Best practices for how to account for different unit types, anticipated hours of use;
- How to account for unusually hot summers or extended heat waves;
- How to address situations where tenant-reported usage differs from actual usage; and
- When rent should be decreased when air conditioning use seasonally stops.

This is an important issue for non-profit housing providers because many operate on tight budgets and cannot easily absorb unplanned utility cost increases. At the same time, tenants must be protected from arbitrary or inflated charges for air conditioner use. A clear provincial methodology, or a set of approved calculation options, would help reduce disputes and support fairer implementation.

Overall, ONPHA supports the government's efforts to improve tenant access to cooling and recognizes the importance of protecting tenants during extreme heat events. To ensure the amendments are implemented successfully, ONPHA recommends that the Ministry provide clarity with regards to the concerns noted above.

As always, ONPHA would be pleased to provide continued engagement and advice as these regulations come into force. Please feel free to reach out to myself or a member of my team for further information.

Sincerely,

Marlene Coffey,
Chief Executive Officer, ONPHA