



## Housing for Rent - A human issue

The issue of human rights is front and centre in the world today, as growing numbers of people and organizations work to bring equality to nations where people are denied the most basic human rights.

On a smaller scale, human rights figure prominently in many aspects of life here in Manitoba. They extend to shelter and people's ability to find appropriate housing for themselves and their families. *The Human Rights Code*, administered by the Manitoba Human Rights Commission, sets out the rights of all citizens to live, work and play in an open environment that does not tolerate discrimination of any kind.

### Human rights and housing

The Human Rights Commission has a publication, *Guidelines on Rental Housing*, for rental agencies, property owners, apartment managers and tenants. These guidelines explain how the Human Rights Code regulates the rental housing industry in Manitoba and include various examples of discrimination.

Discrimination is defined as treating one person differently from another simply because he or she belongs, or is believed to belong, to a specific group. Regardless of what the difference is (ex: religious, cultural, gender), the code specifies that all people be judged solely on the basis of their individual merits. Acting on assumed beliefs – advantages or shortfalls – associated with a particular group of people, is discrimination. The code's guidelines require housing, available to the public, to be available to all members of the public without discrimination or stereotyping.

There are exceptions to this rule. If you rent out space in a private residence, where you also live, you have the right to choose a tenant according to your needs or preferences. For example, if you are a widow renting out a room in your home, you may wish to rent to a female tenant only. This is permitted by the code. However, if you are renting a room in a home and do not live on the premises, you are bound by the code and cannot discriminate when it comes to tenants.

### A landlord's rights

You, the landlord, have a right to:

- protect your property by selecting suitable tenants and refusing undesirable ones – as long as you don't discriminate (as defined above)
- acquire information about applicants that's relevant to their qualifications as tenants, as long you don't use

it to discriminate (For example, you may ask about an applicant's source of income, but cannot refuse occupancy because the tenant receives part or all of the income from social assistance.)

- screen applicants for relevant qualifications using application forms, interviews and reference checks (a Checklist for Landlords is available at the Human Rights Commission's website below)
- make preferences or restrictions in those situations where exceptions apply (ex: when you are renting a room in your own residence)

### Qualifying tenants

To avoid apparent or actual discrimination, the rental unit should be offered to the first person who applies and is qualified, according to reasonable criteria. Never assume a person is not qualified until you have all the facts.

A qualified tenant is a person who can provide you with:

- reasonable evidence of their ability to pay the rent (ex: information about income and proof that this income is stable and/or reliable)
- a reasonable indication that the person will be a responsible tenant (You may ask for a past rental history to help confirm that the person will pay the rent on time, avoid damaging the unit, refrain from creating disturbances for other tenants, give proper notice when moving, etc.)

If the applicant has never rented before, you can ask for character references or a co-signer or guarantor. Please note – any policy or procedure requiring all members of a specific group (ex: people receiving social assistance) to provide a guarantor is against the law.

For a complete copy of the Manitoba Human Rights Commission's housing guidelines, visit their website at [manitoba.ca/hrc](http://manitoba.ca/hrc) or contact the Commission offices at 945-3007 in Winnipeg or toll-free number at 1-888-884-8681.

To subscribe to Open Doors, order bulk copies, give us your comments, or get more information, call 945-2476 in Winnipeg, toll free 1-800-782-8403 or visit [manitoba.ca/rtb](http://manitoba.ca/rtb)

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# Before You Rent **Guidelines for tenants**

Before you start looking for a place to rent, it's a good idea to think about exactly what it is you want in a rental unit.

Ask yourself the following questions:

- How much rent I can afford to pay each month?
- What area is most convenient for my lifestyle (ex: work, school, shopping, bus routes)?
- What type of housing do I want (ex: high-rise apartment, townhouse, duplex)?

When you find a place you like, do the following:

- Note the condition of the building, inside and out, and the condition of the rental unit (ex: walls, flooring/carpeting, closet/cupboard space, appliances).
- Find out what services are available (ex: laundry facilities, parking, air conditioning, security system).
- Confirm, in writing, any necessary repairs and exactly when they will be done.
- Ask if there is a caretaker living in the building and, if not, how you would contact the landlord.
- Make sure you see the actual suite available for rent.

If you plan to rent the unit, make sure you ask the following questions:

- How much is the rent and when is it due?
- What is included in the rent? (ex: parking, utilities, cable television)
- What kind of heat is there? Who pays the heating bill?
- How much notice is required if I want to move out?
- What is your policy about pets, waterbeds, etc.?
- When is the earliest I can move in? (Ask for a date and time.)
- Is this a month-to-month tenancy or is it for a fixed term?

If you want to rent the unit, you may have to complete an application form and leave a security deposit. But do not do either, unless you are sure you really want the unit. Otherwise, you could lose your security deposit (if you decide not to move in), and the landlord could file a claim against you for loss of rent.

# Before You Rent **Guidelines for landlords**

Before renting out any type of housing unit, make sure you're familiar with your responsibilities to prospective tenants.

Start by reading the *Human Rights Commission's Housing Guidelines* (see separate article, Housing for Rent – A Human Issue). Once you've reviewed the guidelines and understand an applicant's/tenant's rights, remember to keep in mind the following:

1. When collecting a security deposit, make sure the applicant understands you will review all references and rent the unit to the first qualified person.
2. Tell the applicant what you've decided about their application as soon as you've completed your investigation.
3. Meet with the successful applicant to sign the tenancy agreement. Once the agreement is signed, give the tenant both a copy of the agreement and a copy of your rules and regulations.
4. Give the new tenant a *Notice to New Tenant* form, available at the Residential Tenancies Branch or online at [manitoba.ca/rtb](http://manitoba.ca/rtb).
5. To avoid any conflicts, make sure the tenant who's moving in, and the tenant who's moving out, have coordinated their moving times.
6. Meet your tenant at the rental unit on move-in day to do an incoming condition report. (If possible, do the report before any furniture is moved into the unit).
7. Give the tenant the keys to the unit.



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# The Credit Check

Proof that you are a good credit risk might be one of the key factors in a landlord's decision to rent to you. The credit check is a tool that some landlords will use to assess your credit worthiness.

## Your Credit History is on File

You build a credit file when you borrow money and pay it back. A credit file is a detailed report containing information on where you live and work. Credit files are maintained by credit bureaus, which build a record of your credit history based on information given to them by creditors such as banks and credit card companies.

There are two credit bureaus in Canada: Equifax Canada and Trans Union Canada. The credit bureaus will not release your information without your written consent. With your written permission, a landlord can receive a detailed report from a credit bureau. The report helps the landlord decide if you are a good credit risk, with the prime concern being your ability to pay the rent each month in full and on time.

## Understanding Your Credit Rating

You've likely heard people talk about a credit rating, which is a numerical score that creditors use to assess your credit worthiness. It is calculated each time someone – a lender or a potential landlord – requests it.

The formula used to calculate your rating will be based on the information in your credit file. The scoring systems give you points for each demonstration of responsible credit use. Your credit rating is the sum of these points.

If you have never had a loan or a credit card, prospective landlords will have little or no information to review in your credit file. Although an empty file is not as bad as a poor credit file, an empty file tells prospective landlords nothing about any possible financial risks of renting to you. That's why establishing a good credit file is crucial.

## How do I Get a Good Rating?

Be sure to make loan and bill payments and minimum credit card payments on time. These timely payments will be reflected in your credit file and will demonstrate that you can use credit responsibly. As a result, your credit rating will be favorable each time its calculated. Consistently missing payments, or making late payments, will lower your rating. Your credit rating will change over time, based on how you use your money and credit. It may take months or years of demonstrating good credit to fix damage caused by poor credit repayment in the past.

Bankruptcies typically remain on a credit file for six years from the date of discharge. However, bankruptcy



information will remain on the credit file for a longer time if there has been more than one bankruptcy.

## Checking Your File is Vital

Because errors and omissions on credit reports do occur, it is a good idea to check your file from time to time. Anyone can request a copy of their credit file from the credit bureaus. Both credit bureaus have websites that you can visit for details about how you can get your report.

If you find an error or discover that favorable credit information is missing, contact the credit bureaus and have it corrected to ensure your credit history is accurate. You are going to need proof, so be ready to provide statements or receipts. Each bureau sends its policy for reporting an error with the copy of your credit file. Each policy is different, so be sure to review it once you have collected your proof of payment.

A credit bureau will only correct false information in your file. Factual payment information cannot be changed or removed if you missed a payment by accident, it will be reported as missed on your file and cannot be changed. In this situation, you have the right to have a comment included with your file explaining why you missed the payment. This comment may or may not be considered the next time someone requests your file and generates a score.

Check to see what is in your credit file and get errors corrected before you agree to share its contents with anybody.

*(Source: Canada Mortgage and Housing Corporation website @ [www.cmhc-schl.gc.ca/en/col/reho/index.cfm](http://www.cmhc-schl.gc.ca/en/col/reho/index.cfm))*

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## Avoiding Chemical Contaminants in Your Home

Chemical contaminants in our environment are an unfortunate fact of life. However, landlords can reduce the dangers by:

- choosing environmentally friendly materials in constructing, renovating and repairing buildings
- using environmentally friendly pesticides or traps to control pests
- using environmentally friendly paints and other materials to decorate buildings and units
- using environmentally friendly products to clean buildings/units/common areas
- storing solvents and hazardous chemicals safely away from the living/common areas

Tenants can also reduce the number of contaminants in their units/buildings by following some of these tips:

- Don't smoke indoors and don't allow visitors to smoke in your home or building.
- Don't burn candles, liquid fuel or incense in your home.
- Use environmentally friendly pest control methods in your home.
- Control moisture in your home to discourage insects that are drawn to moisture (ex: silverfish, sowbugs); and stop toxic molds from forming.
- Keep kitchens and bathrooms well ventilated.
- Use environmentally friendly cleaning products instead of ammonia-based products like bleach.
- Take garbage out daily to eliminate toxins that can develop in kitchen waste.
- Avoid plug-in aerosols deodorizers, air fresheners, perfumed fabric softeners, etc.
- Don't use mothballs because they release poisonous gases. Air any dry-cleaned clothes in a sheltered space outside until the odour is gone.

## Need information?

**Online**  
manitoba.ca/rtb

**Offline**  
in person or by phone

Visit your branch office Monday to Friday  
from 8:30 a.m. to 4:30 p.m.

Winnipeg at 302-254 Edmonton Street  
or call 945-2476

Brandon at 157-340 9th Street  
or call 726-6230

Thompson at 113-59 Elizabeth Drive  
or call 677-6496

Toll free 1-800-782-8403

Manitoba 

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