



Tribunals Ontario

Landlord and Tenant Board

Information for Landlords and Tenants About Suite Meters

What are suite meters?

Suite meters are electrical meters that a landlord can install in residential rental units to measure how much electricity is used by each unit in a building. Where a suite meter is installed in a unit, the meter records only the amount of electricity used by that specific unit.

Important rules about suite meters that a landlord **must** follow

Under the *Residential Tenancies Act* (RTA), a landlord and tenant can agree to have the tenant pay a suite meter provider for the tenant's electricity costs instead of the landlord paying these costs. However, there are rules that a landlord must follow.

If a landlord wants to ask a tenant who is already living in the unit to pay for the electricity costs, they must follow the rules for "current tenants".

If a landlord wants to ask a person to pay electricity costs on a unit that already has a suite meter which the person wants to rent, they must follow the rules for "prospective tenants".

Rules for current tenants

Before a current tenant can become responsible to pay a suite meter provider for the cost of providing electricity to the tenant's unit, a landlord must:

- get the tenant's consent in writing (*see page 2*)
 - tell the tenant in writing how much the tenant's rent will be reduced, if the tenant agrees to this change (*see page 2*)
 - give the tenant information about the suite meter provider's fees, policies, and other information (*see page 3*)
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Rules for prospective tenants

Before entering into a tenancy agreement with a prospective tenant which requires the tenant to pay for their own electricity costs, a landlord must provide the prospective tenant with information about the electrical usage for the unit and about the electrical efficiency of the refrigerator. (*See page 5*)

Special rules for electric heat

If electricity is the primary source of power to heat a rental unit, a landlord **cannot** terminate their obligation to supply electric heat.

However, if there is a separate meter to measure the electricity for other uses in the rental unit, the landlord and tenant can agree to transfer the responsibility for paying the electricity costs for these other uses.

Landlord Must Get Current Tenant’s Consent

Tenant consent must be in writing

A landlord does not need a current tenant’s consent to install a suite meter. However, a landlord must get the tenant’s consent before the landlord can tell the suite meter provider to start billing the tenant directly for the electricity costs for the tenant’s unit.

It is up to the tenant to decide whether or not they want to start paying for their own electricity costs. They do not have to agree to the landlord’s request, but if they do agree, it must be in writing.

The Board has an approved form, “*Tenant Agreement to Pay Directly for Electricity Costs*” that a landlord must give to a tenant to ask for the tenant’s consent.

Before deciding whether to consent, the tenant should carefully read the agreement form and the other information that the landlord is required to provide.

Information About the Rent Reduction

Rent must be reduced if the tenant consents

The landlord must tell the tenant how much their rent will be reduced if the tenant agrees to start paying for their own electricity costs. This rent reduction is intended to offset the additional money that the tenant will have to pay to the suite meter provider once the tenant starts paying their own electricity costs. This information must be given to the tenant before the landlord gets the tenant’s consent.

The landlord must inform the tenant of the amount that their rent will be reduced per rent period. For example, if a tenant pays rent monthly, the landlord would set out how much the tenant’s monthly rent will be reduced.

The landlord must also show the tenant how the landlord calculated the amount of the rent reduction. The RTA has specific rules that a landlord must follow when calculating the amount of the rent reduction.

Exception: In most situations, if a tenant lives in rental unit in a non-profit building, the landlord is not required to reduce the rent according to the RTA.

Other Information a Landlord Must Provide to a Current Tenant

Information about the suite meter provider

Before obtaining a current tenant's consent, the landlord must also give the following information to the tenant:

- the suite meter provider's contact information
- a statement that the suite meter provider may require the tenant to pay a security deposit
- the suite meter provider's policy on security deposits
- fees charged by the suite meter provider including:
 - type and amount of fees
 - how the fees are calculated
 - circumstances where the fees may increase
 - the amount of any planned fee increases
- a statement that the suite meter provider may shut off the electricity supply to the tenant's unit if the tenant is overdue paying the electricity costs for their unit

As well, if a tenant asks for a copy of the agreement between the landlord and the suite meter provider, the landlord must give the tenant a copy.

Information about the refrigerator

The landlord must give the tenant the best information the landlord has about the age of the refrigerator. The landlord must also give the tenant any available information they have about the refrigerator's energy efficiency.

These rules only apply if the landlord provides the refrigerator in the unit.

Information about the Ontario Energy Board (OEB)

The landlord must give the tenant contact information in writing for the Ontario Energy Board (OEB). The landlord must also give the tenant a written statement that tells the tenant that they can contact the OEB if the tenant has a dispute with the suite meter provider.

After Reading all the Information Provided by the Landlord...

What happens if the current tenant consents?

If the tenant consents to start paying their own electricity costs, the tenant should complete the agreement form and return it to the landlord.

Before transferring the responsibility for electricity costs to the tenant, the landlord must give the tenant at least 30 days notice before the changes takes effect. This information must be provided so that the tenant knows the date that:

- the landlord will reduce the tenant's rent, and
 - the tenant will start to be responsible for paying their own electricity costs.
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What happens if the current tenant does *not* consent?

If the tenant does *not* consent to start paying their own electricity costs, the tenant does not have to return the agreement form to their landlord.

The landlord will continue to be responsible for providing and paying for the tenant's electricity, even though the landlord may have installed a suite meter in the tenant's rental unit.

Landlord Must Give a Prospective Tenant Information

Information about previous electrical use and energy efficiency

If the tenancy agreement will require the prospective tenant to pay the electricity costs, the landlord must give them information about the electricity used by the previous tenant. This information must be for the most recent 12 month period that ends before the date that the landlord gives this information.

The landlord must let the prospective tenant know if the unit was vacant during that time and, if it was vacant, how long it was vacant.

The landlord must also provide the prospective tenant with information about the age of the refrigerator in the unit, and with any available information about its energy efficiency. This rule only applies if the landlord provides the refrigerator in the unit.

Additional Things You Should Know About Suite Meters

Rules about installing a suite meter

If a landlord decides to install a suite meter in a rental unit, they must follow the rules in the RTA. The landlord must tell a current tenant when and for how long the supply of electricity to the tenant's unit will be interrupted. Although the landlord doesn't need the current tenant's consent to install a suite meter in the tenant's unit, the landlord must:

- give at least 24 hours written notice before the electrical supply is interrupted
- specify in the notice, the date and time between 8 a.m. and 6 p.m. when the interruption will occur
- set out the amount of time that the landlord believes the tenant's unit will be without electricity.

Tenant can make an application to the Board about suite meters

A tenant or former tenant can apply to the Landlord and Tenant Board if the landlord does not follow the rules in the RTA about suite meters. The application is made on the *Form T7 – Tenant Application About Suite Meters*.

There are a number of reasons why a tenant or former tenant can make this application. Some of the reasons include:

- improper installation of the suite meter
- failure to give the tenant the required information before getting the tenant's written consent
- transferring the electrical charges to the tenant without the tenant's written consent,
- not reducing the rent by the correct amount.

Information about these and the other reasons for filing an application about suite meters can be found in the Instructions for the Form T7.

For More Information

Contact the Landlord and Tenant Board

This brochure provides general information only. For more information about the law, or to obtain copies of the Board's forms and publications, you can:

- visit the Board's website at tribunalsontario.ca/ltb
 - call the Board at **416-645-8080** or toll free at **1-888-332-3234**, or
 - visit your local Landlord and Tenant Board Office. For a list of Board office locations, visit the Board's website, or call the numbers listed above.
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