



Advocacy Centre for Tenants Ontario
Centre ontarien de défense des droits des locataires

May 13, 2008

Ms Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge St., 27th floor
Toronto, Ontario M4P 1E4

Dear Ms Walli,

Re: **Additional comment - Staff Discussion Paper on Electricity Distributors: Customer Service, Rate Classification and Non-Payment Risk (Board File No.: EB-2007-0722)**

I am writing on behalf of the Advocacy Centre for Tenants Ontario (ACTO) to provide the following additional comment for consideration with respect to **Q27**. in the above-mentioned staff discussion paper.

Management of customer accounts

Q27. *In addition to the potential for property damage (e.g. from frozen pipes), are there any other implications of disconnecting a property when no new request for service has been received?*

If a tenant household pays for electricity service in their monthly rent, and their landlord, who is the direct customer of the LDC, has defaulted on paying electricity bills and is disconnected for arrears, the tenant who resides in the rental unit suffers the consequences of the electricity service termination though they are blameless for the non-payment.

Section 216 of the *Residential Tenancies Act, 2006* permits Ontario municipalities to pass vital services by-laws with provisions that allow them to take actions to prevent the disconnection of, or restore, the utility service to the rented premises and the tenants in the above-described situation. However, the adoption of such vital services by-laws is discretionary and, to ACTO's knowledge, only a handful of Ontario municipalities have them in place, namely Toronto, London, Cambridge, Hamilton, Cochrane and Cornwall.

Most tenants in Ontario do not have the protections afforded by a vital services by-law. ACTO recommends, therefore, that tenants – particularly low-income tenants - who pay for electricity service in their rent should not face disconnection if the landlord fails to pay bills.

Thank you for your consideration of this additional comment.

Yours sincerely,

Original signed by

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