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Tenants at a building on Girouard in NDG are living without heat. And the landlord is threatening to cut off the hot water too. Ange-Aimee Woods brings us that story.

TENANTS COMPLAIN ABOUT STATE OF BUILDING

NANCY WOOD (Host of Daybreak CBC Montreal Radio News): It is October, and next week temperatures are going to be dropping near the freezing point, and we want to know what's going to happen to these tenants at the corner of Sherbrooke and Girouard. We have sent Daybreak's Ange-Aimee Woods out to visit them. They're at 2290 Girouard, and she's in studio with their story. Hi Ange-Aimee.

ANGE-AIMEE WOODS (Reporter): Good morning.

NANCY WOOD (Host): Now, tell me about this building. You've been to it. What's the state of the building?

ANGE-AIMEE WOODS (Reporter): Well, first of all, you can just walk right into the building. The front door's not locked. The front hall is cluttered with construction material, dust, mail, phone books that have not been picked up. You see, there are more than 30 apartments in the building, but there are tenants living in only about eight apartments. So it's a bit of a ghost building. Now Richard Lajoie, he's lived there for 12 years. He says that two years ago the current owner bought the building and that's when the conditions began to decline.

RICHARD LAJOIE (Tenant): There are dead birds in the stairwell. The doors are falling off the hinges. There are no fire extinguishers. There's really no upkeep of the building whatsoever. Washer and dryer aren't working at all. The door is open downstairs, there's no security, and homeless people sleeping in the hallways. It's open doors, no security whatsoever.

ANGE-AIMEE WOODS (Reporter): So that Richard Lajoie. He's a tenant at 2290 Girouard.

NANCY WOOD (Host): It sounds like a nightmare, so why is he still there? Why doesn't he move out?

ANGE-AIMEE WOODS (Reporter): Well, Lajoie only pays \$505 for his four and a half (4 ½), which he's supposed to have heat and hot water included in the rent. So he says he's been willing to overlook the conditions in the building because his rent is so cheap.

NANCY WOOD (Host): But I gather right now he doesn't have that heat.

ANGE-AIMEE WOODS (Reporter): That's right. Lajoie and other tenants say the landlord ripped out the central heating ducts over the summer. Tenants say they were told the landlord wants to replace the old heating system with a brand new electrical heating system. And it wasn't really until this month when it got colder that tenants realized that the landlord had already begun the work on the heating system without giving them any notice that the heat would be turned off.

NANCY WOOD (Host): Did the tenants ever hear at all from the landlord about the heat?

ANGE-AIMEE WOODS (Reporter): Yes, some of the tenants received a registered letter dated September 30th.

NANCY WOOD (Host): That's not long ago.

ANGE-AIMEE WOODS (Reporter): No. In the letter the landlord asked the tenants to leave their apartments by October 30th.

NANCY WOOD (Host): That's just one month's notice. What does the Regie du logement say about that?

ANGE-AIMEE WOODS (Reporter): Well, the Regie du logement stipulates that if a landlord needs to complete major repairs that require the tenant be out of the apartment, the landlord needs to give written notice to the tenant three months in advance, if the work's going to take more than seven days to complete. And Jean-Pierre Le Blanc speaks for the Regie du logement.

JEAN-PIERRE LE BLANC (Regie du logement): If the landlord is obliged by the lease to provide heating he has to heat the apartment for all year long. If he wants to do work on the main heating system, he has either to give notices and make arrangement for the tenants to move, or take agreements to them. He has to send the proper notices.

ANGE-AIMEE WOODS (Reporter): So that's Jean-Pierre Le Blanc. He speaks for the Regie du logement. Now I reached a lawyer who represents the owner of this building, Marc Barchichat. Barchichat declined to comment. I also put in several calls to the owner of the building, Yves Clement, but Clement did not return my calls. However, one of the tenants did provide me with a letter the landlord had sent to people living in the building.

NANCY WOOD (Host): Well, listen, why don't I read a little bit of this. Winter is almost upon us, and we now find ourselves obligated to ask you leave your apartment for ten days so that we may be able to provide you with hot water and heating. We are counting on collaboration that you will vacate your apartment by October 30th at the latest. If you desire other arrangements please communicate with the undersigned before the 7th of October. And then asterisk, please note, if you refuse to vacate the premises you will be forced to live without heat or hot water. So

in this latter the landlord's saying that the tenants need to leave the apartment for ten days. Are they going to be allowed back after that?

ANGE-AIMEE WOODS (Reporter): Good question. And Richard Lajoie says he's not sticking around to find out if he can move back in. He says the landlord told him that if he wanted to return after the heating is fixed, he'd need to pay a significant rent increase. He offered him his apartment for \$805. That's a \$300 increase. He also offered Lajoie a cheque for \$1,500 if he agrees to leave before the end of the month. Lajoie says he's going to take the payoff, he's going to move out. In fact, many of the former tenants have taken this kind of offer and moved out.

NANCY WOOD (Host): I think you said there were eight. So how about the other tenants still living there? What are they going to do?

ANGE-AIMEE WOODS (Reporter): Well, two of the other tenants I spoke to say they can't afford to move out right now. Marilyn Cameron has filed papers at the Regie this week asking that her heat be turned back on in the next 24 hours. She's waiting for a court date before the Regie. Now, normally we've heard stories about that. Tenants have to wait 14 months before they get a court date at the Regie, but I spoke to Jean-Pierre Le Blanc about that and he tells me that the Regie usually fast tracks cases that involve a dispute over the heat. He says she could get a court date in the next six weeks. But in the meantime, Cameron says she's bought some electrical space heaters, and she says she's not going to move, she's not budging until the landlord also cuts off her hot water.

NANCY WOOD (Host): Six weeks, that brings her to December. Now what kind of responsibility does the landlord have while he's completing the kind of work on the building that requires the tenant leave, not be present?

ANGE-AIMEE WOODS (Reporter): The Regie says the landlord's responsible to provide moving costs for the tenants to leave the building, and moving costs for their return, and if the work takes more than seven days, the landlord's also required to help pay for accommodation elsewhere. For example, if your rent's \$500 a month and you could only find a place that's about \$700, the landlord must pay the difference between the two rents.

NANCY WOOD (Host): Now, you just mentioned Marilyn Cameron who's contesting this. What did the landlord offer to pay her?

ANGE-AIMEE WOODS (Reporter): Cameron says the landlord won't pay for any of her costs. She says he's only agreed to pay her the equivalent of three months rent if she agrees not to come back after the renovations are completed. Now, I also spoke to Chen Giagi. Chen Giagi pays \$420 for his three and a half (3 ½). He also works in the Depanneur that's located right there in the same building. He's a new immigrant and he says he just can't afford to move and pay a higher rent elsewhere. So, he wants to stay and he says the landlord's been very vague about how soon he could return after the work on the apartment is completed. Giagi says he feels powerless.

CHEN GIAGI (Tenant): Nobody can (inaudible) him because you can't put him in the jail because he don't give me the heating or hot water. Now it's already the October, very soon the heating and the hot water going to be very essential, necessary. So (laughs), by this time you have no choice, because you are forced to abandon your apartment. This is now the situation.

ANGE-AIMEE WOODS (Reporter): So that was Chen Giagi. He's rented another apartment, but he's hoping he can return. How his neighbour, Richard Lajoie, says the cheap rent's just not worth sticking it out any longer.

RICHARD LAJOIE (Tenant): It's a little sketchy seeing everybody leave one by one. I mean, at first there was a little group of us and we were going to see the lawyers and it seemed like we had a little community going on, and then one by one everybody getting picked off. So, yeah, I mean, it is a bit of a ghost building and a construction site and you know, it's a little unsettling. Unsettling to say the least. So, I'm really looking forward to November 1st when I'll be out and starting off somewhere else.

ANGE-AIMEE WOODS (Reporter): So that was Richard Lajoie. Again, I did request to speak with the owner of the building, Yves Clement. Clement didn't return my calls.

NANCY WOOD (Host): Thank you so much for explaining this all to us. Good morning, Ange-Aimee. That's Daybreak's Ange-Aimee Woods and you'll keep an eye on that story for us.