



HOUSING MARKET
INFORMATION

HOUSING MARKET INSIGHT

CITY OF TORONTO

Uncovering Trends in Formal,
Development-Led Eviction
Applications in Toronto

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“Formal, development-led eviction applications in Canada’s largest municipality, the City of Toronto, increased in prevalence between 2010-2020. This phenomenon, which relates directly to the potential loss of rental housing for certain households and, in the context of a supply-constrained rental market such as Toronto’s, the potential loss of limited affordable rental housing options, has largely gone unexplored. For this reason, we sought to uncover key trends underpinning it, over the previous decade.”

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Highlights

- When compared to the size of the primary rental market stock, there was a low prevalence of formal, development-led eviction applications¹, in the City of Toronto, between 2010-2020. This particular kind of eviction application did, however, increase markedly over this period.
- Within the City, formal, development-led eviction applications were overwhelmingly concentrated in the Former City of Toronto. They were also four times more likely to have been submitted for rental units in the City's secondary rental market than its primary rental market.
- Over the previous decade, formal, development-led eviction applications increased simultaneously with the widening gap between average asking (i.e., vacant unit) and average market (i.e., occupied unit) rents in the City's primary rental market.
- Some tenants may be faced with challenges upon eviction; namely, low vacancy rates and unaffordable rent levels. The lack of affordable rental housing options is at the core of this issue.
- Rental units in older structures, in the City's primary rental market, tended to be the subject of formal, development-led eviction applications. As well, City locales with a larger share of rental housing identified as requiring major repairs saw a greater number of applications.
- In the primary rental market, it was relatively common to see formal, development-led eviction applications submitted following the sale of a rental property to a new owner.

Introduction

As part of our commitment to address housing data and knowledge gaps, and to help Canadians make better-informed decisions, Canada Mortgage and Housing Corporation (CMHC) undertook a study on formal², development-led eviction applications submitted in the residential rental market in the City of Toronto. The landscape of evictions has changed in recent years, with recent literature citing a marked rise in development-led evictions in large Canadian centers³ (ACTO, 2019; Zell and McCullough, 2020). Detailed research on the prevalence and implications of this particular kind of eviction, in which a property owner or landlord evicts a tenant due to their desire to make changes to the unit, building, or land, and/or its use (Zell and McCullough, 2020), is sparse.

The purpose of this paper is to provide our clients with an understanding of the estimated prevalence of formal, development-led evictions in Canada's largest municipality, the City of Toronto, by using eviction applications as a proxy for their occurrence. Determining the prevalence of, and uncovering trends in, development-led eviction is important, as it an underexplored topic relating directly to the potential loss of rental housing for certain households and, in the context of a supply-constrained rental market such as Toronto's, the potential loss of limited affordable rental housing options.

To conduct this study, we devised a method whereby we were able to identify primary and secondary rental market units that were the subject of formal, development-led eviction applications between the years of 2010 to 2020. Once these were identified, we were able to gauge the prevalence of formal, development-led eviction applications in and within the City, explore potential reasons for their increase in recent years, analyze the characteristics of a subset of rental structures whose units were the subject of these applications, and ascertain the potential implications to rental affordability emanating from possible evictions. In the process, we also identified important data gaps pertaining to this topic.

¹ An eviction application does not necessarily equate to an eviction. It represents a landlord's intention to formally evict a tenant and is one step in the process towards doing so. The authors did not have data on formal eviction outcomes (i.e., whether or not a tenant was actually evicted via the Landlord Tenant Board process), therefore, eviction applications had to be used as a proxy for formal, development-led eviction activity. Our use of eviction applications, as a proxy, likely overestimated this activity, as not all applications necessarily proceed to an eviction.

² An eviction enacted through a legal procedure (Zell and McCullough, 2020).

³ According to ACTO (2019), the non-payment of rent remains the primary reason for eviction application filing in the City of Toronto. Nevertheless, formal eviction applications for other reasons, which would include formal, development-led eviction applications, have been on the rise.

Stakeholders, particularly those at the municipal and provincial government levels, can benefit from the information presented in this study, which could be useful for policy discussion, creation, or refinement around factors such as the preservation of the affordable rental housing stock and how to best address the quality of existing rental units.

Guiding our analysis were the below four research questions, each of which makes up a separate section of this report:

1. What has been the prevalence of formal, development-led eviction applications in, and within, the City of Toronto?
2. What has been the prevalence of formal, development-led eviction applications, in and within, the City over time?
3. Was the assumed development-related work, that inspired formal, development-led eviction applications, warranted?
4. Who was submitting formal, development-led eviction applications in the City: existing or new rental property owners?

Methods

In order to conduct this analysis, three sets of data were required:

- CMHC Rental Market Survey (RMS) data (i.e., primary rental [apartment] market data)
- Landlord Tenant Board Ontario (LTB) formal, development-led eviction application data (with each application corresponding to a single rental unit)
- Teranet multi-family transaction data

The latter two datasets were matched to the former in order to identify formal, development-led eviction applications submitted, and multi-family transactions occurring, in the primary rental market⁴. Formal, development-led eviction applications that were not matched to a primary rental market record were assumed to have been submitted in the secondary rental market⁵. Descriptive and statistical analyses were then undertaken to uncover trends in formal, development-led eviction applications within the City of Toronto.

The process of eviction in Ontario

The *Residential Tenancies Act, 2006* is the legislation which governs residential evictions in Ontario. The Landlord and Tenant Board of Ontario (LTB) is the provincial body that enforces this legislation via the adjudication of disputes between landlords and tenants, and the issuance of eviction orders (LTB, 2015).

The formal process of a development-led eviction begins when an N13 notice of eviction is issued, by the landlord, to a tenant residing in a residential rental unit. The N13 notice informs a tenant that their landlord wishes to: demolish the rental unit, repair it, or convert it to another use (LTB, 2020). Should the tenant disagree with the notice of eviction or not move out of the rental unit (Leon and Iveniuk, 2020), the landlord would file an L2 eviction application with the LTB. This application would then lead to a hearing, adjudicated by the LTB, and the outcome of that hearing would determine whether an eviction order would be issued to the tenant. The eviction order would be enforced by the Sheriff, who is the only legal authority capable of doing so (Leon and Iveniuk, 2020). Due to data limitations, this study had to rely on L2 eviction applications paired with N13 notices (i.e., formal, development-led eviction applications) as a proxy for formal, development-led evictions.

Importantly, due to data limitations, this study was not able to quantify:

- The precise number of formal, development-led eviction applications (L2/N13 pairs) that led to a hearing at the LTB (for this reason, all L2/N13 pairs were retained for this analysis, regardless of whether or not a hearing was held).
- The outcome of those applications that may have led to LTB hearings⁶ (i.e., whether or not a tenant was issued formal eviction orders).
- The breakdown of formal, development-led eviction applications according to the reason provided on the N13 eviction notice form (i.e., demolition, repair, or conversion to another use).
- Intentions to evict, for development-related purposes, occurring outside the LTB system (i.e., informal development-led evictions).

⁴ The primary rental market refers to purpose-built rental apartments in structures of 3+ units. For this report, purpose-built rental row homes were not included in primary rental market calculations and were, instead, subsumed in calculations for the secondary rental market. Purpose-built rental row homes make up a negligible amount of the overall primary rental market. As per 2016 Census and RMS data, they were estimated to have represented only 0.8% of occupied rental housing, in the City of Toronto, in that year.

⁵ The secondary rental market consists of all rental units not in the primary rental market; namely, rented condominiums, publicly initiated (subsidized) rental units, freehold row home rentals, and rental units in structures with fewer than three units. For this report, purpose-built rental row homes were subsumed in calculations for the secondary rental market.

⁶ The outcome of LTB hearings is recorded, but this information was not available to the authors.

Analysis Findings

What has been the prevalence of formal, development-led eviction applications in, and within, the City of Toronto?

The prevalence of formal, development-led eviction applications, in the City of Toronto, was low relative to the size of the primary rental market

Between the period of 2010 and 2020, there were 186 formal, development-led eviction applications (DLEAs) submitted for rental units in the City's primary rental market. We compared this number to the size of this rental segment, using data from CMHC's RMS, and determined that the prevalence of DLEAs, in the primary rental market, was only about 0.1%⁷ (data limitations prevented us from ascertaining how prevalent they were in the secondary rental market). When considering the actual number of formal, development-led evictions that transpired over this period, which this study was not able to quantify, this number was likely to have been lower, as not all DLEAs necessarily proceed to an eviction.

There are, however, a couple of important considerations worth noting. Firstly, as noted in the preceding section, this study was not able to quantify informal development-led

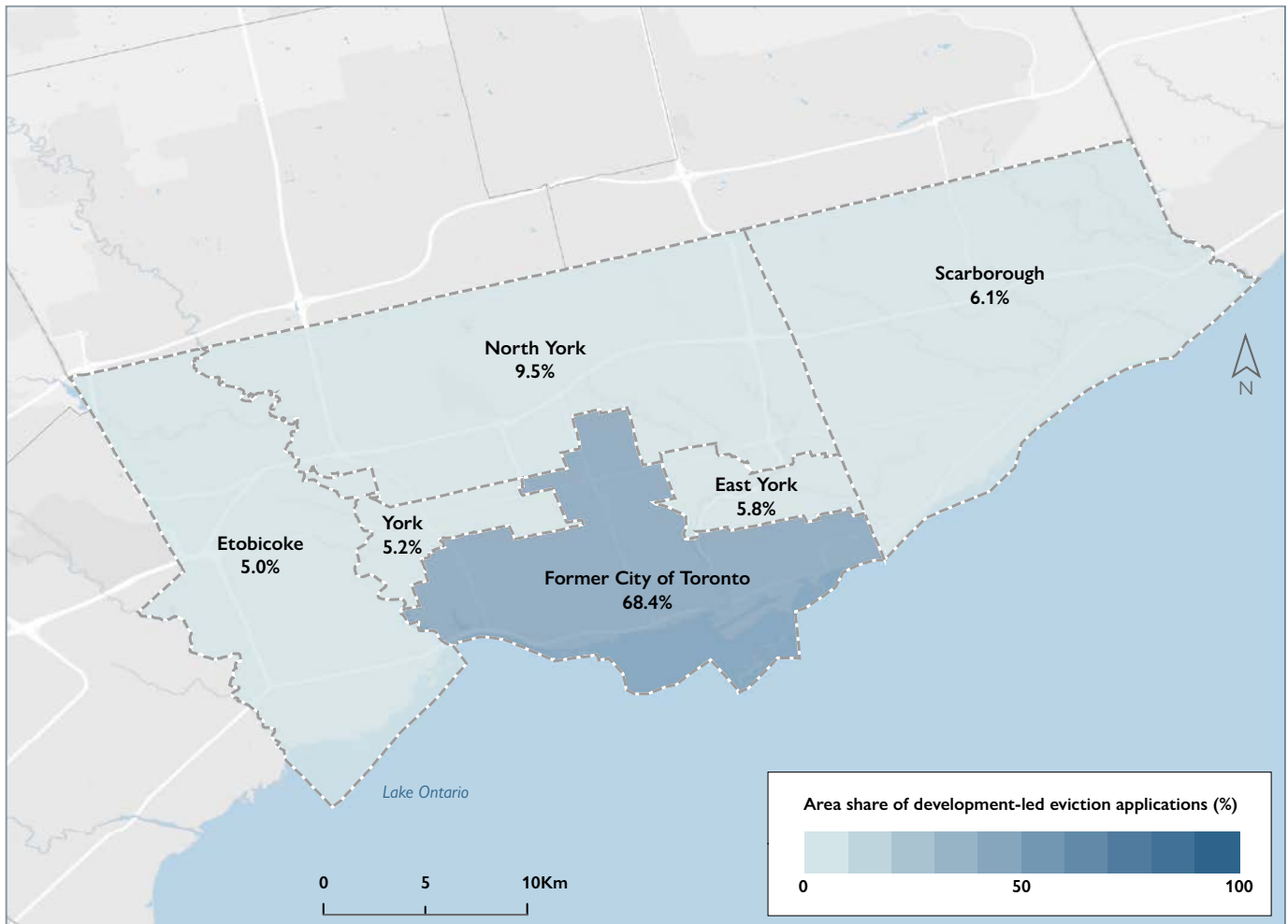
evictions. Therefore, intentions to evict, for development-related purposes, in the primary rental market, may have been higher than we estimate. Secondly, even if the prevalence of DLEAs in this rental segment was low, it is possible that they resulted in a decline in the limited stock of rental housing that is likely to be affordable to renter households, particularly those with low incomes. Once a tenant is evicted from a rental unit, the rent on that unit can be raised to the asking rate, which, in recent years, has been largely unaffordable to the average renter household in the City of Toronto (we touch on this further later in this report).

The majority of formal, development-led eviction applications were submitted in the Former City of Toronto. In the primary rental market, this area of the City was overrepresented in its share of these applications

Figure 1 illustrates the share of DLEAs in City of Toronto sub-geographies (the City's six former municipalities) from 2010 to 2020. The majority (68.4%) were submitted in the Former City of Toronto, a trend exhibited in both the primary and secondary rental markets, as per Table 1. According to Census 2016, a significant share of the City's occupied rental housing is located in this area, which may partially explain its high share of DLEAs. The remainder of DLEAs were submitted in North York (9.5%), Scarborough (6.1%), East York (5.8%), York (5.2%), and Etobicoke (5.0%).

⁷ This number was derived by dividing the total number of primary rental market DLEAs, from 2010-2020, by the average size of the primary rental market universe from 2010-2020.

Figure 1: Share of formal, development-led eviction applications, by City of Toronto sub-geography, between 2010-2020



Source: Landlord and Tenant Board Ontario, CMHC calculations

Table 1: City of Toronto formal, development-led eviction applications (2010-2020), by geography and rental segment

CMHC rental zone(s)	Geography	Formal, development-led eviction applications					
		All	(%)	Primary	Rental segment		(%)
					(%)	Secondary	(%)
01-04	Former City of Toronto	711	68.4%	136	73.1%	575	76.3%
05-07	Etobicoke	52	5.0%	8	4.3%	44	5.8%
08	York	54	5.2%	8	4.3%	46	6.1%
09	East York	60	5.8%	29	15.6%	31	4.1%
10-12	Scarborough	63	6.1%	5	2.7%	58	7.7%
13-17	North York	99	9.5%	**	**	**	**
01-17	City of Toronto	1,039	100%	186	100%	754	100%

Source: Landlord and Tenant Board Ontario, CMHC calculations

**Data suppressed due to confidentiality.

Note: Primary and secondary formal, development-led eviction applications do not sum up to total formal, development-led eviction applications for the City of Toronto (rental zones 01-17) due to data suppression in North York.

CMHC’s RMS data can be used to see if the number of DLEAs submitted in the primary rental market was in proportion to the size of the area’s stock of primary market apartments⁸. Figure 2 illustrates that more DLEAs were submitted in the Former City of Toronto and East York than the size of their respective primary rental markets would justify. Notably, 73.1% of DLEAs were submitted in the Former City of Toronto, while its primary rental market accounts for 46.5% of the City of Toronto’s. The Former City of Toronto’s primary rental market is relatively older, and the majority (85.5%) of DLEAs in the City of Toronto were submitted in buildings built before 1960. However, even after adjusting for structure age, the Former City of Toronto still had disproportionately more DLEAs relative to its share of the market.

Formal, development-led eviction applications were four times more likely to have been submitted for secondary than primary rentals

Using 2016 Census and RMS data, the secondary rental market was estimated to account for 50.8%⁹ of the rental market in the City of Toronto yet, in the same year, 90.5% of DLEAs were submitted in the secondary rental market. This generally held throughout 2010 to 2020, where four times as many DLEAs were submitted in the secondary rental market compared to the primary.

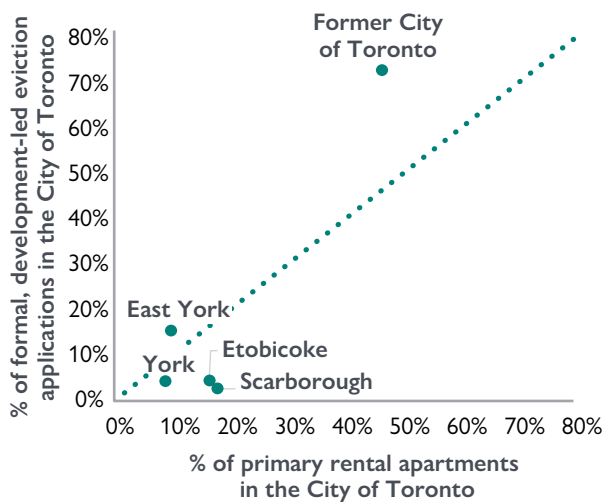
A hypothesis, which might explain the higher prevalence of DLEAs in the secondary rental market, is that the housing stock in the primary rental market is generally older (94.2%¹⁰ of units having been built before 1980). Therefore, a tenant residing in a primary rental market unit may have been more willing to vacate their unit on receiving their notice, as the building may have been in a state of disrepair given its age. This, in turn, could have led to fewer DLEAs submitted in the primary rental market.

What has been the prevalence of formal, development-led eviction applications in, and within, the City over time?

Formal, development-led eviction applications increased significantly towards the end of the last decade

DLEAs, in the City of Toronto, were trending up throughout much of the 2010s (see Figure 3). By 2019, they numbered six times higher than in 2012, their lowest point in the decade. When the COVID-19 pandemic took hold in 2020, DLEAs fell markedly. Eviction moratoriums in that year¹¹, alongside the challenge of carrying out demolitions, repair or renovation work, or conversions during the pandemic, likely explained the drop.

Figure 2: Proportion of formal, development-led eviction applications (2010-2020) relative to proportion of the overall City of Toronto primary rental market (excluding North York*)



Sources: CMHC Rental Market Survey, Landlord and Tenant Board Ontario, CMHC calculations

*North York was excluded for data confidentiality purposes.

Note: The closer a sub-geography (i.e., data point) on this graph is to the dotted line, the more aligned that sub-geography’s share of the City’s formal, development-led eviction applications is with its share of the City’s primary rental apartment stock.

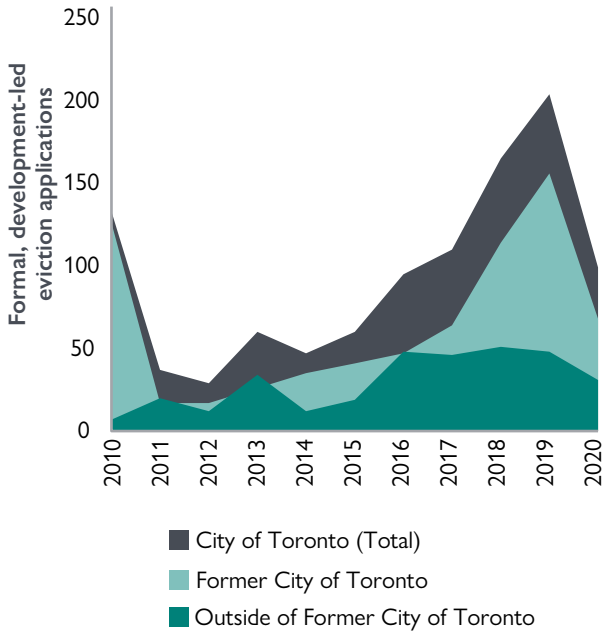
⁸ Data limitations did not allow for a similar analysis for the secondary rental market.

⁹ As per Census 2016, there were 525,835 renter households in the City of Toronto. Using RMS 2016 data allowed us to back out an estimate of the number of primary renter market households in the City in that year: 258,469 (or 49.2% of total renter households). It followed, then, that the balance, 267,366 (or 50.8%), would have been in the secondary rental market.

¹⁰ This was the average share of the primary rental universe, between 2010 and 2020, that was built before 1980.

¹¹ <https://www.cmhc-schl.gc.ca/en/consumers/renting-a-home/covid-19-eviction-bans-and-suspensions-to-support-renters>

Figure 3: Formal, development-led eviction applications submitted in the City of Toronto, by year, by area



Sources: Landlord and Tenant Board Ontario, CMHC calculations

By geography, the driver of the uptrend was the Former City of Toronto. This was because, as mentioned in the preceding section, this area accounted for most DLEAs submitted over the 2010-2020 period (68.4%). Meanwhile, the area outside the Former City of Toronto, made up of the former municipalities of Etobicoke, York, North York, East York, and Scarborough, accounted for less (31.6%). By rental market segment, the secondary rental market experienced a more pronounced increase in DLEAs over time. Again, the heavy concentration of DLEAs submitted in that segment would explain this.

Possible explanations for elevated formal, development-led eviction activity in recent years

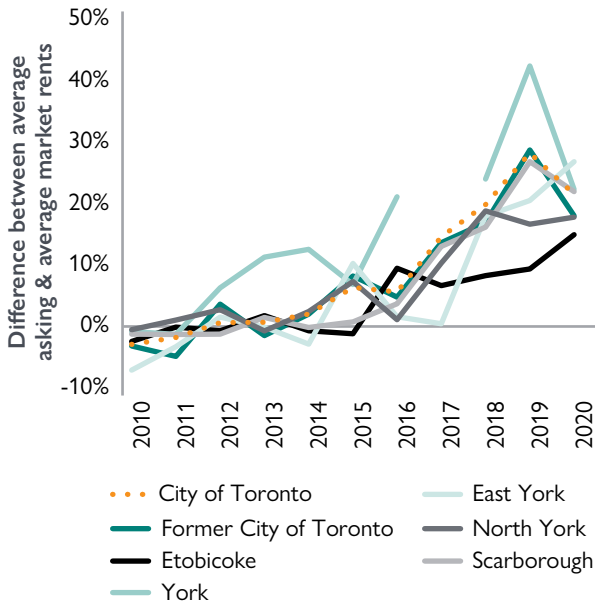
Our analysis touches on two possible explanations for the observed increase in DLEAs in recent years: (1) The state of repair (or disrepair) of the existing rental stock, and (2) market-related conditions (due to data limitations, analysis on market-related conditions was specific to the primary rental market). We will focus on the latter here, as the next section in this report is dedicated to the former. We also wish to note that these should not be viewed as an exhaustive list of possible explanations, nor should they be seen as mutually exclusive. Our intention, with this work, is not to enumerate all potential causes of DLEAs, but rather to explore plausible explanations that have, or have not, been put forward in anecdotes, media accounts, or the existing literature.

The difference between average asking and average market rents, in the primary rental market, has widened considerably over time, and was correlated with more formal, development-led eviction applications

Over the last decade, in the City of Toronto, rental demand has exceeded supply, resulting in market conditions which significantly favoured landlords; namely, low vacancy rates and strong rent growth. Due to the presence of vacancy decontrol¹² in Ontario, when a unit is vacated, a landlord is free to charge whatever rent they feel the market will bear. Upon eviction, a tenant would have to secure new rental housing and, in the context of tight rental market conditions, incur additional rental costs. These additional rental costs can be quantified as the difference between asking rents (i.e., the going rate for vacant units) and market rents (i.e., the rent for occupied units). Indeed, the difference in average asking rents and average market rents, in the primary rental market, has grown significantly over time, as shown in Figure 4 (the difference declined in 2020, due to the COVID-19 shock to rental demand, but remained elevated nevertheless).

¹² Vacancy decontrol refers to the ability to charge rent equal to whatever the market will bear, on vacated units. Already occupied rental units, however, are subject to rent control, which refers to the provincially stipulated, maximum allowable increase a landlord can make on these already occupied units.

Figure 4: Percent difference between average asking and average market rents, in the primary rental market, in the City of Toronto and its sub-geographies*

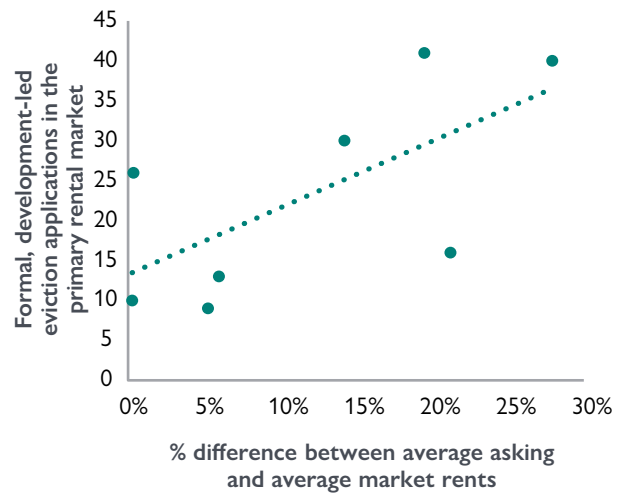


Sources: CMHC Rental Market Survey, CMHC Calculations
 *Data for York was suppressed in 2017 due to data confidentiality purposes.

Notably, in the primary rental market, in the City of Toronto, we observed a strong positive correlation between: (1) the difference in average asking and average market rents, and (2) the number of DLEAs submitted (see Figure 5). In other words, as one increased, so did the other. One possible explanation for this correlation¹³, which seems to be supported by the literature, is that a widening gap between asking and market rents may incentivize landlords to submit applications to evict tenants in greater numbers (Zell and McCullough, 2020). This is because they would be able to charge the significantly higher asking rate when re-renting a unit (average asking rents were, on average, 14.6-26.5% higher than average market rents in 2020).

The correlation observed could also be explained by tenants dissenting against the possibility of being evicted into an increasingly unaffordable rental market (recall that L2 eviction applications are submitted to the LTB when a tenant disagrees with the N13 notice of eviction or does not move out of their rental unit upon receipt of the notice). This is because they would likely have to bear the additional cost of finding new rentals, in the City, at the significantly higher asking rate.

Figure 5: The relationship between the difference between average asking and average market rents and formal, development-led eviction applications, in the primary rental market, in the City of Toronto (2010-2020*)



Sources: CMHC Rental Market Survey, Landlord Tenant Board Ontario, CMHC Calculations
 *Each data point on this scatter plot refers to a year (2010-2020). The years 2010, 2011, and 2014 were excluded for data confidentiality purposes.
 Note: The dotted line represents the linear trendline which best fits the data points.

¹³ Data limitations did not allow for a similar calculation for the secondary rental market.

The purpose-built rental market has become increasingly unaffordable in recent years

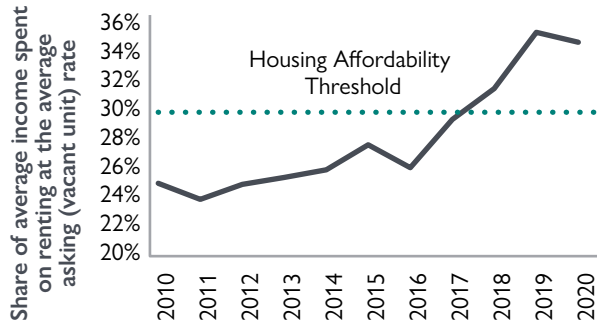
Some tenants may be faced with challenges upon eviction. Firstly, vacancy rates were exceptionally low in the City of Toronto, over the last decade, leaving few rental options available. The lack of options has been especially pronounced for low-income households where, as per our latest Rental Market Report (2020), only 0.2% of the primary rental stock was affordable to the lowest income quintile in the Toronto Census Metropolitan Area (CMHC, 2021). As well, the growth in average asking rents has significantly outpaced the growth in the average, pre-tax renter household income. In other words, the average renter household would need to outlay more than 30.0% of their monthly household pre-tax income, which is commonly used as an affordability threshold, to rent at the average asking rate (see Figure 6).

To conclude, based on the limited data available, identifying a single cause for elevated DLEAs throughout the 2010s would not seem to be possible. Our analysis indicates it is likely a nuanced phenomenon, with market-related conditions representing one possible explanation, but not the only one. Another that does not appear to have been explored as extensively is the state of repair of the existing rental stock. For this reason, it is the focus of the next section of this report.

Was the assumed development-related work, that inspired formal, development-led eviction applications, warranted?

There exists some concern that the development-related work behind certain development-led evictions, such as “renovictions”¹⁴ (a portmanteau made up of the words renovation and eviction), could be unnecessary, and that this work is being used as a pretext to raise rents. An important question, therefore, is whether the (assumed¹⁵) development-related work to rental complexes and rental units, which motivated DLEAs, was warranted. Our analysis indicates it might have been. To address this question, we first looked at the “adequacy” housing need standard. This indicator specifies the number of households living in housing that does not require major repairs, defined as defective plumbing or electrical wiring, or structural repairs to walls, floors, or ceilings (CMHC, 2019), as reported by residents during each Census. Those households below the standard would be residing in housing in need of major repairs.

Figure 6: The share of average, pre-tax renter household income* that would have been spent on renting at the average asking rate (i.e., for vacant units), in the primary rental market, in the City of Toronto



Sources: CMHC Rental Market Survey, Statistics Canada, CMHC Calculations

*The average, pre-tax renter household income was drawn from Censuses 2006, 2011, and 2016. An estimate was generated for intercensal years.

¹⁴ “Renoviction” represents one type of development-led eviction, whereby tenants lose their housing due to the renovation or repair of their apartment unit or building. Renovictions generally occur legally, within tenancy regulations, and require notice and compensation to tenants (Zell and McCullough, 2020).

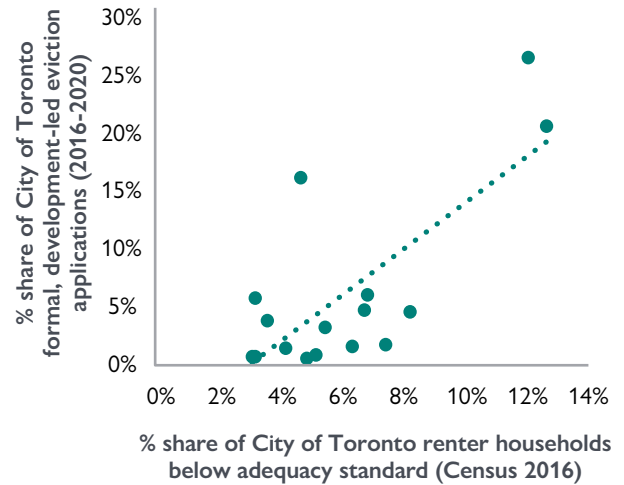
¹⁵ Data limitations prevented the authors from ascertaining if work to rental complexes or units, that were the subject of DLEAs, was actually undertaken, and what the nature of this work might have been.

Geographic distribution of formal, development-led eviction applications corresponded with the state of repair of rental housing in City of Toronto locales

Specifically, we examined the relationship between: (1) the share of renter households living below the adequacy standard, in each City of Toronto rental zone¹⁶, as reported by residents in Census 2016, and (2) each rental zone's share of DLEAs since 2016 (2016-2020). What we discovered was a strong positive correlation between the two (see Figure 7). That is to say, zones that had a higher share of renter households who reported living below the adequacy standard tended to see more DLEAs. Conversely, zones with a lower share of renter households living below the adequacy standard tended to see fewer DLEAs. The geographic distribution of DLEAs within the City, therefore, made sense.

More telling, however, was the ratio of (1) DLEAs to (2) households living below the adequacy standard, in each rental zone. It ranged between 0.2% to 5.3% (see Table 2), indicating that the number of DLEAs fell far below the number of households who reported living in inadequate rental housing. Therefore, the limited (assumed) development-related work, which inspired DLEAs between 2016-2020, would almost certainly seem to have been warranted. One may have expected to see more development-related work taking place.

Figure 7: The relationship between formal, development-led eviction applications (2016-2020) and renter households below the adequacy standard, by CMHC City of Toronto rental zone*



Sources: Landlord and Tenant Board Ontario, Statistics Canada, CMHC calculations

*Each data point on this scatter plot refers to a CMHC rental zone in the City of Toronto (16 of Toronto's 17 zones were included on the plot. One – zone 11 – was excluded for data confidentiality purposes).

Note: The dotted line represents the linear trendline which best fits the data points.

¹⁶ A particular locale, defined by CMHC, made-up of Census Tracts in close proximity. See appendix Table A1 for a full listing of City of Toronto rental zones and their corresponding census tracts.

Table 2: Formal, development-led eviction applications (2016-2020) as a percent share of renter households below the adequacy standard, by CMHC City of Toronto rental zone

CMHC rental zone	Formal, development-led eviction applications (2016-2020)	Renter households below the adequacy standard (Census 2016)	The ratio of formal, development-led eviction applications to renter households below the adequacy standard (%)
01 - Toronto (Central)	139	5,575	2.5%
02 - Toronto (East)	109	2,070	5.3%
03 - Toronto (North)	22	2,400	0.9%
04 - Toronto (West)	179	5,310	3.4%
05 - Etobicoke (South)	26	1,600	1.6%
06 - Etobicoke (Central)	6	2,310	0.3%
07 - Etobicoke (North)	5	1,390	0.4%
08 - York	41	3,005	1.4%
09 - East York	32	2,960	1.1%
10 - Scarborough (Central)	31	3,620	0.9%
11 - Scarborough (North)	**	**	**
12 - Scarborough (East)	11	2,820	0.4%
13 - North York (Southeast)	4	2,155	0.2%
14 - North York (Northeast)	39	1,425	2.7%
15 - North York (Southwest)	10	1,860	0.5%
16 - North York (N.Central)	5	1,440	0.3%
17 - North York (Northwest)	12	3,270	0.4%
City of Toronto (except Zone 11)	671	43,210	1.6%

Sources: Landlord and Tenant Board Ontario, Statistics Canada, CMHC calculations

**Data suppressed due to confidentiality.

Rental units in older primary rental market structures, which may be in greater need of repair, tended to be the subject of formal, development-led eviction applications¹⁷

Finally, as mentioned in the previous section, in the primary rental market, DLEAs were submitted for rental units in structures that tended to be older. On average, the sample of primary market rental structures, whose units were subject to DLEAs, was 8 years older than the entire universe

of structures in each rental zone (see Table 3). For certain rental zones, namely those in the Former City of Toronto (comprised of zones 1-4), the sample of structures, whose units were subject to DLEAs, was upwards of 16 or 19 years older, on average. This finding was consistent with data from Census 2016, where residents in the City of Toronto indicated that rental units in older rental apartment structures were in greater need of major repairs than those in newer ones (Statistics Canada, 2021).

¹⁷ Data limitations did not allow for a similar analysis for the secondary rental market.

Table 3: Average year of completion of primary rental market structures - sample of structures that had rental units subject to formal, development-led eviction applications (DLEAs) vs. the entire universe of structures, by CMHC City of Toronto rental zone (2010-2020)

CMHC rental zone*	Average year of completion (Sample of structures with units subject to DLEAs)	Average year of completion (Universe of structures)	Difference in years
01 - Toronto (Central)	1911	1930	-19
02 - Toronto (East)	1926	1934	-8
03 - Toronto (North)	1926	1942	-16
04 - Toronto (West)	1926	1930	-4
05 - Etobicoke (South)	1960	1953	7
08 - York	1961	1948	13
09 - East York	1943	1954	-11
10 - Scarborough (Central)	1960	1958	2
15 - North York (Southwest)	**	1956	**
All	1934	1942	-8

Sources: CMHC Rental Market Survey, Landlord and Tenant Board Ontario, CMHC calculations

*Note: Only these zones had primary rental market units that were subject to formal, development-led eviction applications.

**Data suppressed due to confidentiality.

We also observed a moderately negative correlation between: (1) the average year of completion of primary rental market structures in each zone, and (2) the number of primary rental market DLEAs submitted in that rental zone between 2010-2020. In other words, zones whose structures were, on average, older tended to see more DLEAs submitted than those that were, on average, newer.

To conclude, DLEAs tend to be concentrated in locales and structures where rental units may be in most need of repair. It is, therefore, conceivable that the (assumed) development-related work, behind DLEAs, may have been warranted. In the next section, we investigate who was submitting DLEAs in the City.

Who was submitting formal, development-led eviction applications in the City, existing or new rental property owners?

Many primary rental market structures had units who were the subject of formal, development-led eviction applications following a change in property ownership

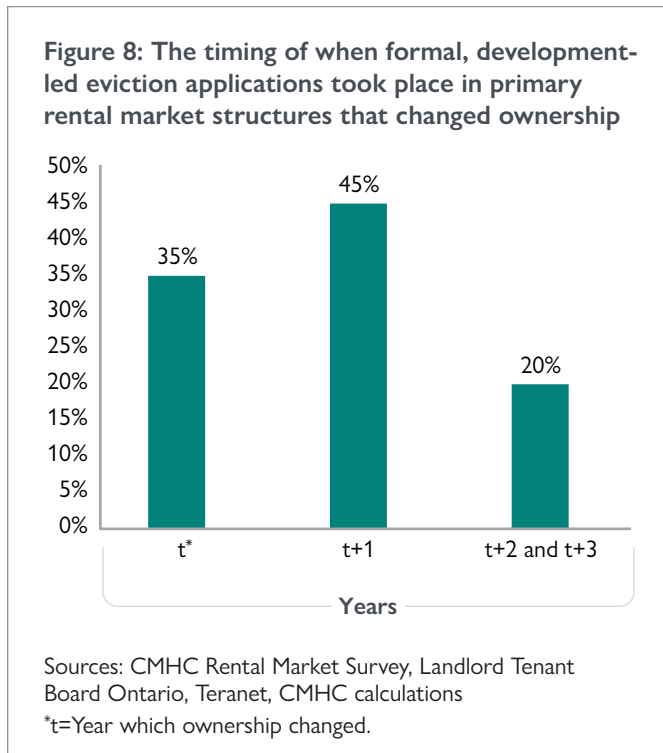
Zell and McCullough (2020) found that many development-led evictions occurred following the sale of a rental property to a new owner. In this study, we were not able to determine if an actual development-led eviction transpired, however, we were able to ascertain that DLEAs were reasonably likely to have been submitted after primary rental market properties were transacted¹⁸.

¹⁸ Data limitations did not allow for a similar analysis for the secondary rental market.

We used Teranet multi-family transaction data and Landlord Tenant Board Ontario data, from 2014-2020, to examine any trends between: (1) changes of property ownership, in the primary rental market, and (2) DLEAs in this rental market segment. Of the 51 structures who had units that were the subject of DLEAs over this time period, 20 (39.2%) experienced changes in ownership. In these 20 structures, 80.0% had units who were the subject of DLEAs in the current or following calendar year after ownership changed, and 20.0% had units who were the subject of DLEAs within 2 to 3 calendar years after (see Figure 8). Prior to the change in ownership, units in these structures had not been the subject of DLEAs.

The relatively high prevalence of ownership turnover amongst primary rental structures, whose units were the subject of DLEAs between 2010-2020, could suggest that purchasing behaviour may be influenced by the potential additional profit generated from considerably higher rents, following development-related work and/or tenant turnover. Findings from qualitative interviews with tenants who were the subject of development-led evictions, carried out in the work of Zell and McCullough (2020), would seem to support this hypothesis.

Below are a few other pertinent findings relating to ownership turnover and DLEAs:



- The geographic distribution of DLEAs, for structures that changed hands, deviated from the distribution for all primary rental market structures. Specifically, for structures that turned over to a new owner, relatively fewer DLEAs were submitted in the Former City of Toronto and, instead, more were submitted in York and East York. This finding is notable, given that York had the largest difference between average asking and average market rents over much of the last decade (see Figure 4 earlier in the report), which suggests there could be a stronger financial incentive for the purchasers of these rental properties to undertake development-related work.
- Despite structures that saw changes in ownership being, on average, smaller than those which did not (13 average units compared to 19, respectively), they were the subject of twice as many DLEAs per structure.
- Structures that saw changes in ownership saw DLEAs equal to 35.8% of their total units, whereas structures that did not see changes in ownership saw 28.0%.
- With respect to the age profile of structures, it was similar across both groups, with structures that saw property ownership change being slightly newer (1941 compared to 1933, on average).

Conclusion

In this study, we analyzed formal, development-led eviction applications in the City of Toronto. Uncovering trends pertaining to this phenomenon is important, as it relates to the potential loss of rental housing for certain households and, in the context of a supply-constrained rental market such as Toronto's, the potential loss of limited affordable rental housing options.

With this analysis, we were able to ascertain several things about formal, development-led eviction applications submitted in the City of Toronto, over the previous decade:

- They had a low prevalence when compared to the size of the primary rental market but did increase markedly over the period of interest (2010-2020).
- They were overwhelmingly concentrated in the Former City of Toronto.
- They were considerably more likely to have been submitted for rental units in the secondary rental market.
- They correlated positively with the widening gap between average asking and average market rents (i.e., as the gap widened over time, more applications were submitted).
- They tended to be submitted for rental units in older structures, in the primary rental market, and were more frequent in City locales where a greater number of households indicated major repairs to rental housing were needed.
- They were relatively common among properties that turned over to a new owner.

The key implications of these findings and, more broadly, this study are threefold. Firstly, the difficulty faced by tenants, who may have been evicted due to development-related work, is a symptom of a larger problem, which is the lack of affordable rental housing options. This may explain why there has been greater disagreement, on the part of tenants, with N13 eviction notices in recent years (recall that these eviction applications are submitted to the LTB when a tenant disagrees with the N13 notice of eviction or does not move out of their rental unit upon receipt of the notice). Tenants who have been evicted, in the context of a tight rental market, face the dual challenge of: (1) finding another comparable rental unit, and (2) finding an affordable rental unit. Addressing the lack of rental supply would seem to be the most obvious solution, over the long-term.

The second implication, which comes in the form of a question, is how do we balance the need between adequate rental housing and affordable rental housing, in the short-term? In other words, is it possible to address the inadequate housing in which nearly 1 in 10 of the City's renter households find themselves in (Statistics Canada, 2021), without evicting them into a more expensive, oftentimes, unaffordable rental market? If so, how?

Thirdly, we identified a plethora of data gaps when it comes to development-led evictions. Most notably, we do not know how many formal, development-led eviction applications led to an eviction, nor were we able to gauge the totality of development-led eviction activity taking place, as we were not able to quantify those that may have been undertaken informally.

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Appendix

Table A1: CMHC Rental Zone Descriptions – Toronto Census Subdivision (City of Toronto)

Zone 1	Former City of Toronto (Central) - North: C.P.R. Line; East: City Limit & Don River; South: Lake Ontario; West: Bathurst St. (East Side); Census tracts - 0002, 0011, 0012.01, 0012.03, 0012.04, 0013.01, 0013.02, 0014, 0015, 0016, 0017, 0030, 0031, 0032, 0033, 0034.01, 0034.02, 0035, 0036, 0037, 0038, 0039, 0059, 0060, 0061, 0062.01, 0062.02, 0063.03, 0063.04, 0063.05, 0063.06, 0064, 0065.01, 0065.02, 0066, 0067, 0068, 0086, 0087, 0088, 0089, 0090, 0091.01, 0091.02, 0092 and 0093.
Zone 2	Former City of Toronto (East) - North: City Limit; East: City Limit; South: Lake Ontario; West: Don River; Census tracts - 0001, 0018, 0019, 0020, 0021, 0022, 0023, 0024, 0025, 0026, 0027, 0028.01, 0028.02, 0029, 0069, 0070, 0071, 0072.01, 0072.02, 0073, 0074, 0075, 0076, 0077, 0078, 0079, 0080.01, 0080.02, 0081, 0082, 0083, 0084 and 0085.
Zone 3	Former City of Toronto (North) - North: City Limit; East: City Limit; South: C.P.R. Line; West: City Limit (Bathurst St. East Side); Census tracts - 0117, 0118, 0119, 0120, 0121, 0122, 0123, 0124, 0125, 0126, 0127, 0128.02, 0128.04, 0128.05, 0128.06, 0129, 0130, 0131, 0132, 0133, 0134, 0135, 0136.01, 0136.02, 0137, 0138, 0139.01, 0139.02, 0140, 0141.01, 0141.02 and 0142.
Zone 4	Former City of Toronto (West) - North: City Limit; East: Bathurst St. (West Side); South: Lake Ontario; West: City Limit; Census tracts 0003, 0004, 0005, 0006, 0007.01, 0007.02, 0008.01, 0008.02, 0009, 0010.01, 0010.02, 0040, 0041, 0042, 0043, 0044, 0045, 0046, 0047.02, 0047.03, 0047.04, 0048, 0049, 0050.01, 0050.03, 0050.04, 0051, 0052, 0053, 0054, 0055, 0056, 0057, 0058, 0094, 0095, 0096.01, 0096.02, 0097.01, 0097.03, 0097.04, 0098, 0099, 0100, 0101, 0102.02, 0102.03, 0102.04, 102.05, 0103, 0104, 0105, 0106, 0107, 0108, 0109, 0110, 0111, 0112, 0113, 0114, 0115 and 0116.
Zones 1-4	Former City of Toronto
Zone 5	Etobicoke (South) - North: Bloor St. West; East: Humber River; South: Lake Ontario; West: Etobicoke Creek; Census tracts 0200.01, 0200.02, 0201, 0202, 0203, 0204, 0205, 0206.01, 0206.02, 0207, 0208, 0209, 0210.01, 0210.02, 0211, 0212, 0213.01, 0213.02, 0214, 0215, 0216, 0217, 0218, 0219 and 0220.
Zone 6	Etobicoke (Central) - North: Highway 401; East: Humber River; South: Bloor St. West; West: Etobicoke Creek; Census tracts - 0221.01, 0221.02, 0222.01, 0222.02, 0223.01, 0223.02, 0224, 0225.01, 0225.02, 0226, 0227, 0228, 0229, 0230.01, 0230.02, 0231, 0232, 0233, 0234, 0235.01, 0235.02, 0236.01, 0236.02, 0237.01, 0237.02, 0237.03, 0238.01, 0238.02, 0239, 0240.01, 0240.02, 0241, 0242, 0243.01 and 0243.02.
Zone 7	Etobicoke (North) - North: Steeles Ave.; East: Humber River; South: Highway 401; West: Etobicoke Creek; Census tracts - 0244.01, 0244.02, 0245, 0246, 0247.01, 0247.02, 0248.02, 0248.03, 0248.04, 0248.05, 0249.01, 0249.03, 0249.04, 0249.05, 0250.01, 0250.02, 0250.04 and 0250.05.
Zones 5-7	Etobicoke
Zone 8	York City - Census Tracts 0150, 0151, 0152, 0153, 0154, 0155, 0156.01, 0156.02, 0157, 0158, 0159.01, 0159.02, 0160, 0161, 0162, 0163, 0164, 0165, 0166, 0167.01, 0167.02, 0168, 0169.01, 0169.02, 0170, 0171, 0172, 0173, 0174, 0175.01, 0175.02 and 0176.
Zone 9	East York (Borough) - Census tracts - 0180, 0181.01, 0181.02, 0182, 0183.01, 0183.02, 0184.01, 0184.02, 0185.01, 0185.02, 0186, 0187, 0188, 0189, 0190.01, 0190.02, 0191, 0192, 0193, 0194.01, 0194.02, 0194.03, 0194.04, 0195.01, 0195.02, 0196.01 and 0196.02.
Zones 8-9	York & East York
Zone 10	Scarborough (Central) - North: Highway 401; East: Brimley Rd. & McCowan Rd.; South: Lake Ontario; West: City Limit; Census tracts - 0333, 0334, 0335, 0336, 0337.01, 0337.02, 0338, 0339, 0340, 0341.02, 0341.03, 0341.04, 0342, 0343, 0344.01, 0344.02, 0345, 0346.01, 0346.02, 0347, 0348, 0349, 0350, 0351.01, 0351.02, 0352, 0353.02, 0353.03, 0353.04, 0354, 0355.02, 0355.04, 0355.05, 0355.06, 0368.01, 0368.02, 0369, 0370.01, 0370.02, 0370.03, 0371, 0372 and 0373.
Zone 11	Scarborough (North) - North: Steeles Ave.; East: City Limit; South: Highway 401 & Twyn River Dr.; West: City Limit; Census Tracts: 0374.01, 0374.02, 0374.03, 0375.01, 0375.02, 0375.03, 0375.04, 0375.05, 0376.01, 0376.02, 0376.04, 0376.05, 0376.06, 0376.08, 0376.09, 0376.11, 0376.12, 0376.13, 0376.14, 0376.15, 0376.16, 0377.01, 0377.02, 0377.03, 0377.04, 0377.06, 0377.07, 0378.02, 0378.03, 0378.04, 0378.05, 0378.06, 0378.07, 0378.08, 0378.11, 0378.12, 0378.14, 0378.16, 0378.17, 0378.18, 0378.19, 0378.20, 0378.21, 0378.22, 0378.23, 0378.24, 0378.25, 0378.26, 0378.27 and 0378.28.

Table A1: CMHC Rental Zone Descriptions – Toronto Census Subdivision (City of Toronto)

Zone 12	Scarborough (East) - North: Highway 401 & Twyn River Dr.; East: City Limit; South: Lake Ontario; West: Brimley Rd. & McCowan Rd.; Census tracts - 0330, 0331.01, 0331.03, 0331.04, 0332, 0356, 0357.01, 0357.02, 0358.01, 0358.02, 0358.03, 0359, 0360, 0361.01, 0361.02, 0362.01, 0362.02, 0362.03, 0362.04, 0363.02, 0363.04, 0363.05, 0363.06, 0363.07, 0364.01, 0364.02, 0365, 0366, 0367.01, 0367.02, 0802.01 and 0802.02
Zones 10-12	Scarborough
Zone 13	North York (Southeast) - North: Highway 401; East: City Limit; South: City Limit; West: Yonge St.; Census tracts - 0260.01, 0260.04, 0260.05, 0260.06, 0260.07, 0261, 0262.01, 0262.02, 0263.02, 0263.03, 0263.04, 0264, 0265, 0266, 0267, 0268, 0269.01, 0269.02, 0270.01, 0270.02, 0271.01, 0271.02, 0272.01, 0272.02, 0273.01, 0273.02, 0274.01 and 0274.02.
Zone 14	North York (Northeast) - North: Steeles Ave.; East: City Limit; South: Highway 401; West: Yonge St.; Census tracts - 0300, 0301.01, 0301.03, 0301.04, 0302.01, 0302.02, 0302.03, 0303, 0304.01, 0304.02, 0304.03, 0304.04, 0304.05, 0304.06, 0305.01, 0305.03, 0305.04, 0306.01, 0306.02, 0307.03, 0307.04, 0307.05, 0307.06, 0307.07, 0321.01, 0321.02, 0322.01, 0322.02, 0323.01, 0323.02, 0324.01, 0324.02, 0324.03, 0324.05 and 0324.06.
Zone 15	North York (Southwest) - North: Highway 401; East: Yonge St. & City Limit; South: City Limit; West: City Limit; Census tracts - 0275, 0276.01, 0276.02, 0277, 0278, 0279.01, 0279.02, 0280, 0281.01, 0281.02, 0282, 0283.01, 0283.02, 0284, 0285, 0286, 0287.02, 0287.03 and 0287.04.
Zone 16	North York (North Central) - North: Steeles Ave.; East: Yonge St.; South: Highway 401; West: Dufferin St. & Sunnyview Rd.; Census tracts - 0288, 0297.01, 0297.02, 0298, 0299.01, 0299.02, 0308.02, 0308.03, 0308.04, 0309, 0310.01, 0310.02, 0317.02, 0317.03, 0317.04, 0317.05, 0318, 0319, 0320.01 and 0320.02.
Zone 17	North York (Northwest) - North: Steeles Ave.; East: Dufferin St. & Sunnyview Rd.; South: Highway 401; West: Humber River; Census tracts - 0289, 0290.01, 0290.02, 0291.01, 0291.03, 0291.04, 0292, 0293, 0294.01, 0294.02, 0295, 0296, 0311.02, 0311.03, 0311.04, 0311.05, 0311.06, 0312.02, 0312.03, 0312.04, 0312.05, 0312.06, 0312.07, 0313, 0314.01, 0314.02, 0315.01, 0315.02, 0315.03, 0316.01, 0316.03, 0316.04, 0316.05 and 0316.06.
Zones 13-17	North York
Zones 5-17	Rest of Toronto
Zones 1-17	City of Toronto

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Alternative text and data for figures

Figure 1: Share of formal, development-led eviction applications, by City of Toronto sub-geography, between 2010-2020

Sub-geography	% share
Former City of Toronto	68.4%
Etobicoke	5.0%
York	5.2%
East York	5.8%
Scarborough	6.1%
North York	9.5%

Sources: Landlord and Tenant Board Ontario, CMHC calculations

Figure 2: Proportion of formal, development-led eviction applications (2010-2020) relative to proportion of the overall City of Toronto primary rental market (excluding North York*)

Sub-geography	% of City of Toronto primary rental apartments	% of City of Toronto formal, development-led eviction applications
Former City of Toronto	46.7%	73.1%
Etobicoke	16.5%	4.3%
York	9.0%	4.3%
East York	9.8%	15.6%
Scarborough	18.0%	2.7%

Sources: CMHC Rental Market Survey, Landlord and Tenant Board Ontario, CMHC calculations

*North York was excluded from this table for data confidentiality purposes.

Figure 3: Formal, development-led eviction applications submitted in the City of Toronto, by year, by area

Year	Outside of Former City of Toronto	Former City of Toronto	City of Toronto (Total)
2010	7	126	133
2011	20	17	37
2012	12	17	29
2013	34	26	60
2014	12	35	47
2015	19	41	60
2016	48	47	95
2017	46	64	110
2018	51	114	165
2019	48	156	204
2020	31	68	99

Sources: Landlord and Tenant Board Ontario, CMHC calculations

Figure 4: Percent difference between average asking and average market rents, in the primary rental market, in the City of Toronto and its sub-geographies

Sub-geography	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Former City of Toronto	-3.5%	-5.2%	3.3%	-1.9%	1.6%	7.9%	4.4%	13.3%	16.6%	28.4%	17.7%
Etobicoke	-2.8%	-0.5%	-1.0%	1.4%	-1.1%	-1.6%	9.1%	6.3%	7.9%	9.0%	14.6%
York	-1.2%	-1.6%	5.9%	10.9%	12.2%	6.5%	20.8%	**	23.7%	42.1%	22.0%
East York	-7.5%	-3.6%	1.2%	-0.5%	-3.2%	9.9%	1.2%	0.1%	17.6%	20.2%	26.5%
Scarborough	-1.6%	-1.7%	-1.6%	1.1%	-0.5%	0.4%	3.4%	12.7%	15.8%	26.5%	21.6%
North York	-0.9%	0.7%	2.4%	-1.1%	2.1%	7.0%	0.7%	10.0%	18.5%	16.3%	17.5%
City of Toronto	-3.3%	-2.2%	0.3%	0.4%	1.6%	6.0%	5.3%	14.2%	19.5%	27.9%	21.2%

Sources: CMHC Rental Market Survey, CMHC Calculations

**Data suppressed due to confidentiality.

Figure 5: The relationship between the difference between average asking and average market rents and formal, development-led eviction applications, in the primary rental market, in the City of Toronto (2010-2020*)

Year	% difference between average asking and average market rents in the City of Toronto primary rental market	Formal, development-led eviction applications submitted in the City of Toronto primary rental market
2012	0.3%	10
2013	0.4%	26
2015	6.0%	13
2016	5.3%	9
2017	14.2%	30
2018	19.5%	41
2019	27.9%	40
2020	21.2%	16

Sources: CMHC Rental Market Survey, Landlord Tenant Board Ontario, CMHC Calculations

*The years 2010, 2011, and 2014 were excluded from this table for data confidentiality purposes.

Figure 6: The share of average, pre-tax renter household income* that would have been spent on renting at the average asking rate (i.e., for vacant units), in the primary rental market, in the City of Toronto

Year	% of average, pre-tax renter household income required to rent a primary rental market apartment, City of Toronto	Housing affordability threshold
2010	25.1%	30%
2011	23.9%	30%
2012	25.0%	30%
2013	25.5%	30%
2014	26.0%	30%
2015	27.7%	30%
2016	26.1%	30%
2017	29.5%	30%
2018	31.6%	30%
2019	35.6%	30%
2020	34.9%	30%

Sources: CMHC Rental Market Survey, Statistics Canada, CMHC Calculations

*The average, pre-tax renter household income was drawn from Censuses 2006, 2011, and 2016. An estimate was generated for intercensal years.

Figure 7: The relationship between formal, development-led eviction applications (2016-2020) and renter households below the adequacy standard, by CMHC City of Toronto rental zone*

CMHC rental zone	% share of City of Toronto renter households below adequacy standard (Census 2016)	% share of City of Toronto formal, development-led eviction applications (2016-2020)
Zone 01 - Toronto (Central)	12.9%	20.7%
Zone 02 - Toronto (East)	4.8%	16.2%
Zone 03 - Toronto (North)	5.6%	3.3%
Zone 04 - Toronto (West)	12.3%	26.7%
Zone 05 - Etobicoke (South)	3.7%	3.9%
Zone 06 - Etobicoke (Central)	5.3%	0.9%
Zone 07 - Etobicoke (North)	3.2%	0.7%
Zone 08 - York	7.0%	6.1%
Zone 09 - East York	6.9%	4.8%
Zone 10 - Scarborough (Central)	8.4%	4.6%

CMHC rental zone	% share of City of Toronto renter households below adequacy standard (Census 2016)	% share of City of Toronto formal, development-led eviction applications (2016-2020)
Zone 12 - Scarborough (East)	6.5%	1.6%
Zone 13 - North York (Southeast)	5.0%	0.6%
Zone 14 - North York (Northeast)	3.3%	5.8%
Zone 15 - North York (Southwest)	4.3%	1.5%
Zone 16 - North York (N.Central)	3.3%	0.7%
Zone 17 - North York (Northwest)	7.6%	1.8%

Sources: Landlord and Tenant Board Ontario, Statistics Canada, CMHC calculations

*Rental zone 11 was excluded from this table for data confidentiality purposes.

Figure 8: The timing of when formal, development-led eviction applications took place in primary rental market structures that changed ownership

Timing	Percentage
t*	35%
t+1	45%
t+2 and t+3	20%

Sources: CMHC Rental Market Survey, Landlord Tenant Board Ontario, Teranet, CMHC calculations

*t=Year which ownership changed.