

# ELECTRICITY REBATES FOR MULTI-UNIT COMPLEXES IN ONTARIO

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**ATTENTION owners and operators of multi-unit complexes (residential or otherwise) in Ontario:**

**New regulations introduced on October 22, 2019 mean that your electricity bill could be increasing by up to 31.8% on November 1 unless you take prompt action.**

The current 25% Fair Hydro Plan subsidy and 8% Provincial Rebate, both introduced by the previous Liberal Government, are being eliminated, and replaced by a new 31.8% Ontario Electricity Rebate by the new Progressive Conservative Government.

However, not everyone who received the old rebates will be entitled to the new rebate, and some operators who did not receive the old rebates could qualify for the new rebate.

Smaller users who use less than 50 kW of electricity, or less than 250,000 kWh annually, will automatically qualify for the new rebate and do not need to take any action. The same applies to registered farming businesses, and to licensed long-term care homes (as long as they do not share an electricity account with a hospital).

However, other **multi-unit complexes** can only qualify for the rebate if they meet certain criteria, and file prescribed forms.

Specifically, owners and operators of the following types of multi-unit complexes can secure an indefinite 31.8% electricity rebate (whether or not they were previously receiving the old 8% Provincial Rebate on their electricity bills), if they file a prescribed Notice by January 31, 2020:

- Multi-unit complexes which:
  1. consume in aggregate at least 50 kW of electricity, or 250,000 kWh per year; and
  2. in which at least 50% of the units (but not less than 2 units) are:
    - i. condominium units,
    - ii. rental units (such as apartments),

- iii. co-op units, or
- iv. demised premises,

each of which consists of self-contained rooms with kitchen and bathroom, and are used for residential purposes.

However, if the multi-unit complex is one of the following types:

1. Hotels and Motels
2. Resorts, lodges, camps, campgrounds, trailer parks, vacation rentals, etc.
3. Hospitals
4. Prisons
5. Shelters
6. School/college dormitories
7. Universities, colleges and other post-secondary institutions
8. Premises in the mining, quarrying, oil and gas extraction, utilities, construction and manufacturing sectors,

then the electricity rebate will either be:

1. extended for 12-months only, until October 31, 2020, if:

- a. they were previously receiving the old 8% Provincial Rebate on their electricity bills, and
  - b. they file a prescribed Notice by January 31, 2020;
- or

2. extended for 3 months only, until January 31, 2020, if:

- a. they were previously receiving the old 8% Provincial Rebate on their electricity bills, and
- b. they neglect to file a prescribed Notice by January 31, 2020; or

3. completely disallowed as of November 1, 2019, if:

- a. they were not previously receiving the old 8% Provincial Rebate on their electricity bills.

Also, if any facility was previously receiving the 8% Provincial Rebate on electricity bills, then regardless of whether the facility is a multi-unit complex at all, regardless of whether it was legitimately entitled to the rebate it received, and regardless of whether it is eligible for any rebate going forward, operators can continue to receive the rebate for the next 12 months, until October 31, 2020, if they file a prescribed Notice by January 31, 2020.

To determine whether you qualify for the new electricity rebate, and to ensure that you make the necessary filings by January 31, 2020 in order to maintain your old rebate or secure the new rebate, please contact the Co-Chair of our Power & Energy Law Group, [Mike Richmond](#), at [mike.richmond@mcmillan.ca](mailto:mike.richmond@mcmillan.ca) or 416-865-7832, or reach out to your preferred McMillan contact.

by Mike Richmond

**A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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