



City of Hamilton

EMERGENCY & COMMUNITY SERVICES COMMITTEE ADDENDUM

Meeting #: 19-002
Date: March 21, 2019
Time: 1:30 p.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 2729

5. COMMUNICATIONS

- *5.1 Correspondence from the Hamilton and District Apartment Association respecting Item 10.1 - Tenant Defence Fund (HSC19011)

Recommendation: Be received and referred to the consideration of Item 10.1.

- *5.2 Correspondence from Maria Antelo, Hamilton Community Legal Clinic, respecting Item 10.1 - Tenant Defence Fund (HSC19011)

Recommendation: Be received and referred to the consideration of Item 10.1.

- *5.3 Correspondence from Joe Seroski, Wentworth Adult Mixed Slo-Pitch League, respecting Item 9.1 - Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013)

Recommendation: Be received and referred to the consideration of Item 9.1.



March 20, 2019

To: Members of Emergency & Community Services Committee
To: Alicia Davenport, Legislative Coordinator

Re: Item 10.1 Tenant Defence Fund (HSC19011)

Dear Members of Emergency & Community Services Committee;

The concept of a TDF (Tenant Defence Fund) to fight AGIs (Above Guideline Increase), suggests there is something wrong with AGIs. It suggests tenants must “defend” themselves from the unwarranted hardship of a rental increase. An AGI is a legal fact-based application and may only be granted by the Landlord Tenant Board, and only for eligible, extraordinary capital or security expenditures. The applicant must show documentary evidence and prove to the adjudicator that the increase is justified. The adjudicators have strict rules and guidelines and they are trained to ensure that they only allow justified increases. Tribunal officers are appointed by government, which recruits individuals through an open, merit-based process.

It is essential for Hamilton to preserve its rental housing stock. If we do not encourage Companies to improve their buildings, they will continue to deteriorate and need to be demolished and replaced by condos. Despite constant ongoing maintenance and repair, even major structures like Hamilton City Hall have required substantial capital expenditures to keep them viable for the future. Investment protects the scarce supply of rental stock in Hamilton, even if some tenants would prefer paying lower rent to having a safer, better quality building. The owner must act in compliance with the law and in the interests of all current and future tenants. The Landlord and Tenant Board will not grant an increase for any expenditure that is not necessary or is primarily cosmetic. Replacing dirty or torn flooring after 20 years of wear is important both for tenant safety and ensuring a quality place to live. Companies that choose to improve their older buildings need capital and the only source of income is from rents. Contrary to popular opinion, there is no pool of extra money from rents for large scale improvements when the cost of providing rental housing is rising at 4 or 5% a year, compared to the guideline increase of 1.8%.



We understand that many people in Hamilton have an income issue; it is well recognised and documented and needs to be addressed by ALL of society. These tenants have insufficient income and are vulnerable to any increases in their living costs, whether for rent, food, utilities, transportation costs, or anything else. We also understand that tenants feel powerless against unexpected increases to their monthly expenditures, especially when many are on a fixed income with no ability to increase it. We feel the same way when mortgage rates go up, when gas, electricity, water, heat, hydro and taxes go up, not to mention the threat of licencing adding to our monthly expenditures, with one source of revenue to work with. We understand that we don't have the same fear of losing our home because of unexpected expenses, we do however have the fear of losing our livelihood. If that happens it will put an even larger strain on renters. If a tenant can't pay a \$30 rent increase because he or she is on a fixed income, it is far cheaper to provide that cash support directly to the tenant, rather than say the landlord should not invest in improvements and recover part of the cost in rent. That will only lead to deterioration of the building, harming everyone.

The truth is, housing providers and tenants depend on each other and creating a fund that encourages disputes is only benefiting those who benefit from tenants and housing providers being at odds. Professional agitators are paid to go into a building and encourage illegal actions like rent strikes and harassing building staff & owners. We are against any public funds that would assist any tenant, paralegal or organization who in any way promote and/or organize any illegal activity such as a rent strike. We hope there are steps to ensure the tenant defence fund does not promote or condone this type of behaviour.

Rental housing providers feel threatened and under attack on many fronts recently, as it seems to be acceptable to compare us to the Oil and Tobacco Industry to prove housing providers only care about the bottom line. We want everyone to have a safe, affordable place to call home -just like all Canadians should have access to health care and basic education. The difference being that society looks to housing providers to shoulder the cost alone. If we followed that logic, doctors and teachers should be paying for our treatment and education. We do not ask gas stations to supply gas at 50 cents/litre to people with low incomes or the grocery store to drop all their prices because some people can't afford to pay, but somehow it seems acceptable to ask rental housing providers to provide housing at below market rents.



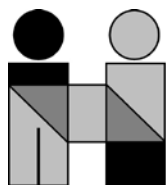
Creating a Tenant Defence Fund to help tenants fight a rental increase is misdirected. The \$50,000 the City is looking at spending could be better spent on some form of shelter allowance. It could give 40 families, (approximately 100 people) a shelter allowance of \$100 per month for a year, a real benefit to people in poverty who struggle with their rent. Another alternative the City could consider is putting the money towards a reduction in the Multi-Res tax rate. The current tax rate is unconscionable and if the taxes are reduced by 2.5% or more it will reduce rents across the City and help all residents of multi residential properties.

The problem with creating a fund like this is that there will be demands to raise it every year. The return on the money put into this endeavour will be close to zero. Tenants do not face higher AGI's due to not having legal representation, and it is highly unlikely to prevent or reduce increases granted. All it will achieve is more delays at the Landlord Tenant Board. There is a risk that a fund like this will cause some RHPs to put off work that needs to be done and will cause a deterioration in the housing stock. As pointed out the number of AGI applications has increased which reinforces the fact that Hamilton desperately needed to improve the rental housing stock. We applaud those companies taking the initiative to improve living conditions in Hamilton.

In closing HDAA cautions the City that there could be a negative impact from creating this fund and it will not achieve the desired results. We implore you to look at alternate ways of spending \$50,000 that could help those in need such as the afore mentioned shelter allowances or a reduction of the multi residential tax rate. The best protection for tenants is healthy competition and choice, creating policies that will increase rental housing supply for all levels of affordability and incomes. This is a better solution than creating a program that encourages division.

HDAA

Hamilton and District Apartment Association



Hamilton Community Legal Clinic Clinique juridique communautaire de Hamilton

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March 20, 2019

ATT: Alicia Davenport, City of Hamilton
RE: TENANT DEFENSE FUND

A proposal to the Emergency and Community Services Committee is being put forward to establish a "Tenant Defense Fund" that would help tenant committees with \$1000 for the cost of a legal representative at the Landlord Tenant Board (LTB) to respond to Above Guideline [Rent] Increase applications and group applications.

Community development workers, lawyers, paralegals and social workers at the Hamilton Community Legal Clinic are first hand witnesses as to the effects of the rental climate in Hamilton: Displacement due to above guideline rent increases, as well as "renovictions", and disrepair in rental units. Many Landlords have been resorting to any tactics available to displace low-income tenants in order to take advantage of the opportunities to charge higher rents.

Many tenants, especially those in larger rental buildings who organize as a group (tenant committees) face, among others, financial barriers. They cannot match the legal resources of their landlords, who are often huge financial corporations.

The City of Hamilton can help level the playing field somewhat by establishing a fund for Tenants' Associations. Rather than being seen to prefer tenants over landlords, the City will demonstrate its commitment to making sure that both sides are adequately heard at the Landlord and Tenant Board.

The Hamilton Community Legal Clinic continues to support tenants as best it can in housing-related legal matters, focusing on low income people. We welcome the proposal that would add much-needed assistance in what can be complicated legal matters.

We wholeheartedly support this proposal as it will support tenants in their plea for justice and fairness

Yours Truly,

Maria Antelo
Community Development Coordinator



Hamilton Community Legal Clinic
Clinique juridique communautaire de Hamilton

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Added Item 5.3

Subject: RE: Allocation Policy for Field Diamonds and Arenas

From: Joe Seroski [mailto: [REDACTED]]

Sent: Monday, March 18, 2019 11:09 AM

To: 'Sevor, Steve'

Cc: Megan Connolly - Sports Specialist - Facility Booking; Councillor Esther Pauls; Councillor John Paul Danko; Councillor Brenda Johnson; Councilor Tom Jackson; Linda Seroski; Karen Iles; Nancy McRae

Subject: RE: Allocation Policy for Field Diamonds and Arenas

Hello Steve,

Thank you for returning my call and the conversation we had last week. I understand the policy you wish to submit to Community Service Committee. With a weeks notice, I am finding it hard to make myself available for the meeting due to my work commitment. I want to attend so I would appreciate this meeting be rescheduled with enough notice allotted to make arrangements for all to attend (user groups) and to express our concerns with the Community Service Committee.

From our conversation, I was understanding that the diamond time for the WAMSL program was not going to change this year and that the meeting for March 21 with the Community Service Committee was the first step to retain the assets (adult diamonds, ice facilities, soccer, etc) because we all believe (user groups) that our diamond time from the meetings held (Bennetto Community Centre) is grandfathered to our programs. I asked for additional diamond time as I have each year for Tuesday & Wednesdays. My request for diamonds does not only have to be for Turner Field, I will gladly except diamonds around the city if available and it meets our safety standards. I received an email from Megan to let me know I can extend the time at two diamonds to 11 pm. I explained that our program does not like playing until 11 pm as we have allot of single parents. The ladies feel uncomfortable leaving the park that late at night. We all have to go to work the next day, so finishing earlier is better for all our members. I called and talked to Megan on Friday and from my conversation she was going to talk to you with regards to our conversation. Facility Booking would like or is taking away two diamonds with lights at Turner from our program because they need to accommodate another adult user group and replace these diamonds for our program with unlit diamonds.

Steve, over the last 39 years we have built the WAMSL program. The WAMSL program has been removed from Gage Park, Montgomery Park, Woodlands Park, Olympic Park, Inch Park, etc for the youth programs and we at WAMSL lead by good examples for the community and did not complain. Furthermore, at one time we had the upper diamond at Victoria Park and I believe it was 10 years ago and the city remodeled this diamond with new fencing, players benches, shrubs with my understanding to the tune of \$25,000.00 from Parks management. The Councilor for Ward 1 decided a couple of years later to take out the diamonds and put in a community garden. Again another diamond gone from our program. At one time we had Globe Park and this park had 6 adult diamonds, 4 inside and 2 outside. Councilor Geraldine Copsps received complaints from the neighbors about parking and we lost the 2 outside diamonds to a youth program. Again 2 diamonds removed from the WAMSL program. Then the waste water treatment plant was built at Globe Park and the park is now gone and we were moved to Turner Field and the Red Hill Bowl. My point is WAMSL has made numerous concessions over the years and has lead by good examples. No other adult user groups should be given diamond time from another adult user group. Once these diamonds are taken or removed from the WAMSL program, we will never get them back as you can see from my examples. The City is only putting a band aid on the problem and the solution is to add/build more diamonds.

I have met with Councilor Pauls and another meeting is set up for April 25 with Councilor's Danko, Johnson and Jackson as you are aware and also with Kara Bunn (Parks & Cemetery) to discuss these issues. The attachment, is my email reaching out to Councilor Johnson to my discussion with Councilor Pauls. Before your call last week, I discussed with the councilor what the WAMSL program was all about and I included my concerns about our time slots at Turner Field.

Steve, During my meeting with Councilor Pauls, we discussed the following:

- A.) The possibility of additional adult baseball diamonds at the south west corner, south of the cemetery,
- B.) Paving the parking lot, and
- C.) Paving the walkways from the main washroom to the upper diamonds.

I believe these improvements/upgrades will attract additional revenue through higher caliber National tournaments, better quality of experience for residents who utilize the park for exercise (Walking/running/biking) and overall safer environment to control traffic of parking vehicles. Currently, vehicles are parked haphazardly with the lack of allocated parking spots. Further, the current condition creates an excessive amount of dust and debris and does not promote an inclusive accessible environment for those with issues such as such as wheelchairs, walkers, crutches and scooters.

Steve, I am hoping at the April 25th meeting you can support my agenda. If you or Megan would like to meet with me prior to the April 25th, to discuss this issue, please do not hesitate contacting me.

Regards,
 Joe Seroski
Wentworth Adult Mixed Slo-Pitch League
www.wamsl.com



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From: Sevor, Steve [<mailto:Steve.Sevor@hamilton.ca>]
Sent: Wednesday, March 13, 2019 4:09 PM
Cc: Sevor, Steve
Subject: Allocation Policy for Field Diamonds and Arenas

Good afternoon everyone,

After several months of planning, various meetings and workshops, the Allocation Policy and Report will be presented to the members of the Emergency and Community Services Committee on Thursday March 21, 2019. The meeting is scheduled to start 1:30pm. The link to the agenda is attached below and is on the City Website.

<https://pub-hamilton.escribemeetings.com/Meeting.aspx?Id=f983f6f2-5afd-46de-a5c9-12db8cfa547b&Agenda=Agenda&lang=English&Item=20>

There are many items on the committee agenda, there is no set time for this agenda item to appear. I have attached the report, the respective appendices and the presentation for this report.

Should you or your organization wish to make a delegation (presentation) on the matter, please refer to the process and application form listed below:

<https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council>

I would appreciate it if you can let me know if you are thinking about sending a delegation or if someone in your organization plans to attend the meeting.

My apologies if I have missed key individuals in your organization; please share this email with them if this is the case. Thank you for your work and support over the last 18 months.

Steve

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**Steve Sevor**

Manager, Sport Services

City of Hamilton

Recreation Division | Healthy and Safe Communities Department

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