



ADDRESSING RENOVICTIONS, TENANT DISPLACEMENT AND PROPERTY STANDARDS IN APARTMENT BUILDINGS IN THE CITY OF HAMILTON

Emergency and Community Services Committee

August 17th, 2023

Council motion passed at the April 20th, 2023 meeting of the Emergency and Community Services Committee, directed:

“That staff be directed to report back to the Emergency and Community Services Committee in August 2023, with recommendations on the full suite of options to halt renovictions in the City of Hamilton including RentSafeTO, the City of Toronto Tenant Support Program and amendments to various City by-laws, the use of building permits, and a city-wide Licensing by-law and a New Westminster style Renovictions by-law as well as any potential by-law associated with the review of the RentSafeTO program; and that staff report back on the ability for the municipality to track sale notices for multi-unit buildings, to monitor trends in this area and create process to inform tenants of their right in case of ownership change.”

Delegate Feedback (April 20th ECS meeting):

- Some landlords are circumventing the law around evictions
- tenants may not know their rights and/or are not able to exercise rights
- bad landlords may allow deteriorating conditions to drive out existing tenants

Data:

- growing issue of evictions in Hamilton
- N13's in 2017 – 12 vs N13's in 2022 – 130

Rental Housing Landscape:

- increase of rents creating an economic incentive for landlords to evict tenants
- 2017 – Average Market Rent for all units \$944
2022 – Average Market Rent for all units \$1,242

Historical Approaches to Addressing Tenant Displacement:

- combined effort between Housing Services and Licensing and By-law Services Divisions
- Rental Housing Pilot Program, Property Standards and Vital Services investigations, Pro-active Blitzes and Short-Term Rental Licensing

- HSIR was passed by City Council in April 2023 (Report HSC23028).
- “Whole of Hamilton” approach focussed on tangible actions and municipal strategies to respond to affordable housing issues
- Identified four pillars of activity;
 1. new Construction
 2. acquisition of existing affordable housing, land, or under-utilized buildings
 - 3. preservation of existing affordable rental housing (and community housing)**
 4. increasing housing with supports
- The third pillar focuses on preservation of existing affordable rental housing through a number of strategies and actions, including developing policies to protect rental housing and discouraging renovictions.

Hamilton Apartment Rental Program (HARP)

- four separate, but interconnected initiatives
 1. new “Safe Apartment Buildings By-law”
 2. new “Renovation Licence and Relocation Listing By-law”
 3. updates to the Vital Services and Property Standards By-law
 4. amendments to Schedule 31 (Rental Housing), Business Licensing By-law 07-170
- tenant education and support provided by Housing Services Division underscores the HARP program

Program Objective

- maintain existing building standards and improve substandard building conditions
- contribute to reducing renovictions as a long-term outcome, by;
 - ensuring that the likelihood of requiring vacant possession to renovate is decreased i.e. fewer N-13 notices will be issued
 - ensuring that tenants are better informed re: pending major repairs to properties and better equipping tenants to engage supports
 - improving communication between the City, tenants and property owners

Safe Apartment Buildings By-law – Program Summary

- Applies to 2 storeys and 6 unit or more, purpose-built buildings
- Unit-based registration fee \$42.06/unit
- Supporting documentation submitted to City, includes;
 - i) Integrated Pest Management Plan
 - ii) Cleaning Plan
 - iii) Waste Management Plan
 - iv) State of Good Repair Plan
 - v) Electrical Maintenance Plan
 - vi) Vital Services Disruption Plan
- Tenant Notification Board, Document Retention and Tenant Service Request requirements
- All buildings evaluated within first 18 months of program
- Evaluations and scoring
- On-site tenant engagement and education

Table 1.0 – Safe Apartment Building Scoring System

| Score (/100) | Audit Required (Yes/No) | Door Knocking (Yes/No) | Subsequent Evaluation |
|---------------------|--------------------------------|-------------------------------|--|
| 85% or higher | No | No | 3 years from evaluation date |
| 51%-84% | No | Yes | 2 years from evaluation date |
| 50% or lower | Yes | Yes | Audit triggered. 1 year from evaluation date |

*On-site tenant engagement at all buildings on date of evaluation
(Engagement Coordinator)

Safe Apartment Buildings By-law – Buildings by Ward

Table 1.0 – Apartment Buildings by Ward

| WARD | NUMBER OF BUILDINGS | NUMBER OF UNITS |
|-------------|----------------------------|------------------------|
| 1 | 101 | 5434 |
| 2 | 206 | 14248 |
| 3 | 159 | 4851 |
| 4 | 77 | 2641 |
| 5 | 101 | 7473 |
| 6 | 38 | 1870 |
| 7 | 77 | 4063 |
| 8 | 21 | 1259 |
| 9 | 3 | 410 |
| 10 | 5 | 749 |
| 11 | 7 | 176 |
| 12 | 3 | 112 |
| 13 | 36 | 1712 |
| 14 | 9 | 1356 |
| 15 | 15 | 1462 |

**Buildings with 2 storeys and 6 units or more

Renovation Licence and Relocation Listing By-law – Introduction and Program Objectives

- First in Canada, reasonable and complimentary approach that falls within the scope of municipal authority
- Two requirements – (1) renovation licence and (2) relocation listing

Program Objectives

- Adopts a number of aspects of the New Westminster By-law in a form that is enforceable under Ontario law
- Within the scope of Municipality to address renovictions, and tenant displacement
- Engage tenant supports in a more efficient way
- Track data on N-13 notices to better understand Renovictions in Hamilton

Program Summary

- cost \$715/licence (10% cost recovery)
- applies to all rental units City-wide
- requires landlords to obtain a licence for renovation work where an N-13 Notice has been issued to a tenant
- supporting documentation:
 1. Building Permit
 2. Report confirming vacant possession from Qualified Person and
 3. Comparable relocation listings
- exemption and enforcement

Amendments to City Bylaws

Background research and jurisdictional scan

Vital Services

- Enhanced definitions
- E-service
- Cost recovery

Property Standards

- Improved flow and readability



Hamilton

QUESTIONS?