




## COMMUNICATION UPDATE

<b>TO:</b>	Chair and Members Emergency and Community Services Committee
<b>DATE:</b>	January 5, 2023
<b>SUBJECT:</b>	Enterprise Canada Consultation with Councillors on Renoviction Review (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Angela Burden General Manager Healthy & Safe Communities Department
<b>SIGNATURE:</b>	

In April 2021, Council Report [HSC19011\(a\)](#) recommended some enhancements to the existing [Tenant Defence Fund Program](#) and addressed renovictions as a system-wide issue that impacts some of the most vulnerable renters in the City of Hamilton. Subsequent to that, in December 2021 Council approved Report [HSC20020\(d\)](#) "Adaptation and Transformation of Services for People Experiencing Homelessness Update 4". In this report, one of the approved recommendations speaks to the retention of a consultant to assist with the evaluation of the feasibility of implementing a bylaw here in Hamilton that would be adapted from one developed in New Westminster, British Columbia.

In the Residential Tenancies Act a landlord may apply to terminate a tenancy on the basis that the landlord needs vacant possession to do extensive repairs or renovations. Renovictions refers to the bad faith practice of landlords pursuing evictions that result in the permanent displacement of an existing tenant for unit improvements that did not actually require displacement, or the landlord did not give the tenant first right of refusal to move back into the unit following the renovation.

New Westminster British Columbia has a licensing by-law regarding rental units and addresses the issue of renovations. This legislation requires any landlord who is doing renovations to obtain every building permit, plumbing permit, development permit, special development permit or heritage alteration permit required. Additionally, the landlord must also enter into a new tenancy agreement with the tenant on the same terms or better for a comparable rental unit in the same building. If they are unable to accommodate in the same

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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building, they must make other arrangements in writing for the tenants' temporary accommodation during the renovation.

Given the challenges around jurisdictional differences among provinces and the legal challenges a bylaw must overcome, staff have retained a consultant, Enterprise Canada, to complete engagement and a thorough analysis of the options for implementation of an approach similar to the New Westminster, BC bylaw in Ontario and/or other best practices related to the issue of renovictions.

As part of their review, Enterprise Canada will be conducting interviews with key stakeholders throughout the City, including members of Council. As such, representatives from Enterprise Canada will be reaching out to your offices in the next few weeks to arrange 30-minute (max) interviews with each of you and/or your office designates to ensure your voice is also heard during this consultation around the renovictions issue. This important work is focused on how to end bad faith practice of renovictions and create supports to ensure good landlords can fulfil their obligations while improving units.

Since the ending of the 2<sup>nd</sup> provincial moratorium on evictions during the Covid19 pandemic, Housing Services has heard from tenants and community advocates about the issues around renovictions. The consultation work with Enterprise Canada will inform policy changes to address this issue. We appreciate this is an important issue for the community. The outcome of the review and staff report is expected to come back to Council for consideration Q2 2023.

Should you require further information, please contact James O'Brien, Manager Housing Sustainability and Investment Roadmap via email at [James.OBrien@hamilton.ca](mailto:James.OBrien@hamilton.ca) or by telephone at (905) 546-2424 ext. 3728.