

January 16, 2024

General Issues Committee
Hamilton City Hall
1st Floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

RE: Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton (PED23072) (City Wide)

The Hamilton and District Apartment Association (HDAA) wishes to provide our thoughts on the Hamilton Apartment Rental Program up for discussion at the January 17, 2024 General Issues Committee meeting. The Hamilton Apartment Rental Program encompass four main pillars which aim to protect tenants in Hamilton but ultimately it will result in a disinterest to invest in Hamilton, lowering rental supply and creating a worse environment for the most vulnerable tenants in the City.

With the 2024 budget up for discussion and a potentially significant tax increase to taxpayers we think it prudent to point out the vast waste of resources councillors continue to encourage by focusing efforts on initiatives that will have little impact for residents in Hamilton. When looking at the numbers provided by the City in regards to the costs of the initiatives being discussed today it is disappointing to think councillors are acceptable of such a waste of resources.

The Safe Apartment Building By-law has a 65% cost recovery with a budget of \$3,094,350 and an additional one-time cost of \$708,825 for vehicle purchasing and car charging station installments. In a City that has spent countless hours and resources to provide bike lanes and present and future alternative transportation, thinking particularly of the LRT, it is interesting more taxpayers money is being wasted for vehicle acquisition and charging. Taxpayers should not be accountable to pay for vehicles, maintenance, gas and insurance of transportation that can be provided in other ways.

The Renovation Licence and Relocation Listing By-law with a projected cost of \$942,850 and a one-time fee of \$163,575, again for vehicles and charging stations, has perhaps a 10% cost recovery. It states in the report that the City anticipates there will be just 132 N13 Notices issued yearly. Seeing as most N13 notices are justified, more than \$1million dollars is being spent on an initiative that will assist, if we are conservative and say perhaps 10% may be bad faith evictions, approximately 13 tenants. This money would be better spent providing rental subsidies for tenants to move to an appropriate and likely newer unit which would help to assist a landlord to carry out necessary renovations and ensure rental supply for other tenants that is up to standard. The City is arguing for increased taxes and many constituents are reaching out about the hardship this will cause and the City continues to proceed with wasteful initiatives that will create little impact.

There continues to be discussions of the New Westminster bylaw as a framework for the Renoviction bylaw. As we know the New Westminster bylaw was repealed after changes to the Residential Tenancies Act in BC which enhanced tenant protections. The RTA in Ontario has very similar protections and it is hard to understand why the City of Hamilton thinks the protections provided for by the Ontario provincial government are not enough for their constituents when this was the case in BC.

Further to this, and as clearly understood by City staff, there are legal implications to proceed with such a bylaw and it may not even pass legal challenge. In fact we see there is a private and confidential portion of this meeting where there will be legal advice provided on the bylaw. There is a reason this bylaw is a

“first-of-its-kind approach”, and that is because ample protections already exist and other municipalities are focusing their time and resources on bylaws that will actually create an impact. Should a landlord go to the LTB for an application to evict a tenant for repairs/renovations and secures an eviction order, does the City mean to stop the enforcement of such an order and be in direct competition with provincial legislation?

There is a statement in the report that over the past decade Hamilton has lost almost 16,000 rental units below \$750 a month. It is bewildering to think why the City and councillors are surprised about this fact. In no other facet of our lives do prices stay the same. If we take this mindset we should argue why our municipal and property taxes are not the same as they were 10 years ago; it is not feasible and costs unfortunately increase over time.

What is clear is the City is both unappreciative of and hostile to the private sector who provide homes for many of their residents while the City is not able to themselves provide housing for the many residents that desperately need housing, as is evidenced by the growing homelessness issue in the City. Unless the City is able to come up with likely half of its rental housing stock which is provided by private landlords, it would be beneficial to have an amiable relationship with housing providers who tirelessly work to make sure their residents are happy. It is the few bad apples that are providing a bad name to all housing providers and it is those bad actors that should be the ones punished, not all landlords in Hamilton, the majority of them who are great housing providers.

The City should focus its time on creating and repairing units or providing rent subsidies to residents which will go much further than attacking all housing providers in Hamilton. If the focus of the City is to decrease supply, create a more competitive and unaffordable rental market and create an ever-more hostile relationship between landlords and tenants, than it should continue on its trajectory. Housing providers will see Hamilton not as a place to invest, but rather a place to avoid and those who suffer will be our residents.

The rental licensing program which is proposed to now include properties with up to 5 units, has also been proposed to be immediately expanded city-wide. As we will continue to express, this program will not provide the intended results and is again another waste of taxpayer resources. As was seen in the last report provided in June 2023, which announced that only 69 licenses had been issued as of March 31, 2023, the program is so far a large failure. The City projected for around 2000 licenses, which would make the program net even and it is nowhere close to this figure. It is perhaps understandable that there is a recommendation to expand it City-wide, as the failure of the program thus far is evident and the City is likely hoping to increase license numbers by casting a wider net. It is proposing to expand an already failing project onto the whole city and wasting taxpayer resources even further.

All of these initiatives will also exacerbate an already difficult rental market for tenants. At the end of the day the City and the majority of housing providers have the same desire, to have a healthy rental market with tenants who are happy with their homes and are able to afford their units. There does not need to be an adversarial relationship when, if all parties worked together cohesively, a more positive impact could be made for the benefit of everyone while making sure our taxpayer funds went even farther.

Respectfully yours,

Hamilton and District Apartment Association