

# CITY OF HAMILTON

Municipal Law Enforcement Section, Planning and Economic Development Department  
330 Wentworth St. N. Hamilton, ON L8L 5W3

# ORDER

Pursuant to Subsection 15.2(2) of the Ontario Building Code Act, 1992

Property Standards Order No. 25-364-004 00 MLE

**Order issued to:**

DAVID R BERTOLO  
ELIO BERTOLO  
NINA BERTOLO  
CLARA MASSARA  
99 GIDLEIGH PARK CRES  
WOODBIDGE, ON L4H 1J3

**Municipal Address to which Order applies:**

217 DUNDURN STREET SOUTH  
HAMILTON, ONTARIO

**Property Identification Number**

17138-0100(LT)

An inspection on or about **JULY 3, 2025**, of your property 217 DUNDURN STREET SOUTH, **HAMILTON, ONTARIO**, found that the property does not comply with the standards prescribed by the City of Hamilton's Property Standards By-law #23-162, specifically:

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
1	14(5) A window in a dwelling or a dwelling unit designed to be open shall be fitted with screens so as to prevent the entrance of insects and rodents and such screens shall be maintained so as to properly perform their intended function.	<b>Required Work: Repair/replace ripped window screen of south corner, west facing window on the main level.</b>
2	14(1) (a) A door, window, hatch or other opening and its frame and any additional features relating to accessibility shall be maintained to properly perform its intended functions and repaired or replaced if damaged including but not limited to an exterior door, window, hatch or other opening and its frame being constructed to minimize drafts and heat loss through the infiltration of outside cold air.	<b>Required Work: Ensure ALL interior doors fit door frame and perform their intended function.</b> <b>Required Work: Repair/replace main level rear entrance door.</b> <b>Required Work: Repair/replace bedroom door of Unit 3.</b>
3	14(4) An opening window shall have hardware so as to be capable of being locked or otherwise secured from the inside.	<b>Required Work: Ensure all opening windows are equipped with hardware so as to be capable of being locked or secured from the inside.</b>
4	20(1) An electrical service shall comply with the Ontario Electrical Safety Code as enforced by the Electrical Safety Authority.	<b>Required Work: Ensure all electrical services comply with Ontario Electrical Safety Code</b>

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
5	16(2) A floor, ceiling or wall shall be: (a) Floors kept free from water penetration and from dampness arising from the entrance of moisture through an exterior wall or roof or through a basement or crawl space; and (b) maintained in a condition free from mould or from conditions that may cause mould to accumulate.	<p><b>Required Work: Repair/replace all water damaged walls and ceilings throughout home.</b></p> <p><b>Required Work: Remediate mould on bathroom ceiling in Unit 2.</b></p> <p><b>Required Work: Remediate mould in shower in Unit 3.</b></p> <p><b>Required Work: Repair/replace floor that is in disrepair in Unit 2.</b></p>
6	22(1) A kitchen shall contain: (e) Every cupboard, kitchen fixture and fitting shall be maintained in a state of good repair and working order.	<b>Required Work: Repair/replace all damaged, broken, or missing kitchen cabinetry in all 3 units.</b>
7	15(4) (a)An exterior stairway with more than three (3) risers and less than seven (7) risers or an interior stairway in a dwelling or dwelling unit with more than two (2) risers shall have at least one handrail sufficient to prevent an accidental fall and such handrail shall be repaired or replaced if damaged.	<b>Required Work: Install a handrail on rear entrance stairs.</b>
8	13(2) A foundation wall or a basement or crawl space floor shall be maintained so as to properly perform its intended function.	<p><b>Required Work: Repair/replace damaged foundation wall at north east corner.</b></p> <p><b>Required Work: Repair/replace foundation wall at base of chimney.</b></p>
9	21(1) The plumbing system and every plumbing fixture in a building shall be maintained so as to properly perform its intended function and free from leaks and defects.	<p><b>Required Work: Repair/replace shower faucet in Unit 2.</b></p> <p><b>Required Work: Repair/replace kitchen faucet in Unit 2 so that it is free from leaks.</b></p> <p><b>Required Work: Repair drain in bathtub in Unit 3 so it performs its intended function.</b></p>
10	4 (2) Every building shall be kept free of any condition which constitutes a health or safety hazard.	<b>Required Work: Repair/replace broken spindle of banister in Unit 2.</b>

ITEM #	STANDARD (Property Standards By-law Provision)	REQUIRED WORK
		<b>Required Work: Repair/replace exterior banisters on front deck so they are not loose.</b>
11	18(1) Natural or mechanical ventilation of a room or space in a building shall be Building Code compliant, regularly cleaned, and maintained so as to properly perform its intended function.	<b>Required Work: Repair/replace mechanical ventilation installed in kitchen in Unit 2.</b>
12	18(1) Natural or mechanical ventilation of a room or space in a building shall be Building Code compliant, regularly cleaned, and maintained so as to properly perform its intended function.  22(7) Appliances supplied by the landlord of a rental unit shall be maintained in a good state of repair and in a safe operable condition.	<b>Required Work: Repair/replace washing machine so that it performs its intended function.</b>
13	19(6) A chimney, flue or vent pipe shall be maintained so as to prevent gases from leaking into a building and maintenance shall include cleaning obstructions, filling open joints and repairing masonry.	<b>Required Work: Repair/replace chimney masonry</b>

**You are ordered, no later than OCTOBER 4, 2025.**

The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures or debris and shall leave the property in a graded and levelled condition. However, no building or structure on a Part IV or Part V heritage property shall be altered or cleared, including but not limited to removed, demolished, or relocated, except in accordance with the Ontario Heritage Act.

The City of Hamilton may carry out the work or clear the property at your expense if you do not comply with this Order.

You may appeal this Order within 14 days of service of this order by delivering a Notice of Appeal together with the appeal fee (\$164.60 plus HST of \$21.40 for a total fee of \$186.00 via cheque payable to the City of Hamilton) by registered mail or personally to the Secretary of the Property Standards Committee, City Hall, 71 Main St. W., 1<sup>st</sup> Floor, Hamilton, ON L8P 4Y5. The Notice of Appeal form can be found at <http://www.hamilton.ca/propertystandards> or picked up from the Secretary of the Property Standards Committee.

Notes:

1. A Building Permit is required before any material alteration or repair to a building or system or before any demolition.
1. If the building is used as rental residential property, you must comply with any applicable requirements under the Residential Tenancies Act, 2006.
2. Failure to comply with this Order is an offence pursuant to paragraph 36(1)(b) of the Building Code Act, 1992

which could result in a fine of up to \$50,000 for a first offence and \$100,000 for a subsequent offence for an individual and \$500,000 for a first offence and \$1,500,000 for a subsequent offence for a corporation.

3. If such repairs are not completed within the time specified herein, the City of Hamilton may register this order on title with the Land Registry Office. Upon discharge of the order, the property owner shall be responsible to pay the fee for discharge of an order as set out in the City's *User Fees and Charges* by-law. Failure to obtain payment will result in the fee being added to municipal property taxes.
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Issued on: **July 8, 2025**

Signature: 

**JAMIE MCINNES**  
**Municipal Law Enforcement Officer**  
**905-517-3623**

For office use only

Order drafted by: J. Reeves

Order served:

by: \_\_\_\_\_ electronic service

July 7, 20 25

\_\_\_\_\_ personal service

Serving officer's initials: JM

x registered mail