



## City of Hamilton

# Report for Consideration

**To:** Chair and Members  
Planning Committee

**Date:** March 24, 2026

**Report No:** PED26055

**Subject/Title:** Renovation Licence and Relocation By-law Status Update

**Ward(s) Affected:** City Wide

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### Recommendations

- a) That the amending By-law to the Renovation Licence and Relocation By-law No. 24-055, attached as Appendix "A" to Report PED26055, incorporating amendments respecting improvements for operational effectiveness, **BE APPROVED.**

### Key Facts

- In February 2024, through Report PED23072(a), Council approved the Renovation Licence and Relocation By-law No. 24-055 to regulate repairs and renovations to rental units, as part of a full suite of options to halt renovictions in Hamilton.
- The purpose of this report is to provide Council with an update on the first year of the implementation of the Renovation Licence and Relocation By-law, No. 24-

055, inclusive of program data, successes and areas of opportunity, challenges, and proposed amendments to improve the effectiveness of the By-law.

- After one year of data collection and experience administering and enforcing the By-law, staff have identified amendments to the By-law to enhance operational effectiveness, based on information that was unavailable or unknown at the time of its development.

## Financial Considerations

Financial: There are no financial implications associated with the recommendations contained in Report PED26055.

Staffing: There are no staffing implications associated with the recommendations contained in Report PED26055.

Legal: Legal Services assisted with the preparation of the appended draft By-law, attached as Appendix “A” to Report PED26055.

## Background

In April 2023, the Emergency and Community Services Committee passed a motion for staff to report back to the Emergency and Community Services Committee in August 2023, with recommendations on a full suite of options to halt renovictions in the City of Hamilton, including a RentSafeTO style Tenant Support Program, amendments to various City By-laws, the use of building permits and a City-wide Licensing By-law and a stand-alone Renovictions By-law, in addition to any potential By-law associated with the review of a Tenant Support Program.

In February 2024, through Report PED23072(a), Council approved the Hamilton Apartment Rental Program, inclusive of the Safe Apartment Buildings By-law No. 24-054 which came into effect January 1, 2026, and the Renovation Licence and Relocation By-law No. 24-055 to which came into effect on January 1, 2025. As

requested by Council, this report provides an overview of fine revenues collected during the first 12 months of the Renovation License and Relocation By-law.

## **Analysis**

The City of Hamilton continues to experience an affordable housing crisis in which average market rents have far outpaced inflation. This has created an economic incentive for landlords/operators to displace long term tenants to capture market rates, resulting in an overall increase in bad faith evictions. A bad-faith eviction occurs when a landlord/operator terminates a tenancy agreement under false pretext (E.g. Renovation) and is commonly referred to as “renoviction”.

In February 2024, Council approved the Renovation Licence and Relocation By-law No-24-055 as part of a full suite of options to halt renovictions in Hamilton and referred it to the 2024 Budget Process for final approved. The intent of the Renovation Licence and Relocation By-law is to:

- Preserve affordable rental units and prevent bad faith evictions and tenant displacement by regulating renovations and repairs to rental units;
- Ensure that tenants who are served with an N-13 eviction notice are aware of their rights;
- Enforce stricter regulations on landlords/operators who are planning renovations to their rental units where they require tenants to vacate the unit(s) in order to complete renovations;
- Require landlords/operators to provide tenants with a copy of the Tenant Rights and Entitlement Package to ensure that tenants are aware of their rights and supports when facing eviction.

### **Program and Enforcement Data**

Enforcement of the By-law occurs primarily on a complaint basis. From January 1, 2025, to December 31, 2025, staff completed both proactive and reactive investigations. Proactive investigations occurred where staff investigated properties where building

permits were issued for renovations to ensure compliance with the By-law and attended to properties where inquiries or complaints were received. Proactive investigations resulted in:

- 102 site visits;
- Over 500 By-law education materials shared with tenants and landlords/operators;
- 59 landlords or property superintendents were provided education on the By-law; and,
- Through proactive enforcement, one violation was found in regard to the By-law and compliance was achieved without any fines or penalties and eight Property Standards violations were found.

In addition to proactive investigations, staff also reactively investigated complaints where notification was provided by tenants in receipt of N-13 eviction notices. Through reactive investigations, staff found:

- Responded to 11 reactive enforcement complaints where tenants who are aware of the By-law inquired with the City on the applicability of the By-law to a property; and,
- Staff discovered six N-13 eviction notices were unreported to Licensing & By-law Services. Of these, three landlords/operators were issued Notices to Comply with the By-law to apply for a Renovation Licence;
- Five N-13 eviction notices were withdrawn after staff investigation;
- Three properties were provided with tenant education or referred to the Tenant Support Program.

Data obtained in January 2026 from the Landlord and Tenant Board (LTB) for 2025 data indicates a reduction in N-13 eviction notices over 2024. As seen in Table 1 to Report PED26055, a total of 23 N-13 eviction notices were issued in 2025 compared to 119 issued in 2024. It is important to note that the total number of N-13 eviction notices issued may not provide a comprehensive view, as the data only represents the cases that formally enter the Landlord and Tenant Board system. What the data does not tell

us is how many of these N-13 eviction notices were on the basis of renovation and would apply under this By-law. The fact that N-13 eviction notices were lower in 2025 compared to 2024 was expected given that the By-law was coming into effect in 2025. Assumptions could be reasonably made that landlords or operators were aware of the pending By-law and issued N-13 eviction notices in advance of the By-law coming into effect. As seen in Table 1, N-13 eviction notices are at its lowest level since 2019. The decline may suggest increased awareness of the Renovation Licence and Relocation By-law among tenants and landlords/operators, and improved compliance with its requirements. While the data does not establish causation, the reduction in N-13 eviction notices is consistent with the intent of the By-law to discourage bad-faith evictions.

Table 1: Landlord and Tenant Board Data – L2 Form (Application to End a Tenancy and Evict a Tenant or Collect Money):

Year	Total L2 Applications Filed	Notice Type						Total Notices Issued
		N5	N6	N7	N8	N12	N13	
2018	668	287	42	107	133	93	27	689
2019	798	357	48	93	214	132	18	862
2020	579	214	37	106	112	127	32	628
2021	617	221	47	93	77	158	60	656
2022	717	199	41	66	198	183	112	799
2023	710	185	43	192	181	182	87	870
2024	782	184	44	77	194	212	119	830
2025	608	196	38	74	185	124	23	640

**Licence Applications:**

As of December 31, 2025, a total of 7 applications for renovation licences have been received. The status of these applications is as follows:

- 1 licence issued impacting 1 unit;
- 2 applications in progress impacting 2 units;
- 2 applications cancelled, impacting 5 units; and,
- 2 applications determined to be exempt from the By-law, impacting 27 units.

Within the Renovation Licence and Relocation By-law, the Director may refuse to issue or renew a licence or revoke a licence for reasons such as:

- Missing documents required during the application process including but not limited to a building permit, signed attestation form or qualified professionals report;
- There are reasonable grounds that the landlord/operator provided false or misleading information within the application;
- The residential complex or rental unit is subject to an order; and,
- The landlord/operator does not meet all requirements or terms of conditions of the By-law.

In situations where an application is cancelled and a licence is not issued or a licence renewal is revoked, the landlord/operator is prohibited to proceed with renovations without a licence. If renovations take place, the landlord or operator is subject to orders, fines and fees.

**In Progress Applications:**

Up to December 31, 2025, two applications are in progress and are missing copies of the building permits, letter from qualified professional or signed attestation forms. At the time of this report, these are currently under review by staff to determine next steps, whereby the decision is to continue to wait for the missing documents or cancel them on the grounds that the applications are incomplete. In this scenario, staff will review the applications in detail and will make contact with both the landlord/operator and the

tenant to understand current progress on obtaining the missing documentations as required under the By-law. At the point that investigation is complete, the determination if the application continues or it is cancelled will be made. At that point, the landlord or operator will be notified in writing of the decision.

**Cancelled Applications:**

Up to December 31, 2025, there were two cancelled applications under the By-law. One of the cancelled applications which impacted four units at a property in which one tenant challenged their eviction notice with the Landlord and Tenant Board (LTB). During the Landlord and Tenant Board hearing, both the landlord/operator's legal representative and the tenants' legal representative referenced the landlord/operator's failure to comply with the Renovation Licence and Relocation By-law. The Board did not dismiss these references even though the By-law falls outside its jurisdiction. Ultimately, the landlord/operator's application was not granted. The second cancelled application is a result of the wrong option having been selected on the N-13 eviction notice form by the landlord/operator. Instead of stating demolition of a rental unit, reason one, renovation was selected, reason two, in which case the licence is not required. Staff investigated the property and made the determination that the wrong eviction reason was selected, and the landlord or operator did withdraw the original N-13 notices and issued new notices with the correct reason selected. In the scenario where an application is cancelled, staff will continue to monitor the property for any non-compliance with the Renovation Licence and Relocation By-law.

**Exempt Applications:**

Up to December 31, 2025, two applications have been deemed to be exempt under the By-law. One property was subject to the Housing Services Act as it is a Social Housing Provider and therefore exempt under the By-law. In this application, the landlord/operator, submitted a complete application which included alternate temporary accommodations for all 26 impacted units. Due to the fact that the property is exempt, the application was marked exempt, and file closed.

The landlord/operator for the second application submitted a request to the Director to request an exemption. This property is a social housing provider that is not subject to the *Housing Services Act* however has an agreement with the City to provide affordable housing to vulnerable residents within the City. In this case, staff reviewed the application and with legal counsel, and it was determined that the exemption was acceptable and therefore granted to the applicant.

**Enforcement Action:**

For the period of January 1, 2025, to December 31, 2025, three Orders to Comply, impacting a total of 6 units were issued for failing to apply for a Renovation Licence within 7 days of issuing an N-13 eviction notice. In all cases, compliance was obtained, and all landlords/operators submitted an application within the period of time noted on the Order. To date, no fines or penalties have been issued under the By-law.

**Effectiveness of the By-law**

Through data received by the Landlord and Tenant Board (LTB), N-13 eviction notices have reduced significantly since the inception of the By-law. The By-law imposes tenant protections over and above what is required in the *Residential Tenancies Act* and with these added measures in place, create an environment where bad faith renovictions become less attractive to landlords or operators. The fact that there are less N-13 eviction notices reported to the LTB suggests that the By-law may be contributing to a lower number of bad faith renovictions. With the by-law in place, it is likely that the municipal regulations required may deter landlords/operators in considering bad faith renovictions as the record and document submission requirements may create difficulties for the landlord/operator should a tenant challenge an N-13 eviction notice or they may not be able to justify the need for vacancy of the unit. It could also suggest that renovations are on hold until tenancy agreements end, and tenants vacate the unit on their own will.

An important item to note is that there is no evidence of other means of tenancy agreements ending and therefore landlord or operators are circumventing the By-law altogether. For example, landlords or operators, knowing the requirements of the By-

law, could offer tenants financial incentives, such as issuing a N-11 notice, or a “cash-for-keys” agreement to end the tenancy. Since agreements between the landlord or operator and tenant are not reported to the Landlord and Tenant Board (LTB), this data is unknown and not tracked.

### **Strengths and Weaknesses**

The strengths observed by staff since the inception of the By-law are:

- Openness and transparency across City Departments
- Collaboration with Housing Services Division related to the Tenant Support Program with monthly meetings, staff updates on progress or challenges of each Program;
- Municipal Roundtable has been developed with other municipalities implementing or who have implemented similar By-laws.

Although, Staff have identified and observed many strengths with the inception of this By-law, certain weaknesses have also become evident:

- No method in place for City staff to be notified of any issuance of N-13 eviction notices through the Landlord Tenant Board to proactively investigate any potential non-compliance;
- As enforcement of the Renovation Licence and Relocation By-law is heavily reliant on complaints, staff rely on landlord/operators complying with the By-law by applying for the required licence or a complaint being filed by a tenant or tenant advocacy group.
- Currently staff conduct proactive enforcement based on building permit data, but this data isn't complete where properties that have rental units are identified and may be subject to the By-law.

As a result, Staff are limited in their ability to enforce the By-law in cases where non-compliance is not brought to their attention.

## By-law Amendments

Since the By-law came into effect, Staff have gained practical experience with its application and enforcement and have identified opportunities for improvement through targeted amendments as outlined in Appendix “A” to Report PED26055. Accordingly, Staff are recommending amendments to existing language and the addition of definitions and sections to enhance the overall effectiveness of the By-law. Attached as Appendix “C” to Report PED26055, is a redlined copy of the By-law that highlights amendments proposed under Report PED26055.

Staff recommend the following additions to the Renovation Licence and Relocation By-law:

- Introduction of new definitions:
  - ‘Average Market Rent’ - means rent at average market rent as most recently published by the Canada Mortgage and Housing Corporation (CMHC) in the Hamilton Census Metropolitan Area, based on number of bedrooms in a Rental Housing Unit and Year of Construction.
    - This amendment is required as per prior direction from Council to have consistency in the Average Market Rent definition with the Rental Housing Protection By-law;
  - ‘Qualified Person’ - means a person licensed by, and in good standing with, the Ontario Association of Architects or Professional Engineers Ontario, or any other professional in Ontario that the Director deems to be a qualified person.
    - The By-law, when created, omitted a definition of who is a Qualified Person and adding this creates clarity for the applicant as to who is able to complete this report.
- Aligning with the Rental Housing Protection By-law, No. 24-109, which speaks to moving expenses, this was identified as a gap in the Renovation Licence and

Relocation By-law, therefore addition of moving expenses to the compensation arrangements with the tenant including:

- Arrange and pay for an insured moving company to relocate the Tenant; or
- Provide compensation at a rate of:
  - \$1,500 if the current Rental Housing Unit is a bachelor or one-bedroom unit; or
  - \$2,500 if the current Rental Housing Unit has two or more bedrooms;
- At the request of Housing Services staff, amendments to Section 3.b.v of the Renovation Licence and Relocation By-law to provide clarity where the by-law does not apply under the Housing Services Act.
- The addition of email service as an applicable method of service when issuing an order to remain consistent with other City By-laws

### **Fine Revenues and Cost Recovery**

Through Report PED23072, Council approved a 10% cost recovery model for the Renovation Licence and Relocation By-law. In 2025, \$2,860 was received in licence application fees while no revenues were generated from fines or charges. As a result, total revenues represented approximately 1% of total program expenses. Given N-13 eviction notices have declined, it is unlikely that the approved 10% cost recovery target will be achieved without a reassessment of the licence fee methodology. Achieving this target would like result in a substantial increase in the licence fee. Increasing the fee to this extent, may create a risk of non-compliance, including attempts by landlords or operators to circumvent the By-law through alternative eviction methods and further disadvantaging tenants and preventing Staff from connecting tenants with essential supports. The intent of the licence fee is to support compliance with the By-law without creating a financial barrier for obtaining a licence.

### **Alternatives**

Not applicable.

## Relationship to Council Strategic Priorities

This report recommendations will support Council's Priorities in:

### 2. Safe & Thriving Neighbourhoods

- 2.1 Increase the supply of affordable and supportive housing and reduce chronic homelessness.

The Renovation Licence and Relocation By-law aims to preserve affordable rental units and reduce chronic homelessness in Hamilton by reducing renovictions through the regulation of repairs and renovations to rental units. Furthermore, where Landlord or Operators are seeking to evict tenants through issuance of an N-13 eviction notice for renovations, new By-law measures to ensure that tenants are made aware of their rights and have suitable temporary accommodation or compensation where the right of first refusal is exercised.

## Previous Reports Submitted

- [Renovictions Stakeholder Consultation \(HSC23023\) \(City Wide\) \(Outstanding Business List Item\)](#), April 20, 2023, Emergency & Community Services Committee
- [REVISED Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton \(PED23072\) \(City Wide\)](#), August 17, 2023, Emergency & Community Services Committee
- [Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton \(PED23072\) \(City Wide\)](#), October 19, 2023, Emergency & Community Services Committee
- [Addressing Renovictions, Tenant Displacement and Property Standards in Apartment Buildings in the City of Hamilton \(PED23072\) \(City Wide\)](#), January 14, 2024, General Issues Committee

- [Opportunities for Tax Levy Savings in the Hamilton Apartment Rental Program and Tenant Support Program \(PED23072\(b\)/HSC23023\(c\)\) \(City Wide\)](#),  
February 15, 2024, General Issues Committee

## Consultation

In preparing Report PED26055 and crafting the recommendations highlighted herein, consultation was undertaken with the following City of Hamilton divisions and service areas:

- Brandon Blackmore, Corporate Services Department, Legal and Risk Management Services Division, Legal Services Section
- Amanda Radford, Corporate Services Department, Legal and Risk Management Services Division, Legal Services Section
- Pilar Homerston, Healthy and Safe Communities Department, Housing Services Division, Community and Social Housing Section

## Appendices and Schedules Attached

Appendix A: Draft Amending By-law to the Renovation Licence and Relocation By-law No. 24-055

Appendix B: Renovation Licence and Relocation By-law 24-055 2025 Program Results

Appendix C: Renovation Licence and Relocation By-law No. 24-055 Redlined By-law with Amendments

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