

Robicheau, Vanessa

To: Vinnie Welsh

Subject: RE: Rental Licensing Bylaw

Dear Vanessa,

I wish to communicate through this e-mail message to the Planning Committee my strong support for the proposed rental-housing licensing bylaw to be discussed at its meeting on December 11.

This bylaw is long overdue, and promises to do a lot to remedy the problems with rental housing that I have observed in my neighbourhood, and that I am sure are replicated across the city.

I live on a block in Westdale on which there are 25 single-family dwellings. Of these 25 homes, only 7 are occupied by their owners and not rented out. One is owned by a student who lives in it and rents out bedrooms to other students. The other 17 are rented out by absentee landlords.

I am the representative for this block for the Ainslie Wood Westdale Community Association of Resident Homeowners, and I am also responsible under the AWWCA's adopt-a-block program for picking up litter on the block and under its graffiti control program for removing graffiti from the two Post Office boxes on the block. When I find the time to go up and down the street picking up litter, I regularly fill half a garbage bag full with litter of various sorts that the residents have not removed from their front yards. The vast majority of this litter (well over 95%) comes from the rental properties.

The house behind mine, on the next street, had a fire several years ago. One summer some years ago, when relatives from Europe came to visit, we rented two rooms in the student house across the street for them to stay in. We found very dangerous extension cords used to hook up electrical equipment, and a fragile electrical system that was periodically tripping circuit breakers because of overloading. I suspect strongly that there are similar dangerous conditions in other rental housing, both in my neighbourhood and elsewhere.

My understanding is that the proposed bylaw will include the following provisions (among which I have underlined those that I think are particularly important):

1. The proposed bylaw applies to single-family houses, duplexes, and up to and including six dwelling units. It does not include apartment buildings over six units. (A single-family home with multiple rental bedrooms counts as a single dwelling unit.)
2. Fees are on a cost-recovery basis from \$192 for a single family to \$1,152 for six suites; the annual renewal fee is \$100. Landlords can recover the fee from their tenants if they apply to the landlord-tenant board and can prove it exceeds rental- increase guidelines for the year (to date there have been no reported decisions in favour of landlords). If landlords apply within the first six months of the bylaw being in force, there is a reduced fee ranging from \$100 to \$600.
3. Accompanying the application for license must be a copy of the property title deed; a premise plan drawn to scale; a maintenance plan for snow removal, garbage, and yard maintenance; the name and phone number of a local contact (resident in the City of Hamilton and not a tenant) responsible for compliance with the bylaw. This also must be posted in a conspicuous place inside the entrance to a property. This means owners who do not live in the city must have local 'managers/agents'. Also accompanying the application must be proof of insurance and a certificate from the Electrical Safety Authority. Landlords also must show that they are zoned appropriately (i.e., if zoned duplex, it cannot be a fourplex due to illegal conversion).
4. There will be no 'grandfathering' of existing rentals--that is, it will apply to all. Landlords must have

a license to rent, and that license must be visible or audible in all advertising. Owner-occupied rentals will be included.

5. It is recommended that the bylaw be approved by March 2013 and take effect one year later to allow for staff recruitment, process development, training, and landlord/tenant education.

6. It does not include any bedroom count. Instead it seems to suggest that the "monster home" bylaw or a version of it be extended to the entire city. It therefore allows up to eight habitable rooms; more than that requires additional parking and size restrictions based on lot size. Rentals will have to meet building-code regulations, so size, height, and of course egress conditions will have to be met.

I strongly urge the Planning Committee to endorse this proposal, to instruct the staff to prepare the bylaw for approval, and not to water it down in response to pressure from landlords.

There may be some concern about the effect of this by-law on the availability of appropriate affordable rental housing, especially for low-income individuals and families. I support availability of good affordable rental accommodation for low-income people. But I believe that the impact of the new by-law in this respect will be minor, that removal of accommodation from the available rental stock will be gradual, and that there are many opportunities for construction of more appropriate rental accommodation (for example, in my community, intensification along the major arteries in accordance with the secondary plan).

David Hitchcock