

**COMMUNITY AND PROTECTIVE SERVICES COMMITTEE
REPORT 12
26 AUGUST 2020**

60

**COMITÉ DES SERVICES COMMUNAUTAIRES ET DE PROTECTION RAPPORT 12
LE 26 AOÛT 2020**

**EXTRACT OF DRAFT MINUTES 12
COMMUNITY AND PROTECTIVE SERVICES COMMITTEE
20 AUGUST 2020**

**EXTRAIT DE L'ÉBAUCHE DU PROCÈS-VERBAL 12
COMITÉ DES SERVICES COMMUNAUTAIRES ET DE PROTECTION
LE 20 AOÛT 2020**

RENTAL HOUSING PROPERTY MANAGEMENT BY-LAW AND RENTAL ACCOMMODATION STUDY UPDATE

ACS2020-EPS-GEN-0002

CITY WIDE

REPORT RECOMMENDATION

That Community and Protective Services Committee recommend that Council approve the Rental Housing Property Management By-law attached as Document 1 and an amendment to the Property Standards By-law (2013-416, as amended) attached as Document 2, as described in this report.

Anthony Di Monte, General Manager, Emergency and Protective Services gave a brief introduction and thanked staff for work. He introduced and thanked Valerie Bietlot, Manager, Public Police Development, who gave a PowerPoint presentation with the assistance of the following staff:

- Jerrod Riley – Specialist, By-law Review

Chair Sudds thanked all for their presentation and all work undertaken to date. Following the presentation, Committee Members heard from the following delegations:

1. * Mavis Finnamore - Tenant
2. * Ray Noyes - Tenant
3. * Meagan Wiper - Co-Chair of Ottawa-Vanier ACORN

4. *Geri Stevens - Co-Chair of Central Ottawa ACORN
5. John Dickie - Eastern Ontario Landlord Assoc
6. * Norma-Jean Quibell - Co-Chair of Ottawa West Nepean ACORN
7. Edith Halmos - Tenant
8. * Christine Guilbeault- Brinston - Tenant
9. Jean Marc Ladouceur - Tenant

[* All individuals marked with an asterisk either provided their comments in writing or by email; all such comments are held on file with the City Clerk.]

Written submissions were received from:

- *Hintonburg Community Association*
- *Advocacy Centre for Tenants Ontario*
- *Karen Paquette*

Many of the delegations spoke on the following items and concerns:

- While a Landlord Registration system would have allowed for proactive enforcement of these new by-law measures under consideration, and added to the budget for Property Standards, these new proposals are positive steps to ensure every tenant has safe and adequate housing.
- Presently all the proposals from By-law staff state they would be implemented in 2021, and most delegations thought this was too long to ask people to wait for better services.
- It should be a requirement that landlords not rent out units to tenants that they know to be infested with pests. Tenants should not have to deal with that problem when they're taking on a new apartment.
- It's so important that there be processes to receive and follow up with tenant requests in writing.
- These by-laws could be made stronger by requiring landlords to start the process of responding to reports of pests within 24 hours.
- Commend staff for consideration of the issues. All were in support of new

pest control provisions by-laws.

Councillor Fleury as Chair of Ottawa Community Housing read a statement which is held on file with the City Clerk's office.

Questions to staff included, but were not necessarily limited to:

- Staff are working on a searchable database and building it will be tying in directly to service requests. They want the systems to speak to each other. History for property standards and maintenance, and the tenant will be able to see history.
- Right of entry is strictly regulated. If occupant not present to get entry to verify if repairs or carry out work pursuant to warrant through municipal act or court.
- Most landlords are good to deal with and responsive to complaints. There are a few that regularly return to those properties. With the addition to two resources and using capital maintenance plan and holding them accountable and doing proactive inspections will reduce the call volume to 3-1-1.
- The new requirements for landlords to provide copy of the treatment plans as documentary evidence and to ensure done effectively.
- Various communications on this through the City of Ottawa website, that will be beefed up with content and tools support both tenants and landlords. On tenants' side, producing in multiple languages. Social media channels. Aware not all have access and will be looking for other ways to engage. Large group of stakeholders and rely on community partners to spread that message.

Following questions to staff, members presented their motions and directions to staff.

The report recommendations were put to Committee and CARRIED as amended by the following motions:

Motion CPS 2020 12/1

Moved by Councillor M. Luloff

Be It Resolved That Section 8 of the proposed Rental Housing Property Management By-law be amended by adding the following subsections to create a record of a tenant service request when requested by the tenant as follows:

- (a) No landlord or property manager shall fail to provide a written record of a service request to a tenant within 30 days, if such a request is made by the tenant when they submit their service request to the landlord or property manager.
- (b) The record of a tenant service request must include all information prescribed in subsection 7 (1)(b).

CARRIED

Motion CPS 2020 12/2

Moved by Councillor E. El-Chantiry

WHEREAS the proposed Rental Housing Property Management By-law requires landlords and property managers to deliver “information for tenants” documents to tenants and to obtain the signature of the tenant to show delivery of the initial document, as set out in Section 16,

AND WHEREAS the proposed by-law also that requires that the landlord or property manager deliver updated or revised information for tenant documents to the tenant and obtain a signature to confirm receipt;

AND WHEREAS the requirements for obtaining the signature of the tenant on each updated information for tenant document may be overly onerous for the landlord or property manager from both a practical and costs perspective, and this requirement may not be required,

AND WHEREAS it is also practical to consider additional methods of

delivery of the documents by the landlords to the tenant other than registered mail or courier delivery in circumstances where the tenant refuses to sign the document to confirm receipt, provided proof of receipt is obtained to show the document was actually delivered,

AND WHEREAS it is also practical to specify that with respect to Section 32 of the proposed by-law, the landlord or property manager is only obligated to post a treatment plan in the building when it is the publicly accessible areas of the building that are being treated, other than a rental unit.

BE IT RESOLVED that that Section 16 and Section 32 of the recommended Rental Housing Property Management By-law be amended as indicated by the following bolded wording and strikeouts:

16. (1) Two copies of information for tenants shall be provided with the lease agreement:
 - (a) one (1) copy must be provided to the tenant; and,
 - (b) one (1) copy must be signed by the tenant as an acknowledgement of receipt and retained by the landlord with the lease agreement.

- (2) When information for tenants are modified, a landlord or property manager shall:
 - (a) issue a revised copy to the tenant **in accordance with subsection (4), within 30 days of the modification;** and,
 - ~~(b) collect the revised copy signed by the tenant within 30 days of the date of issuance; and~~
 - (c) replace the copy kept on file with the revised ~~signed~~ copy.

- (3) Where a tenant refuses to sign acknowledgement of receipt of information for tenants as **required in subsection 1(b), a landlord or property manager may issue copy to the tenant in**

accordance with Subsection 4 and retain proof of issuance.

(4) For the purposes of Subsection 2 (a), and Subsection (3), issuance of the information for tenants document or revised information for tenants document may occur by the following means:

- a) registered mail, with appropriate receipt of delivery,
- b) courier delivery, with appropriate receipt of delivery,
- c) personal service to the tenant, with receipt of delivery signed by the tenant,
- d) personal service to an adult in the tenant's rental unit, with receipt of delivery signed by the adult in question,
- e) personal service to the tenant, with an affidavit of service,
- f) personal service to an adult in the tenant's rental unit, with an affidavit of service, or
- g) Email or other electronic transmission, with proof of delivery and receipt to the tenant.

32. No landlord or property manager shall fail to post notice of a pest treatment plan in the lobby of an apartment building when the treatment is in a building area **accessible to tenants** other than a rental unit.

CARRIED

DIRECTION TO STAFF

That staff speak with the chair of the Accessibility Advisory Committee for consultation regarding problematic language in the report prior to Council if possible.