



# **Residential Rental Licensing Public Feedback Survey**

---

Additional Information Document

October 13, 2021

# Why license residential rentals?

- Bring more properties into compliance with applicable laws and safety regulations
- Support and enhance existing enforcement mechanisms
- Improve, understand and preserve Windsor's existing rental housing stock

# Issues with residential rentals

- Structural and safety issues
  - Building Code (alterations without a permit)
  - Property Standards (repairs, overcrowding)
  - Fire Code (alarms, extinguishers)
- Neighbourly issues
  - Exterior property maintenance (lawns, snow)
  - Garbage preparation (bags, furniture)
  - Noise complaints

# What could licensing do?

- Secure owner consent to inspect units
- Confirm owner and local contact info
- Document the City's rental housing stock
- Reduce illegal and unsafe units
- Improve accountability for tenants and landlords

# Advantages of licensing

- Proactive instead of complaint-based
- Documents issues and ensures repairs
- Encourages compliance with Codes
- Discourages “absentee landlords”
- Improves enforcement performance
  - Faster responses, more efficient inspections
- More accurate data about housing stocks

# Limitations of licensing

- Does not address behavioural issues
- Licensing fees can add to housing costs
- Court or Tribunal timelines / jurisdiction
  - Court processes can move slowly
  - Discriminatory by-law provisions can be challenged and/or struck down
  - Only LTB can order an eviction

# Survey design considerations

- Evaluated existing reports and research
- Reviewed approaches taken by other municipalities in Ontario
- Considered harmonization with by-laws, provincial legislation and regulations
- Aligned question design with Statistics Canada demographic data standards

# Pilot study scope

## **Includes:**

- Dwellings in Wards 1 and 2
- Dwellings with 1 to 4 units

## **Excludes:**

- Owner-occupied dwelling units
- Lodging houses (Class 1 and 2)
- Short-term rentals
- Already regulated housing (social housing, long term care)



# Pilot study area



# Measuring success

- Fewer noise, garbage, yard complaints
  - Improved voluntary compliance
- Improved level of property standards
  - Fewer properties with major, minor defects
- Reduced rates of enforcement escalation
  - More resolutions without court involvement

# Licensing in other municipalities

	Deed	Corporate Info	Proof of Insurance	Criminal Check	Floor Plan	Site Plan	Maintenance/ Garbage Plan	Parking Plan	ESA Cert.	Self-certification checklist	Fire Safety Plan	Building Certificate	Fire Safety Certificate	Zoning Certificate	Sworn Statement	Local Contact
Hamilton	!		!	!	!	!	!		!	!		!	!	!		!
London	!	!	!		!					!		X	!	X	*	!
N. Bay	!	!	!		!		!	!	!		!	!		!		
Oshawa	!	!	!		!		!	!	!			!	!	X		!
Thorold	!	!	!		!	!	!		!	!	!				!	!
Waterloo	!	!	X	!	!			!	!				X			!

! = Required to submit with application

X = Required to declare, but no submission or inspection required

\* = May be requested at the licence issuer's discretion

# Application requirements

- Owner(s) contact information
  - Name, address, phone, email
  - Local agent information
  - Partnership or Corporate Info
- Proof of appropriate insurance
- Criminal record check
- Fire safety plan
  - Exits
  - Smoke Alarms / CO Detectors
- Maintenance plan
- Building site plan
  - Parking spots
  - Garbage storage
- Unit floor plan
  - Number of bedrooms
  - Max number of occupants
- By-law awareness declaration
  - Garbage Prep B/L
  - Property Standards B/L
  - Dirty Yard B/L
  - Noise B/L

# Licence disqualifiers

- Failure to meet zoning requirements
- Failure to meet Building or Fire Code
  - Egress, minimum heights, minimum areas
- Criminal, statutory or regulatory conviction related to rental property management
  - After by-law effect date

# Licence fee breakdown

Line Item	Cost
Administration	\$111.80
Zoning Inspection	\$41.00
Building Inspection	\$83.70
Fire Inspection	\$300.00
Enforcement	\$23.94
Office Expense Overhead	\$21.95
Corporate Support Overhead	\$33.15
<b>Total per licence fee</b>	<b>\$615.54 (\$616)</b>

# Licence maintenance

- Property standards inspection
- Fire safety inspection
- Required to post:
  - Issued licence
  - Maximum occupancy
  - Owner and agent contact info
  - Site, Floor, Fire Safety, Maintenance Plans
  - Information Plaque
    - Rights and Obligations of tenants and landlords
    - Contact info for 311, LTB, Legal Aid

# Enforcement processes

- Potential unlicensed rental identified
  - Owner address vs. property address
  - Complaints from tenants, residents
  - Advertisements
- By-law Enforcement investigates
- Officer orders the owner to secure a licence
  - Owner complies; or,
  - Ticketing (\$750)
  - Charges filed, which may lead to penalties
  - Injunctions



# Enforcement limitations

- Dependent on securable evidence
- Dependent on cooperation of witnesses
- Uncertainty around licence revocation
  - Evictions are the sole jurisdiction of LTB
- Fees and fines as “cost of doing business”