

## Apartment Building Standards and Maintenance Program



### Virtual Community Engagement Meeting Summary for June 14<sup>th</sup>, 16<sup>th</sup>, 22<sup>nd</sup>, and 23<sup>rd</sup> 2021

#### Session Format

Staff from Enforcement's *Compliance & Licensing Office* and *Business Support Office* facilitated a total of four virtual community engagement sessions for the Apartment Building Standards and Maintenance Program during June 2021 using the WebEx Events Platform. Approximately 39 total members attended the four virtual community engagement Sessions. The agenda for each session began with opening remarks and introductions, staff then provided attendees with a presentation on the proposed program, this was followed by a group discussion, and concluded with closing remarks and next steps.

Ryan Regent, Supervisor Compliance & Licensing, facilitated the sessions and provided opening remarks and introductions. Chris Giles, Manager Compliance & Licensing welcomed attendees to the consultation and presented a presentation. The presentation included background information about the proposed program, current state, details to what a potential program would include, building owner and tenant responsibilities in a proposed program, program timeline and financials, and next steps.

The presentation was followed by a discussion format to receive attendee input and provide attendees an opportunity to have Staff answer any of their questions. Ample time was allotted to allow participants to contribute in discussion and ask questions to Enforcement staff.

Once the discussion had ended, Staff provided closing remarks and thanked the attendees for taking the time to attend the session. Each session was transcribed by Staff for review and the input is summarized below.

# Apartment Building Standards and Maintenance Program



**Virtual Community Engagement 1  
Tenants  
Monday, June 14<sup>th</sup>, 2021  
6:30-8:00pm  
WebEx Events**

## Participants

Approximately 5 community members attended this session.

Councillor Damerla of Ward 7 attended this session.

## Feedback from Participants

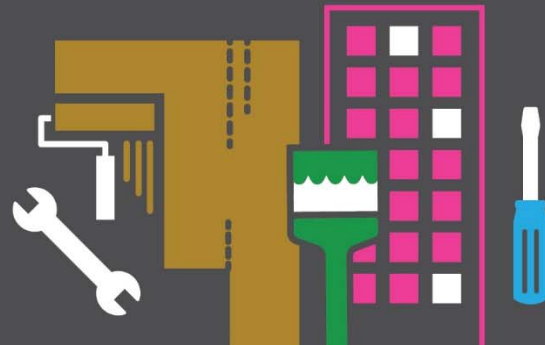
The feedback from the discussion is summarized below along with key points to Enforcement Staff's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

- Can you provide clarification on what buildings would be in scope? Would townhouses be included?
  - *No, scope is 309 apartment buildings, three stories or more, ten units or more. Townhouses, condos, lodging homes are not in scope for the proposed program.*
- Is the program just for renters, not people who bought a unit?
  - *Yes, condos are out of scope from the Program because different regulations apply to them. Condo owners have different powers and tools at their disposal as owners.*
- Excited for the proposed program, because as renter, a lot of the buildings in the area I live in are old (built in the 1980s or 1990s).
- Improving the accessibility of 311 would be great. I've been on hold for over 45 minutes before and sometimes don't have time or energy to keep waiting.
- I would suggest mailing out notice in advance for proactive inspections because this is how updates about City or building projects are typically disseminated.
- How much collaboration do you have with the Landlord Tenant Board? How much influence will you have with them?

## Appendix 5: Community Engagement Summary

- *None, because they're managed provincially so we don't have any impact on their operations. The goal of a program would be to add a level at the municipal level to ensure that a minimum standard is achieved. But regarding issues that are covered through provincial legislation, the City doesn't play a role. However, one of the areas that we're looking at with the Program, would be a mandatory tenant board where this type of information would be posted.*
- How is noise in apartment buildings managed? My building is very loud.
  - *A review of the Noise Control By-law is currently underway. In the meantime, the current process is that Enforcement sends out a noise log to the person who's made the complaint and asked them to fill it out. Staff will review the log and determine there's enough evidence to investigate. If an investigation is conducted, staff may lay charges under the Nuisance Noise or Noise Control by-laws.*
- Can the City help with rental issues such as a potential eviction due to non-payment?
  - *This is a provincial matter so the City cannot help with it.*
- How would the program address apartment livability, such as retrofitting or updating older buildings?
  - *The program would prescribe requirements for vital services disruptions while repairs are occurring. It would also require capital maintenance plans from buildings, which would ensure that buildings keep infrastructure in a state of good repair and conduct regular maintenance. As well, it would ensure that qualified contractors are doing the work.*
- Does the City have records of the ages of specific buildings and will they hold Building Managers accountable to ensure that they're transparent in how they operate?
  - *It depends on the building and age of building as well as different factors such as how well the building was built. That's why under the Program, the City would conduct inspections in order to determine what work needs to be done. If services are in dis-repair, we would ensure that building owners come into compliance.*

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**Virtual Community Engagement 2  
Tenants  
Wednesday, June 16<sup>th</sup>, 2021  
6:30-8:00pm  
WebEx Events**

## Participants

Approximately 7 community members attended this session.

## Feedback from Participants

The feedback from the discussion is summarized below along with key points to Enforcement Staff's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

- Will landlords be fined for non-compliance? Will the fine be proportional to the amount of rent they collect from tenants or will it be a token amount?
  - *We will be progressive in our investigations and enforcement will be the last resort if compliance isn't achieved. It's possible that the landlord or owner could be charged under the Provincial Offences Act and would have to go to the court. If that's the cases, then fines would be determined by the judiciary.*
- Does Toronto's Rentsafe program address issues such as landlords not paying costs, fines for landlords and automatic inspection of properties?
  - *Rentsafe is granular and addresses issues in Toronto. Our intention is to build off it and make a program that's tailor-made for Mississauga. Our community engagement and analysis will help us determine what a Mississauga program might look like.*
- How will on-going issues with pests, such as ants, be addressed?
  - *This program is geared to common areas of buildings. We have a limited ability to have action on interior units unless we receive a complaint about a specific unit.*
- How will the program address centralized air conditioning in buildings?

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- *The Adequate Temperature By-law addresses heating and cooling in apartment buildings. The By-law was amended in 2018 to ensure that it provided protection for tenants.*
- How will the Program address maintenance to common areas such as underground garages that isn't being done?
  - *The Program as well as existing By-law would address maintenance. Underground parking would be in the capital plan for major reports. If there is an existing condition that needs to be addressed it could be with the existing Property Standards By-law.*
- How will the program address disruptions to vital services such as water?
  - *It would be covered through the vital services requirements, such as a plan for contingency if there's a major disruption.*
- How would the program address superintendent complacency?
  - *The Cleaning Plan would potentially address this, but as long as buildings are in compliance we can't dictate who they hire and what their internal policies are.*
- Is there a way to ensure that Landlords don't use building repairs as a premise to raise rent? If you go above the guidelines, you could say that tenants requested repairs and as a result, need to raise the rent.
  - *For any rent increases, Landlords must follow the Residential Tenancies Act, which is a set percentage per year.*
- I'm happy with the ideas of landlords being accountable for holding up a standard. A standard would set the tone.
- Will inspections be planned or surprise?
  - *They will be a combination of both.*
- How will the program address constrictive denials of service (e.g. putting off repairs) as a way of getting rid of tenants in order to raise rents?
  - *This is the purpose of the Service request response plan. The plan will ensure that buildings respond in a certain amount of time and that repairs are done in a timely fashion.*
- Will the City provide oversight over repairs by inspecting them and monitoring the time frame?
  - *Yes, if something is deficient, the City would provide an order for it to be repaired and a time frame for it to be complete by. If the building is not compliant within the time frame, the officer would follow up and ensure that it's addressed.*
- What types of buildings will the City be giving priority to look at first?
  - *The scope is the 309 private and non profit buildings in the City. We will conduct initial evaluations within the first two years of the program cycle. Based on the evaluation, the building will be given a score, which will determine whether another inspection is required. If the score is below the minimum, the building will be audited.*
- How will the City hold owners responsible for completing repairs?
  - *Combination of education and enforcement. There are multiple routes tenants can take to achieve compliance. One is through city and city bylaws and potentially this program. But when comes to enforcement, the City is restricted to*

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*a certain process. If a building isn't compliant, the City may charge them. Once a charge is laid, it's then up to judiciary.*

- Tenants have responsibility to voice concerns. Is city open to opening another service besides 311 for complaints such as a hot line solely for tenant complaints and concerns?
  - *311 is currently how complaints are assigned to Compliance and Licensing Enforcement, but I'll bring it back to the team and discuss whether it would e a viable option.*
- Can tenants contribute to inspections by providing evidence of decay or needed repairs
  - *Yes, definitely.*
- Why wasn't this program advertised as prominently as other City initiatives?
  - *We have done quite a bit of communication for this project. We always follow the same process for teaching out to the public, but I'll take that feedback back to the team.*
- How will the program address energy efficiency?
  - *We have to focus on the goal of the program, which is to achieve a consistent minimum standard for all buildings. Older buildings may not be up to the environmental standard of new builds, but if they are come to the minimum standards then they meet the program requirements.*
- It's hard for people to come to the sessions, hopefully they'll be more engagement opportunities.

# Apartment Building Standards and Maintenance Program



**Virtual Community Engagement 3  
Advocacy Groups  
Monday, June 21st, 2021  
6:30-8:00pm  
WebEx Events**

## Participants

Approximately 12 community members attended this session.

## Feedback from Participants

The feedback from the discussion is summarized below along with key points to Enforcement Staff's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

- Will landlords be paying annual licence fees to help fund the program?
  - *Property owners will have to pay an annual registration fee for this program.*
- Will you implement a colour coded system similar to what was proposed in the City of Toronto?
  - *Staff continue to be in communication with Toronto Staff and tools implemented by their team continue to be assessed for the feasibility of this program.*
- In regards to pending service orders for landlords will there be any time up-keep for the service requests?
  - *That matter would be outside the scope of this program and would be better dealt with by the Landlord and Tenant Board. However, the program intends to provide adequate education to inform both landlords and tenants of their rights and available resources to assist with making or following up on services requests.*
- I have heard from ACORN that RentSafeTO has insufficient manpower to deal with the program. How will you prepare for this?
  - *Part of this feasibility study is to assess the need or potential demand of the program and to shift resources accordingly which may include hiring additional Municipal Law Enforcement Officers. Staff intend to ensure that resources are adequately available for if program implementation were to occur.*

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- Does the landlord pay for the cost of program implementation in terms of inspections or audits?
  - Yes.
- Will the licensing fee for landlords be transferred to tenants on their rent?
  - *No. The City does not support this form of action. Only building owners will bear the costs of this program.*
- Will there be inspections of tenants units or common areas only?
  - *The intent of the program is to inspect common areas only. However, if an inspection of a unit is necessary the unit owner would be consulted with prior to an inspection occurring.*
- Would a tenant need to pay for anything in regards to this program?
  - *No, Staff do not intend for tenants to bear any of the costs for the implementation of this program.*
- Can you guarantee that tenants will not face any cost for the implementation of this program?
  - *Staff do not intend for tenants to bear any of the costs for the implementation of this program.*
- As an advocacy group we receive thousands of calls from tenants who fear their landlord's response to their request or complaints so we are happy to see the City take on a role in this process.
- Will your team work with advocates, we would love to help.
  - *Yes, absolutely. That is the intention of this session and Staff intend to continue communication with key program stakeholders like advocates.*
- Doesn't the Property Standards By-law already give the City the power to enforce? How will the By-law be used for this program?
  - *Yes, the Property Standards By-law does create a standard for enforcement. However, this program is specific to apartment buildings and an evaluation of the By-law and/or an introduction of a new By-law may need to take place.*
- Will maintenance workers be certified?
  - *Yes, that is a requirement in the proposed program.*
- The City of Brampton's Property standards By-law is much more powerful than the City of Mississauga's, will there be revamping?
  - *As Staff assess the feasibility and need for this program City By-laws will be evaluated and, if needed, amendments will be made.*
- Will this program cover all rental units like duplexes?
  - *This program is only concerned with rental apartment buildings at this time.*
- Would this program include townhomes?
  - *This program is only concerned with rental apartment buildings at this time.*
- What will new fines look like as landlords are very powerful?
  - *Provincial Orders regulate fine amounts. Staff deliver education on the fine process and utilized the tools available to enforce infractions with the authority granted to them.*
- Will data related to this program be available to the public like in the City of Toronto?



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- *This is currently not facilitated. Staff are actively looking into making more information accessible similar to The City of Toronto and Staff hope to have something in the future.*

## Apartment Building Standards and Maintenance Program



**Virtual Community Engagement 4**  
**Owners/Operators/Non-Profit Service Providers**  
**Tuesday, June 22<sup>nd</sup>, 2021**  
**3:00-4:30pm**  
**WebEx Events**

### Participants

Approximately 15 community members attended this session.

### Feedback from Participants

The feedback from the discussion is summarized below along with key points to Enforcement Staff's response. This is not a word for word transcript of the session but a summarization of the main concerns and input from attendees.

- Is the program implementation a foregone conclusion? Much of the verbiage in the presentation suggests that.
  - *This is a feasibility study, once Staff compile all the information an analysis will take place and the ultimate decision will be with Council.*
- Staff seem to be very open minded about the input so thank you. We share your objectives as operators and agree that bad operators need to be held accountable.
- Staff should mirror the RentSafeTO program as much as possible.
- I recommend the feasibility study of this program follow a similar path to the program prior to RentSafeTO, Multi-Residential Apartment Building (MRAB) program.
- Staff mentioned tenant responsibilities so will there be anything to protect landlords from bad tenants?
  - *The goal of the program is to be fair and equitable for both tenants and landlords. The Property Standards By-law protects landlords and provide a standard of maintenance.*
- Tenants will eventually see an increase in rent as being a part of this program.
  - *Yes, Staff do not intend for tenants to bear any of the costs for the implementation of this program.*
- What do you mean about certified contractors?

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- *If repairs are to be made in an apartment building the program would require the work to be done by certified trade workers and Staff will enforce non-compliance.*
- Was there a particular situation that caused this program to be studied?
  - *Multiple deputations were made to Council in 2019 which presented compelling situations. Staff also assessed other jurisdictions' and their practices. Staff intend to consult with stakeholders to further assess the feasibility of this program.*
- With data shown during the presentation regarding apartment buildings current state and complaints numbers. Can Staff not use that information and enforce the bad apples currently?
  - *Staff intend to use all relevant information to inform the program and enforcement practices. Staff acknowledge that many complaints may not be registered by tenants in fear of reprisal.*