

# **TORONTO** STAFF REPORT

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April 5, 2004

To: Planning and Transportation Committee

From: Paula M. Dill, Commissioner, Urban Development Services

Subject: Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation-Owned Buildings

Purpose:

To provide a status report on the activity levels, inspection demands and staffing requirements resulting from the adoption of the protocol for enforcement of property standards in Toronto Community Housing Corporation-owned buildings.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report. However, staffing implications based upon the number of enforcement requests which require inspections are reflected in the 2004 budget submissions.

Recommendations:

It is recommended that:

- (1) The report on the activity levels resulting from the adoption of the Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation-owned buildings be received for information; and
- (2) The Toronto Community Housing Corporation be encouraged to post copies of the Protocol for Enforcement of Property Standards in the common areas of its buildings and to include a copy of the Protocol on its website.

Background:

The protocol for the enforcement of property standards in Toronto Community Housing Corporation (TCHC) buildings was endorsed by City Council at its meeting of April 16, 17 and 18, 2002. City Council also directed that the Commissioner of Urban Development Services, in consultation with the residents of the TCHC, report in one year on the activity levels, inspection demands, and staffing requirements resulting from the adoption of the protocol.

Comments:

The TCHC, through its shareholder agreement, was directed to provide a written statement of the protocol to all tenants. Staff were advised that TCHC tenants were informed of the protocol in a year-end letter from the Chief Executive Officer of the TCHC in December, 2002. As a result, staff have measured the impacts over two periods: April, 2002–December, 2002 and January, 2003--January, 2004. Between April, 2002 and December, 2002 only 44 complaints were received. In 2003, a total of 720 complaints were received resulting in 154 Notices and 45 Orders being issued as detailed in the Table below. Of these complaints, 518 were directly related to property standards for which 95 Notices and 43 Orders were issued. The TCHC manages approximately 58,000 units. The TCHC has provided MLS enforcement staff with contact and emergency numbers for TCHC property managers and this has also facilitated staff enquiries about tenant complaints and assisted with compliance around bylaws.

Complaints, Notices and Orders related to TCHC properties in 2003

	District														
	East			North			South			West			Total		
<b>WORK DESCRIPTION</b>	IR	N	O	IR	N	O	IR	N	O	IR	N	O	IR	N	O
Adequate Heat	3			7	1	2	10			13	1		33	2	2
Appliance (Emergency)	1									1			2	0	0
Building Audit										1			1	0	0
Business /Trades Licence	4			4			1			1			10	0	0
Fence	1						1			2	1		4	1	0
Long Grass and Weeds							4	3		1	1		5	4	0
Noise	5			2			14			2	2		23	2	0
Property Standards	69		1	64	10	13	206	36	11	179	49	18	518	95	43
Rooming House							1						1	0	0
Signs	1	9		1			4	1					6	10	0
Snow and Ice	1									2			3	0	0
Termites							8	5					8	5	0
Waste	24	11		6	3		36	8		15	6		81	28	0
Zoning	7	2		7	2		4			7	1		25	5	0
<b>Grand Total</b>	<b>116</b>	<b>23</b>	<b>1</b>	<b>91</b>	<b>16</b>	<b>15</b>	<b>289</b>	<b>54</b>	<b>11</b>	<b>224</b>	<b>61</b>	<b>18</b>	<b>720</b>	<b>154</b>	<b>45</b>

\*IR: Inquiry/Complaint; \*N: Notice; \*O: Order

### **TCHC Response to the Protocol**

The protocol adopted by Municipal Licensing and Standards has worked well from the perspective of the TCHC. The TCHC also adopted an internal complaint process in September 2002 which is posted on their website ([www.torontohousing.ca](http://www.torontohousing.ca)) and makes reference to the right of TCHC tenants to also contact Municipal Licensing and Standards in the event that a complaint has not been dealt with in a timely fashion by the TCHC.

The TCHC held elections for representatives to local tenant councils in June, 2002, which may also encourage further community involvement and the resolution of issues that matter to residents, including those related to property standards. The TCHC recently held a discussion forum on March 6, 2004 on maintenance involving both staff and tenants. Work groups are being formed to develop implementation plans for the suggested solutions and a report will be made available to all tenant representatives in April, 2004.

### **Tenant Advocates' Response to the Protocol**

Tenant advocates expressed concern that the circulation of the protocol to the tenants of the TCHC buildings was insufficient and that the tenants may not understand the rights available to them as a result of the adoption of the protocol. While there has been a significant increase in the number of complaints, it has been suggested that the protocol be posted in TCHC buildings and also be available on the TCHC website.

The proposed City website for information on violations will provide an opportunity to make copies of the TCHC protocol readily available to the public, as well as through telephone or over the counter requests.

### **Conclusions:**

The impact of the protocol for the enforcement of property standards in TCHC properties has been an increase in the number of complaints received by MLS – particularly since distribution of information about the protocol. Tenants in TCHC properties feel that the protocol should be better distributed among stakeholders. The suggested development of the web disclosure system for information on violations will provide public access to this protocol. It is also recommended

that the TCHC consider posting the protocol in the common areas of its buildings and also make it available on their own website. The election of tenant representatives to local tenant councils, as well as the distribution of the internal TCHC complaint process, will further assist tenants in the enforcement of property standards bylaws.

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Paula M. Dill  
Commissioner  
Urban Development Services

List of Attachments:

Appendix A: Protocol for Enforcement of Property Standards in Toronto Community Housing Corporation-owned Buildings

Appendix A:

### **Protocol for Enforcement of Property Standards and Other By-laws in Toronto Community Housing Corporation Owned Buildings**

Whereas the Toronto Community Housing Corporation (“TCHC”) is a corporation owned by the City of Toronto;

And Whereas the TCHC is a major property owner and landlord in the City of Toronto;

And Whereas the TCHC is subject to the City of Toronto Municipal Code (“Code”) and in particular, Chapter 629 (Property Standards) of the Code like any other property owner or landlord;

And Whereas as part of Council’s Shareholder Direction to the TCHC, the TCHC must adhere to a property standards policy that is consistent with the property standards enforced by the City;

And Whereas Council expects the TCHC, as a landlord, to meet a high standard of compliance with the Code;

And Whereas the tenants of the TCHC are entitled to the protection of the Property Standards and other provisions of the Code;

And Whereas the Municipal Licensing and Standards Division (“MLS”) of the Urban Development Services Department will hold the TCHC to the standards required by the Code like any other landlord in the City.

### **Purpose**

To define the procedure for the handling of complaints by TCHC tenants concerning possible violations to the Code and in particular, Chapter 629 (Property Standards) of the Code as it relates to property owned and operated by the TCHC.

### **Receipt of Complaint By TCHC**

The TCHC will provide the first response to TCHC tenants on all property standards and other by-law issues, and will document the responses as part of its normal course of business.

In general, TCHC tenants place requests or complaints with respect to maintenance or repair issues either with building staff, or by phone.

The TCHC protocols for tenants to make a request for maintenance or repair vary in different parts of the TCHC portfolio, reflecting different communities, built forms, and staffing models.

Requests may be made in writing on forms provided for that purpose by the TCHC.

Telephone calls are routed through the Response Centre number to the appropriate property management office or staff to respond to the request. A work order is created and documentation follows the protocol for the different parts of the portfolio and the call centre.

Conditions that present an immediate threat to health and safety of tenants will receive priority attention.

## **Receipt of Complaint by MLS**

The TCHC will provide MLS with the telephone number of the TCHC Response Centre, and such other telephone numbers, as may be necessary, to permit MLS to contact the appropriate representatives of the TCHC to facilitate this protocol.

Where a complaint is received by MLS concerning a property owned or operated by TCHC and the tenant has not contacted the TCHC, staff will provide the tenant with the phone number of the TCHC Response Centre and will encourage the tenant to make their complaint in writing.

If the complaint concerns a health and safety matter, the complaint will be taken. MLS staff will contact the TCHC immediately, and arrange for an inspection as soon as possible

Where the tenant indicates that a complaint was filed with TCHC (the complaint not being related to health and safety) and at least 30 days has lapsed without the tenant being contacted as to the findings and what action, if any, will be taken to resolve the complaint, MLS staff will contact the TCHC to enquire as to the status of the matter.

MLS will advise the tenant of the status and what action, if any, will be taken to resolve the complaint.

If the TCHC has taken no action to resolve the matter, MLS staff will arrange for an inspection as soon as possible.

## **Technical Assistance by Municipal Licensing and Standards**

Where the TCHC requires technical assistance in determining compliance with the Code, MLS may provide assistance in resolving an issue.

MLS will assist in clarifying tenant responsibility under the Code.

## **Review**

The Vice-President of Property Management for the TCHC and the Executive Director of MLS will meet annually to review this protocol.