



**TENANT DEFENCE SUB-COMMITTEE
DECISION DOCUMENT
MEETING 4**

Date of Meeting: Tuesday, September 27, 2005 **Enquiry:** Merle MacDonald, Acting
Time: 9:30 a.m. **Committee Administrator**
Location: Committee Room 4 **416-392-7340**
2nd Floor City Hall **mmacдона@toronto.ca**
100 Queen Street West

The Decision Document is for preliminary reference purposes only. Please refer to the Committee minutes for the official record.

Minutes Confirmed – Meeting of June 22, 2005.

Communications/Reports:

1. 2005 Status Report: Applications under the Tenant Support Grants Program

Action taken by the Committee:

The Tenant Defence Sub-Committee received the memorandum (September 19, 2005) from the General Manager, Shelter, Support and Housing Administration.

Memorandum (September 19, 2005) from the General Manager, Shelter, Support and Housing Administration, providing, for information, an update of the applications received under the 2000, 2001, 2002-2003, 2004 and 2005 Tenant Support Grant Program as of September 12, 2005.

2. Update on 1765 and 1775 Weston Road

Action taken by the Committee:

The Tenant Defence Sub-Committee:

- (1) *requested the Executive Director, Municipal Licensing and Standards, to report to the November 1, 2005 meeting of the Tenant Defence Sub-Committee as to the status of the repairs to the following buildings:*

- (a) *1765 and 1775 Weston Road;*
 - (b) *1011 Lansdowne Avenue; and*
 - (c) *2677 Kipling Avenue; and*
- (2) *received the Memo (September 20, 2005) from the General Manager, Shelter, Support and Housing Administration.*

Memo from the General Manager, Shelter, Support and Housing Administration, on the tenants' applications to the Ontario Rental Housing Tribunal for maintenance and the Interim Order issued by the Tribunal.

3. Presentation – 2005/2006 Work Plan – Tenant Defence Fund

Action taken by the Committee:

The Tenant Defence Sub-Committee:

- (1) *endorsed, in principle, the expansion of the criteria for the Landlord Recognition Program, so that recognition is given to landlords who have considerably improved their buildings over a one-year period while maintaining affordability;*
- (2) *endorsed, in principle, the intent and approach of the 2005/2006 Work Plan for the Tenant Defence Fund;*
- (3) *requested the General Manager, Shelter, Support and Housing Administration, to further develop the Bad Buildings Pilot Project and submit a status report to the first meeting of the Tenant Defence Sub-Committee in 2006 on the Work Plan and the Bad Buildings Pilot Project;*
- (4) *requested the Executive Director, Municipal Licensing and Standards, to consider assigning a group of inspectors who would work City-wide inspecting a priority list of “Bad Buildings” properties; and*
- (5) *received the presentation and update.*

Presentation from staff on the 2005/2006 WorkPlan for the Tenant Defence Fund Program and update on items requested by the Tenant Defence Sub-Committee.

4. Updated Report – Condition of Property at 103-105 West Lodge Avenue (Ward 14 Parkdale-High Park)

Action taken by the Committee:

The Tenant Defence Sub-Committee:

- (1) ***requested the City Solicitor to submit a confidential report to the November 1, 2005 meeting of the Tenant Defence Sub-Committee providing the legal opinion referred to in the report (September 20, 2005) from the Executive Director, Municipal Licensing and Standards, entitled “Updated Report on the Condition of the Property Located at 103-105 West Lodge Avenue”;***
- (2) ***requested the Executive Director, Municipal Licensing and Standards to:***
 - (a) ***provide an explanation as to why a legal opinion was put forward in a public document;***
 - (b) ***undertake a pro-active inspection of the units at 103-105 West Lodge Avenue, no later than December 31, 2005, and to report to the first meeting of the Tenant Defence Sub-Committee in 2006; and***
 - (c) ***advise the Tenants of 103-105 West Lodge Avenue, in advance, that the inspectors are coming to do this pro-active inspection; and***
- (3) ***received the report (September 20, 2005) from the Executive Director of Municipal Licensing and Standards.***

Report (September 20, 2005) from the Executive Director of Municipal Licensing and Standards, as requested, on the condition of the property located at 103-105 West Lodge Avenue.

Recommendation:

It is recommended that this report be received for information purposes only.

Walked on and Introduced:

5. 150 Finch Avenue West

Action taken by the Committee:

The Tenant Defence Sub-Committee referred the memorandum (September 26, 2005) from Councillor Cliff Jenkins, Ward 25 Don Valley West, to the General Manager of Shelter, Support and Housing Administration, for report thereon to the Tenant Defence Sub-Committee.

Memorandum (September 26, 2005) from Councillor Cliff Jenkins, Ward 25 Don Valley West, regarding 150 Finch Avenue West.

Recommendation:

It is recommended that the General Manager, Shelter, Support and Housing Administration, in consultation with appropriate staff:

- (a) review the summary information provided by the former tenants of 150 Finch Avenue West (attachment #1) to determine whether the landlord violated Section 57 of the *Tenant Protection Act* which clearly states that a landlord shall compensate tenants in an amount equal to three months rent or shall offer another rental unit acceptable tenants;
- (b) review the additional documentation provided by the former tenants of 150 Finch Avenue West, including the 2005 letter from the Ontario Rental Housing Tribunal (attachment #2) to determine whether the Tribunal may have erred in refusing to hear an application by the tenants to obtain compensation as proscribed by Section 57; and
- (c) report back to the Tenant Defence Sub-Committee with recommendations on what (if any) actions the City can take to assist the former tenants of 150 Finch Avenue West in pursuing their case further through a review of the Ontario Housing Tribunal decision or an appeal to Divisional Court.