



Amendments to Chapter 354, Apartment Buildings, and Progress Update on RentSafeTO

Date: October 29, 2019

To: Planning and Housing Committee

From: Executive Director, Municipal Licensing and Standards

Wards: All

SUMMARY

This report provides an update on the Apartment Buildings By-law, Chapter 354, and the RentSafeTO program. This report also recommends improvements to the By-law.

The RentSafeTO program is the first of its kind in Canada, and builds on the City of Toronto's previous Multi-Residential Apartment Buildings (MRAB) program. The objectives of the new program are to strengthen enforcement of City by-laws, enhance tenant engagement and access to information, promote preventative maintenance in apartment buildings to prevent the deterioration of standards, and recover the cost of ensuring compliance through user fees.

RentSafeTO is a registration, audit and enforcement program enabled by Toronto Municipal Code Chapter 354, Apartment Buildings, a by-law adopted by City Council in March 2017. The program came into effect July 1, 2017 and applies to all apartment buildings with three or more storeys and 10 or more units, which accounts for 30 percent of Toronto's residents who live in approximately 3,500 apartment buildings across the city.

The program provides the City with additional enforcement mechanisms, and establishes a risk-based approach to evaluating and auditing apartment buildings, with the aim of enhancing the quality of living standards in the City's rental stock.

Highlights of the RentSafeTO program are:

- As of October 2019, a total of 3,446 buildings have registered with the City.
- In the first year of the program, staff evaluated 3,420 registered buildings. A total of 68 buildings did not pass evaluations, and were subject to an audit.
- In the second year of the program, staff re-evaluated 1,801 of the lowest scoring buildings from the first year. A total of 18 buildings did not pass evaluations and were subject to an audit.

- Buildings scored an average of 12 percent higher in the second year of the program compared to the first year.
- Since the introduction of the program, staff have worked to rectify 3,305 building deficiencies, and have closed 43 Notices of Violation and 245 Orders to Comply.
- In order to provide landlords information about the building maintenance standards established in the by-law, staff developed a Building Owner Handbook that outlines the requirements related to capital repair plans, cleaning plans, pest management, tenant service requests, and more.
- In order to increase public awareness of the program, staff have created dedicated websites for both tenants and landlords, and participated in OpenStreetsTO in the summers of 2018 and 2019. Advertisements have been placed in newspapers (in 12 different languages); TTC subways, buses and stations; transit shelters; campuses, restaurants and bars; magazines; the PATH underground system; various high-traffic websites; and social media.
- Apartment building data collected through the registration process, as well as the results from the evaluation process, have been uploaded to the City's Open Data Portal.

City staff conducted research, analysis and consultation throughout 2018 and 2019 to assess how the program has been working since the introduction of the by-law, including consultations with the general public, and tenant and landlord stakeholders. Staff found that the RentSafeTO program has been effective in meeting its objectives to date. The program is still in its early stages, and staff continue to work to improve the program and bring landlords into compliance with the By-law. Based on research, analysis and consultation findings, staff have identified opportunities for improvement at this time.

The report recommends introducing a tool for the City to recover costs associated with providing Emergency Social Services (e.g. temporary lodging), in instances when a building must be evacuated and landlords do not provide supports such as temporary accommodation. This proposal aims to better enable the City and partner agencies to effectively respond to emergencies, encourage landlords to make their best efforts to accommodate displaced tenants if possible, and enable the City to recover costs related to providing Emergency Social Services where necessary.

The report also recommends additional enhancements to the program, including: requirements for landlords to post the results of evaluations within their buildings and provide results to existing and prospective tenants when requested; requirements for landlords to provide additional information on pest management activities and greater public education on best practices; and greater outreach to improve awareness of the program, including increased tenant engagement. Finally, this report responds to directives from Council regarding indoor temperatures within apartment buildings, and requests the Province move forward with legislation to address concerns around elevator availability, reliability and safety.

This report was prepared in consultation with Legal Services, the Office of Emergency Management, Toronto Fire, Toronto Building, Social Development, Finance and Administration, the Housing Secretariat, Toronto Public Health, Environment and Energy, and the Resilience Office.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council amend City of Toronto Municipal Code, Chapter 354, Apartment Buildings, as follows:

- a. Require landlords to display a copy of the building evaluation result document, received by the City following their last evaluation, on the tenant notification board, and provide copies to any persons who request it.
- b. Require landlords to post information on the RentSafeTO program, including contact information for 311, on the tenant notification board.
- c. Require landlords to post information related to any violations of the Ontario Fire Code, as identified by Toronto Fire, on the tenant notification board.
- d. Require landlords to provide information directly to tenants on the RentSafeTO program annually and on signing of a lease agreement.
- e. Amend the requirement that landlords post information on the tenant notification board about air conditioned spaces in the building to include information about other places on the property that offer relief from uncomfortably warm indoor temperatures, including a cooling room or shaded area.
- f. Amend the requirement that landlords post pest management information on the tenant notification board to also include:
 1. certificate or other documentation provided by a licensed pest control operator upon completion of pest control services when services are received;
 2. schedule of pest control services, including anticipated treatment and preventative activities;
 3. service standards for pest control services, including timelines that tenants can expect for scheduling treatment when a landlord is made aware of the presence of pests; and
 4. information on any pesticide or other product used by a licensed pest control operator during pest control activity.

2. City Council amend the City of Toronto Municipal Code, Chapter 441, Fees and Charges, by adding a variable fee (see Table 1) for recovery of costs associated with the provision of Emergency Social Services, including direct aid such as lodging, administrative expenses and ancillary costs in instances when:

- a. A substantial portion of a building becomes uninhabitable, as determined by the appropriate regulatory authority or authorities, because of vital services disruptions, fire, flood or other occurrence;
- b. the building is three or more stories, with 10 or more units (as per the RentSafeTO registration requirements); and
- c. the landlord does not provide re-housing for tenants.

Table 1: Chapter 441, Fees and Charges, Schedule 12, New Cost Recovery Fee for Emergency Social Services in Apartment Buildings

Ref. No.	Service	Fee Description	Category	Fee Basis	Fee	Annual Adjustment
New	Private Properties	Cost recovery related to the provision of Emergency Social Services in Apartment Buildings	Full Cost Recovery	Actual Cost to provide Emergency Social Services	Variable	No

3. City Council direct that all fees in Table 1 shall be waived for social housing providers. Social housing providers are:
 - a. Toronto Community Housing Corporation.
 - b. A non-profit provider of assisted or social housing under a program administered by the City of Toronto.
 - c. A dedicated supportive housing provider funded by the Province of Ontario.

4. City Council request the Province of Ontario move forward with the *Access to Consumer Credit Reports and Elevator Availability Act, 2018*, or introduce similar legislation to address concerns around safety, reliability and availability of elevators.

5. City Council direct that the changes to the City of Toronto Municipal Code Chapter 354, Apartment Buildings, come into effect on March 1, 2020.

6. City Council direct that the changes to the City of Toronto Municipal Code Chapter 441, Fees and Charges, come into effect immediately.

FINANCIAL IMPACT

This report proposes creating a variable fee for full recovery of costs associated with the provision of Emergency Social Services, including direct aid such as lodging, administrative expenses and ancillary costs in instances when a building is deemed uninhabitable and landlords do not provide re-housing for tenants. Landlords are responsible for maintaining apartment buildings and providing accommodation for tenants. This fee would be used in cases where a landlord is not providing accommodation to tenants and the City must provide Emergency Social Services to tenants to meet basic life and safety needs.

These services would be provided to a landlord on a case-by-case basis, in accordance with guidelines established by the City..

When such services are provided, the fees established in this report would allow the City to recover from the landlord the costs that were incurred by the City due to the emergency response. If the landlord does not pay for the fee incurred, the City can recover the costs by placing the fee on the landlord's property tax bill.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On March 27, 2019, City Council adopted with amendment HL3.5 Heat Relief Services Update, requesting the Executive Director, Municipal Licensing and Standards, in consultation with the Medical Officer of Health, as part of their Heat in Apartments Working Group to identify strategies to address indoor temperatures in apartment buildings, including exploring the feasibility of options for window protection in apartment buildings; reviewing, removing, or changing the dates in the City of Toronto Municipal Code Chapter 497, Heating; developing and reporting back on a communications strategy; and pilot sensor-based apartment-temperature tracking solutions. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.HL3.5>

On January 30, 2019, City Council adopted MM2.26 Holding Landlords Responsible for Property Maintenance and Improving Crisis Communications in Emergencies, directing the Deputy City Manager, Infrastructure and Development Services to work with the City Solicitor and other relevant staff to review regulatory tools available to strengthen the City's ability to respond to and take action in respect to emergencies. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM2.26>

On January 30, 2019, City Council adopted with amendments OM2.1 Heat Relief Services, requesting the Deputy City Manager, Corporate Services, in collaboration with Toronto Public Health, to lead an interim working group to coordinate the implementation of heat relief strategies for 2019, and to consider the feasibility of creating a cool room or air conditioned space and/or shade structure on the property. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.OM2.1>

On May 22, 2018, City Council adopted LS25.1 Mitigating the Negative Impacts of Extreme Heat in Apartment Buildings, which directed the Executive Director, Municipal Licensing and Standards, the Medical Officer of Health, the Executive Director, Social Development, Finance and Administration, the Director, Environment and Energy, and the Chief Resilience Officer, in consultation with other appropriate Divisions, to establish a working group to identify strategies to address excessive indoor temperatures in apartment buildings, including reviewing the feasibility of introducing requirements for air conditioned units, cooling rooms and retrofits. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.LS25.1>

On March 28, 2017, City Council adopted LS17.1 Toronto's New By-law for Apartment Buildings, directing the Executive Director, Municipal Licensing and Standards to report back after one year from the date of enactment of the new By-law with an update on the implementation and outcomes. City Council also directed staff to: consider allocating \$60,000 of the program budget towards issuing an RFP for door-to-door tenant engagement; review the relationship between the program and the Certified Rental Building program; and explore the feasibility or requiring additional materials related to pest management on the tenant notification board.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.LS17.1>

On December 5, 2017, City Council adopted EX29.41 Status of Suite Metering in Rental Buildings in Toronto, directing the Executive Director, Municipal Licensing and Standards to consider including information related to suite metering in the Apartment Buildings By-law registration requirements to better understand the extent of sub-metering in Toronto's rental housing stock, and to include any recommendations for changes in an update report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX29.41>

On December 13, 2016, City Council adopted LS15.3 Rental Apartment Buildings: Results of Public Consultation and Proposed Regulatory Regime, directing the Executive Director, Municipal Licensing and Standards to explore the feasibility of a rating system similar to the City's "DineSafe" program.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS15.3>

COMMENTS

This report provides an update on the outcomes of the implementation of Chapter 354, Apartment Buildings (RentSafeTO) and addresses outstanding Council directives related to the program. This report also recommends a number of improvements to the program based on research and consultation since the introduction of the program in 2017.

About RentSafeTO

The Apartment Building Standards program (RentSafeTO) is a registration, audit and enforcement program enabled by Toronto Municipal Code Chapter 354, Apartment Buildings. This by-law was adopted by City Council in March 2017, and went into effect on July 1, 2017. The program's objectives are to enhance tenant engagement and access to information, and ensure that landlords comply with building maintenance standards.

The RentSafeTO program replaced the City of Toronto's previous Multi-Residential Apartment Buildings (MRAB) program. The new program uses similar audit methods to the MRAB program, but also includes proactive evaluations for all buildings, as well as additional enhancements such as tenant engagement initiatives.

The RentSafeTO program applies to rental properties that are three or more storeys high and have 10 or more units, which accounts for approximately 3,500 buildings or 30 percent of Toronto's residents.

There are a number of key elements to the program that are outlined below: Building Registration, Building Requirements, Evaluations, and Audits.

Building Registration

All landlords must register their building with the City of Toronto and pay a per-unit fee. The rate of inflation is applied on an annual basis, and in 2019, the fee is \$11.02. This registration must be renewed annually. Newly constructed buildings have 30-60 days to register after occupancy is granted.

As of October 2019, a total of 3,446 buildings have registered with the City. This includes 2,880 private rentals, 326 TCHC and 240 social housing buildings. Buildings that have not registered have had the registration costs placed on their property tax bill and received notice of potential fines for non-compliance. As of October 2019, a total of 68 outstanding invoices have been added to the property tax roll of the associated properties. Enforcement staff continue to work with unregistered landlords to bring them into compliance, and identify newly constructed buildings in the City that fall within the program.

Building Requirements

Requirements for landlords are set out in the By-law and focus on ensuring that landlords are managing and maintaining their buildings, and keeping tenants better informed about the maintenance and operations of their building. As part of the RentSafeTO program, landlords are now responsible for developing/providing the following:

- Tenant service request process
- Tenant notification board
- Pest management procedures
- Waste management plan
- Cleaning plan
- Capital repair plans
- Contractor requirements for maintenance (that is, contractors must be members in good standing with the Ontario College of Trades); and
- Actions to address outstanding issues before renting to a new tenant.

Recent amendments made to Chapter 354, Apartment Buildings in May and July 2019 will now also require landlords to develop an electrical maintenance plan and maintain records to demonstrate compliance with the plan, as well as create a voluntary tenant contact list and a vital service disruption plan.

These additional requirements are meant to ensure that landlords best serve their tenants and promote their health and safety during times of prolonged vital service disruptions.

Building Evaluations

Through the RentSafeTO program, all buildings are subject to evaluations at least once every three years. Evaluations are high-level assessments of the condition of a building, focused on inspection of the following areas:

- Common areas and building grounds
- Amenities, such as swimming pools and recreational areas
- Elevators
- Garbage and recycling management (such as chutes, storage and screening)
- Lighting
- Mechanical systems (such as heating and ventilation)
- Parking facilities and garages
- Security systems (such as self-closing external doors, intercom systems)
- Structure (such as building façade)
- Overall cleanliness of the building and common areas.

The evaluation process assesses a total of 20 categories and provides a grade (from 1 to 5) for each, which informs the final evaluation score. Enforcement staff make note of deficiencies found in the building during evaluations (e.g. areas or building elements that do not meet the necessary standards). Landlords are made aware of these deficiencies and are asked to remedy them in a timely manner.

Based on the evaluation findings, the building is given an overall percentage score, which determines whether the building is required to receive a full building audit. The overall building score also determines when the next building evaluation will be scheduled.

Evaluation Schedule

The schedule of building evaluations is developed based on a building's previous evaluation score. Buildings that receive lower scores on their evaluation will be scheduled for their next evaluation sooner than those that receive higher scores (see Table 2). Other factors are considered in the scheduling process, such as geographic location (e.g. scheduling evaluations of nearby buildings on the same day).

Table 2: Building Requirements by Evaluation Score

Score (%)	Requirement
50 or below	Building to receive full audit
51 to 65	Building to be evaluated in 1 year
66 to 80	Building to be evaluated in 2 years
81 to 100	Building to be evaluated in 3 years

All registered buildings were evaluated in the first year of the program to establish a baseline of the condition of each building. Those that scored 51 percent to 65 percent during the first year were scheduled to be revisited the following year. These have now been completed as well, which allows for the comparison of results between two years. The data for both Year 1 and Year 2 is provided below.

Evaluation Results: Year 1 — Benchmarking Data

Building evaluations began in October 2017. In the first year of the program, staff completed 3,420 evaluations. The average overall building score for these buildings was 66 percent, with a score range of 34 percent to 98 percent.

On average, approximately 15 deficiencies were detected per evaluation. Key areas with deficiencies were:

- Garbage/Chute Rooms
- Interior Lighting Levels
- Interior Guards/Handrails
- Parking Areas
- Stairwells
- Storage Areas/Lockers

Over 70 percent of the issues detected were regarding maintenance and/or repairs (55 percent) and cleanliness (19 percent). On the exterior of the buildings, maintenance and/or repairs (33 percent) and waste (3 percent) were the main issues, while on the interior common areas of the building maintenance and/or repairs (22 percent) and cleanliness (19 percent) were the main issues.

Privately-owned apartment buildings had the highest number of deficiencies per evaluation (16), while social housing buildings (that is not-for-profit providers, excluding TCHC) had the lowest number of deficiencies per evaluation (10).

Of the total building evaluations conducted, 326 were owned by TCHC. The average score of TCHC buildings city-wide was 65 percent, with a range of 39 percent to 92 percent.

Year 2 — Comparison of Results

In the second year of the program, enforcement staff re-evaluated buildings that scored between 51 and 65 percent on their initial evaluation — a total of 1,801 buildings. Newly built and registered buildings also received their first building evaluation at that time.

Buildings that were re-evaluated in the second year of the program scored an average of 12 percent higher compared to the first year. Over 90 percent of buildings improved in evaluation score in the second year of the program, while 4 percent of the buildings decreased in evaluation score and 2 percent of the buildings showed no change. These results may show early evidence that the program is beginning to improve the quality of rental stock in the City.

Table 3: Overall Building Evaluation Scores in Year 1 and Year 2

Score Range	Percent of evaluations		What does this mean?
	Year 1	Year 2	
34% to 50%	2%	1%	Building requires a building audit
51% to 65%	51%	18%	Building need to be evaluated in 1 year
66% to 80%	44%	77%	Building need to be evaluated in 2 years
81% to 100%	3%	4%	Building needs to be evaluated in 3 years

There was also an increase in the average grade (on a scale between 1 and 5) of categories evaluated. Graffiti had the lowest change in grade (0.1) while security had the highest change in grade (0.7).

Evaluation Costs

The cost of a regular evaluation conducted by enforcement staff is included in the registration fee. There is no additional cost to a landlord associated with these site visits.

Building Audits

Buildings that receive an overall evaluation score of 50 percent or lower require a full building audit. An audit is more comprehensive and requires an inspection of all common areas from rooftop to basement, underground garage and exterior grounds. The audit process is a collaborative effort between Municipal Licensing and Standards, Toronto Fire, the Electrical Safety Authority (ESA) and the Technical Safety and Standards Authority (TSSA). Each authority leverages their respective expertise to ensure buildings are safe and maintained.

Audits also include inspections of in-suite units for tenants who file complaints with onsite officers. During the audit process, a community engagement desk is set up in the lobby of the building. If setting up the community engagement desk is not possible, clear signage must be provided directing residents to a mobile office elsewhere.

Audit Results

During the first round of evaluations, 68 buildings (2 percent of total evaluated buildings) received an overall building score below 50 percent and were identified as requiring a full building audit. These audits are now complete. During evaluations conducted in the

second year of the program (including initial and re-evaluations), 19 buildings were identified for a full audit. These will be completed in late 2019 and early 2020.

During the building audit process, staff take note of deficiencies in the building and issue Orders to Comply and Notices of Violation accordingly. Orders to Comply are issued under Chapter 629, Property Standards and Notices of Violation are issued under Chapter 354, Apartment Buildings and other relevant by-laws, such as those related to waste. Both of these mechanisms are used by enforcement staff to provide details on the violation and a length of time for the violation to be rectified.

Since the introduction of the program, staff have worked to rectify 3,305 deficiencies, and have closed 43 Notices and 245 Orders. Table 4 provides an overview of the deficiencies, Notices of Violation and Orders to Comply identified during audits in each year of the program, and how many have been rectified (i.e. closed).

Table 4: Deficiencies, Notices and Orders (issued and closed), by year

Mechanism	Status	2017	2018	2019 (YTD)	Total
Deficiencies	Identified	2,952	2,408	1,090	6,450
	Closed	1,410	998	897	3,305
Notices	Issued	22	11	13	46
	Closed	21	10	12	43
Orders	Issued	245	155	108	508
	Closed	138	59	48	245

Note that Table 4 also includes deficiencies, Notices and Orders issued through the MRAB program. The program began its transition to a new structure in 2017, and enforcement staff continue to rectify outstanding issues identified in earlier years. The RentSafeTO program is similar to the previous MRAB program in that enforcement staff focus their efforts on bringing landlords into compliance by identifying deficiencies and issuing Orders to Comply. However, RentSafeTO differs in that the program has raised the minimum standards for buildings and provides additional enforcement tools (for example set fines, Notices of Violation) through new offences under Chapter 354, Apartment Buildings.

Audit Schedule

Audits are scheduled only when a building has scored 50 percent or lower on its evaluation. As such, building audits are scheduled on an individual basis following an evaluation.

Audit Costs

All costs associated with a building audit are assessed to the landlord. This includes an administrative fee of \$1,870.33, plus an audit inspection fee of \$113.05 per hour per officer. An additional re-inspection fee of \$113.05 per hour per officer also applies when an Order or Notice has been issued and full compliance has not been achieved. If these fees are not paid within 90 days they will be added to the property tax bill.

The average audit in 2019 took approximately 11 total staff hours. During an audit, three officers will typically attend and spend approximately 3-5 hours completing the assessment, plus the additional staff time for administrative tasks (e.g. preparing and filing paperwork). The average audit would cost a landlord approximately \$3,114.

Re-inspections occur when an Order or Notice has been issued and full compliance has not been achieved. Re-inspections entail a follow-up visit by City staff, and result in additional fees to be paid by the landlord (\$113.05 per hour per officer). The average re-inspection takes approximately one hour to complete.

Complaints and Enforcement of Apartment Building Standards

Complaints Data

RentSafeTO has a dedicated enforcement team that, in addition to conducting proactive evaluations and audits, also responds to complaints and enforces various by-laws related to apartment building standards.

The City received a total of 8,356 complaints in 2018 and 7,163 in 2019 (to date) related to apartment buildings. Table 5 provides an overview of the most common complaints related to apartment buildings made through 311 (excluding noise, which now has a separate dedicated enforcement team).

Table 5: Top Complaints in Apartment Buildings

By-law	2017 (Feb-Dec)	2018	2019 (Jan-Oct)
Property Standards	474	4,631	3,939
Adequate Heat	44	693	563
Waste	172	591	437
Long Grass and Weeds	175	148	93
Zoning	149	273	127
Fence	55	60	20
Graffiti	9	41	29

Enforcement

Since the introduction of the program, staff have laid a total of 338 charges through the RentSafeTO program for non-compliance — 194 of which have resulted in convictions. The fines for these charges range from \$50 to \$30,000. Table 6 provides an overview of charges laid by disposition and year, and Table 7 provides an overview of the most common offenses and occurrence by year.

Table 6: Charges by Disposition

Disposition	2017	2018	2019	Total
Convicted	40	128	28	196
Dismissed		1		1
Suspended Sentence	5	19	1	25
Withdrawn	3	44	5	52
Open	1	13	50	64
Total	49	205	84	338

Table 7: Most Common Offences, by year

Offence	2017	2018	2019	Total
Failure to comply with order	48	42	21	111
Failure to post info on notification board		34	9	43
Failure to register		25	5	30
No notification board		17	6	23
No cleaning plan		14	3	17

Outreach & Communications

A key component of the RentSafeTO program is outreach to tenants, landlords and the public to raise awareness of the City's role in ensuring building maintenance and responding to concerns in apartment buildings. RentSafeTO is also a relatively new program, which requires marketing and communications to increase public awareness of the program.

Outreach and communications efforts have included: dedicated City websites for both tenants and landlords, the development of a Building Owner Handbook, and

participation in OpenStreetsTO in the summers of 2018 and 2019. In 2018, a public education campaign was undertaken and multi-lingual advertisements in 12 languages were placed in newspapers and online. The campaign also included advertisements on the September 2018 issue of On-the-Go magazine (commuter magazine in GO Train) and advertisements in TTC subway trains and stations; Gateway Newsstands; the PATH underground system; campuses, restaurants and bars; various high-traffic websites; and on social media.

Staff continue to raise awareness of the program, and are re-running the public education campaign in 2019 with a new and expanded communications strategy. Multi-lingual advertisements (in 12 languages) are being run in newspapers and online, and advertisements have been placed in TTC subway trains and buses; transit shelters all over the City; digital screens in apartments; campuses, restaurants and bars; high-traffic websites such as BlogTO.com, the Toronto Star, the Weather Network, CP24, Toronto Life, Toronto.com; and on social media.

Research & Consultation

In order to assess the progress of the program and identify opportunities for improvement, staff conducted research, analysis and consultation over the course of 2018 and 2019. Staff engaged approximately 300 individuals through seven targeted stakeholder meetings, public consultation and participation in five community-based events (e.g. neighbourhood festivals) across the city in Black Creek, Thorncliffe Park, Scarborough Centre, St. James Town, and Downtown. Staff also reviewed 82 written submissions from residents and organizations, and consulted with over 15 City Divisions. The summary of consultation findings can be found in Attachment 1.

Research included jurisdictional scans, literature reviews, and an analysis of data related to complaints, enforcement, evaluation and audit results. Staff also commissioned a representative public opinion survey completed by Ipsos Reid on property standards and building maintenance, awareness of the RentSafeTO program, and experience related to indoor temperatures. The final report can be found in Attachment 2.

Proposed enhancements

Cost Recovery Tool

The aging infrastructure of Toronto's apartment building stock has raised concerns about the state of good repair in apartment buildings, and particularly concerns about infrastructure that provides vital services such as electricity, heat, fire and life safety systems, and water. The deterioration of this infrastructure and disruption of vital services in apartment buildings can lead to the evacuation and displacement of tenants. In cases where the landlord does not provide support in the form of temporary accommodation and other services, and when tenants do not have adequate insurance to cover alternative accommodations, the City may need to step in to do so.

During emergencies, individuals may find their normal support systems disrupted, leading to difficulty in meeting basic essential needs. The City may provide Emergency

Social Services to help meet these needs, such as providing reception and information, registration, lodging, food, clothing, transportation, and other personal services.

The Office of Emergency Management, along with other City divisions and partners, coordinates the delivery of Emergency Social Services in both smaller-scale incidents (e.g. a single house fire) and more complex, major instances (e.g. an evacuation of a large area of the City). The Office of Emergency Management maintains a relationship with the Canadian Red Cross, who has the resources and expertise to assist and support the City's delivery of Emergency Social Services.

Staff recommend introducing a fee structure that would enable the City to recover costs incurred for providing Emergency Social Services to tenants (in apartment buildings with three or more stories and 10 or more units) that have been evacuated due to safety concerns, in accordance with established policies. .

The services would be delivered to landlords on a case-by-case basis in instances where tenants in a building have been evacuated and the landlord does not provide support to tenants, such as helping them to find temporary accommodations. The goal is to capture situations such as the evacuation of 650 Parliament Street in August 2018, and other evacuations due to vital service disruptions.

Where there is an evacuation resulting from an extreme weather event or other events that could reasonably be considered beyond the control of the landlord, the landlord may be exempted from the City providing the associated services on their behalf. Consequently, the proposed cost recovery tool would not apply to situations like a natural disaster, where the City would respond in conjunction with other orders of government. Costs associated with these actions would not be applied to landlords.

Eligible costs under the proposed fee will include direct aid costs outlined in the Canadian Red Cross Personal Disaster Assistance (PDA) Guidelines, as well as administrative expenses and ancillary costs associated with providing the Emergency Social Services, such as Canadian Red Cross's personnel costs, responder travel, and shelter operation expenses, as well as the Canadian Red Cross's administrative fee of 12 percent of total cost to cover overhead costs.

The fees could also include other costs incurred by the City in supporting efforts to provide Emergency Social Services, including costs related to City staff time to respond and lost revenue from cancellation of community centre programs if a community centre is used.

Given the variable nature of the fees, the fee schedule will not include set amounts. However, for a general sense of the amount of fees that could be incurred with respect to direct aid, the Canadian Red Cross's PDA Guidelines are included in Attachment 3.

It is important to note that the actual costs associated with an event that makes a building or a significant portion of the building's units uninhabitable - like a major electrical fire - will be influenced by many factors, such as the number of people who require assistance, the length of time the response is carried out, the time of year and/or day of the week (i.e., workweek vs. weekend), the location and availability of hotels or

other accommodations, and whether City and Canadian Red Cross resources are already engaged in concurrent responses to other incidents or emergencies.

As well, the costs incurred may also be higher than what is outlined in the PDA Guidelines given that these may be based on Canada-wide averages. For example, according to the Greater Toronto Hotel Association, the average year-to-date rate as of October 12, 2019 for a hotel room in Toronto is \$199.65 per night, which is higher than the PDA Guideline of \$170 per night per hotel or motel room for a family of four.

In early 2019, staff engaged key stakeholders representing tenants, landlords, and those directly affected by the building incidents in St. James Town, and heard concern from building owners around requirements for landlords to provide temporary accommodation, as it may not be financially or operationally feasible for landlords, and may have implications on the affordability of rental units.

However, staff notes that this proposal aims to better enable the City and partner agencies to effectively respond to emergencies, encourage landlords to make their best efforts to accommodate displaced tenants if possible (for example, by using vacant units in other buildings owned by the same property management company) and enable the City to recover costs related to providing Emergency Social Services where necessary.

Pest Management

Staff heard through public and stakeholder consultation that pest issues are one of the top concerns for tenants in Toronto, including bed bugs, cockroaches, and rodents such as mice/rats. Public opinion research completed by Ipsos Reid also shows that of all building elements, pest management is the most likely to be rated poorly by renters in the city. This trend is significantly higher among low-income residents, those living in low-rise apartment buildings, and those who rent in the Etobicoke-York area.

Pest management is regulated by all three levels of government:

- At the federal level, Health Canada's Pest Management Regulatory Agency regulates pesticides, including the products (e.g. chemicals, devices and organisms) that are used, sold or imported into Canada through the *Pest Control Products Act*.
- At the provincial level, Ontario's *Pesticides Act* and its regulations address the use of pesticides (e.g. shipment, sale, application, storage and disposal of pesticides), and who may apply them (e.g. requirements, training, certification and licensing that pesticide sellers and applicators must meet).
- At the municipal level, the City of Toronto has multiple by-laws that address pest control, including Chapter 629, Property Standards (which require all properties to be free of pests) and Chapter 354, Apartment Buildings (which outline responsibilities of landlords to manage pests in apartment buildings). In addition, garbage and waste collection by-laws affecting residential properties are meant to ensure that waste is stored and disposed in an orderly manner so as not to attract pests; these by-laws include Chapter 548, Littering and Dumping, and Chapter 844, Waste Collection, Residential Properties.

Given the existing regulatory landscape, it is recommended that the City respond to the feedback received through consultation by updating the requirements in the Apartment

Buildings By-law to better utilize the tenant notification board, and engage in greater education with landlords and tenants on best practices in pest management.

Requiring landlords to provide more information on pest management activities

The By-law currently requires that information about pest treatment activities be posted on the tenant notification board, such as the date and nature of treatment, and the operator/exterminator undertaking the treatment. Staff recommend that additional information be provided to tenants related to pest management activities using the tenant notification board.

This should include the product information related to any treatment activity and a certificate of pest control services from operators that are used (e.g. pesticides, which must be registered with the federal government and classified by the provincial government). This should also include schedules developed by the landlord to address both routine preventative measures, as well as services in response to identified pests. Finally, landlords should develop and post service standards for pest control activities, which should outline the process and timelines that tenants can expect if and when pests are detected in the building.

Education on best practices in pest management

The By-law also currently requires that landlords take adequate measures to eliminate pests and prevent their spread into other areas of the property when pests have been detected. When pests are detected, the adequate response may vary depending on various factors such as the type of pests, where they were detected, and the building itself (e.g. age, construction, etc.).

Moving forward, staff will leverage the RentSafeTO communications and outreach mechanisms to educate landlords and tenants about best practices in pest management. For example, when pests are detected in an apartment building, some best practices to eliminate and prevent the spread of pests could include: measures to notify tenants; inspection of nearby units/areas and obtaining a licensed operator for inspections; promptly arranging for treatment; and providing assistance to tenants to prepare a unit for treatment if necessary.

Heat and Air Conditioning in Apartment Buildings

The majority (88 percent) of buildings registered under the RentSafeTO program were built before 1980, when air conditioners were not as common as they are today, and buildings were designed to facilitate passive cooling such as open windows. Approximately 85 percent of these buildings do not have either central air conditioning in units or an air conditioned space in the building.

In response to Council direction and feedback received during public and stakeholder consultation, staff recommend raising awareness and improving information-sharing to tenants and landlords around cooling options, but do not recommend further requirements such as mandatory building features.

Requiring new apartment buildings to have mandatory cooling features is unnecessary and work continues to be done to determine the feasibility of requiring existing apartment buildings to provide cooling options

In May 2018, City Council directed the Heat in Apartments Working Group (a collaborative effort of City divisions to address heat in the City of Toronto) to explore the feasibility of requiring all existing and new apartment buildings to provide air conditioned units or an air conditioned room in the building.

Staff note that most new apartment buildings are being built with air conditioning or other cooling solutions. The majority of RentSafeTO apartment buildings that were built between 2008 and 2018 have either: central air conditioning; provide or allow air conditioning for individual units; or have an onsite cooling room. Given that most new buildings have cooling solutions, staff do not recommend adding this as a requirement.

Staff recommend that the feasibility of requiring that existing apartment buildings undergo retrofits to provide cooler indoor conditions, air conditioned units or an air conditioned cool room requires further analysis. The Environment and Energy Division is in the initial stages of the development of an Emissions Reduction Policy Strategy for Existing Buildings. It is anticipated that the Strategy will be complete in the first half of 2021, and, it is expected that the learnings from the Strategy will inform guidance on policy mechanisms for cooling options in apartment buildings. The work of the Environment and Energy Division and its partners will be integrated into the Heat in Apartment Buildings Working Group's analysis.

Broadening the definition of "air conditioned space" to include a cool room or shade structure

Under RentSafeTO, landlords are required to post the location of an air conditioned place in the building that is accessible to all tenants. Landlords are also required to post information about the nearest cool space such as an air conditioned library or community centre. Staff recommend that landlords post about other places on the property that offer relief from uncomfortably warm indoor temperatures, including a cooling room or shaded area. Expanding the definition to include a cool room or shaded area will provide tenants with more information about spaces on the property that can provide heat relief, which may be more accessible than the closest air conditioned space.

Raising awareness among landlords and tenants

Staff recommend that the City conduct an awareness and education campaign to provide information to tenants on low-cost cooling options that may be available for tenants, such as portable air conditioning systems, electric fans, or window coverings and light filtering shades. In addition, it is recommended that the City develop and disseminate information to landlords and property management companies about thermal resilience design elements that they may be able to adopt for their buildings (e.g. designing spaces that can achieve indoor thermal comfort levels without the use of electricity).

Maintaining the dates for buildings to ensure a minimum temperature is provided

The study of determining the effectiveness of amending Chapter 497, Heating, by changing or removing the dates to which landlords are required to maintain room temperature to at least 21 degrees Celsius has been requested in part or in whole by City Council and reported on by staff several times since 2012. In May 2018, staff presented a report discussing the merits of keeping and removing the dates. For a number of reasons described in the report, staff recommended that the dates should remain.

However, to address the confusion about the dates, City Council adopted amendments to Chapter 497, Heating, to clarify that landlords do not need to turn the heat on between September 15 and June 1, as long as a minimum temperature of 21 degrees is maintained. Along with the changes to the Heating By-law, staff executed a communications strategy in spring and fall 2019, targeted at clarifying the regulations about heating among owners/operators of apartment buildings. It is premature to make conclusions about the effectiveness of the changes to the by-law.

Since May 2018, little change has been observed by staff to necessitate a change in recommendation. The *Residential Tenancies Act* has also not been revised on this issue. An analysis of daily temperature data also does not change the previously analyzed climatic trends which informed the May 2018 report. Staff reported that between 2015 and 2018, during the shoulder season months of May and September, the City received a combined total of:

- 27 service requests from tenants about their living spaces being too hot; and
- 408 service requests were received regarding tenants being too cold in their units.

Furthermore, many of the municipalities reviewed as part of that staff report (11 out of 28) were found to use a date range, with seven that use a similar date range as Toronto. This suggests that there is still a need for heating during those dates and is further evidence that the City should not change the date range. Therefore, given these static circumstances and the lack of statistical trends, staff do not recommend amending the Heating By-law to remove the dates.

Elevators

During the consultations, concerns were raised by both tenants and landlords regarding elevator safety, availability, and reliability. In response to this feedback as well as Council direction, staff explored the feasibility of introducing elevator service standards in apartment buildings through the RentSafeTO program.

Elevators are regulated by provincial legislation and enforced by the Technical Standards and Safety Authority (TSSA). The TSSA has the authority to register, license and inspect the manufacturing, installation, maintenance and operation of the devices, certify technicians who work in the industry, shut down unsafe devices and prosecute companies that do not comply with safety laws.

The provincial government commissioned an independent study from the TSSA in 2017 that offered 19 recommendations, including measures to address the shortage of

elevator technicians, create a public database recording elevator downtimes and reliability, and eventually improve the management of elevator downtime by improving accountability between elevator owners and contractors.

The provincial government introduced legislation in response to the 2017 recommendations through the *Access to Consumer Credit Reports and Elevator Availability Act, 2018*. The Act mandated regulators to create penalties and standards for elevator downtime, among other improvements to elevator infrastructure. However, the legislation has not been proclaimed by the provincial government.

Requesting the Province take action on elevators

Given that elevating devices fall under provincial jurisdiction, staff recommend that City Council request the Province of Ontario issue proclamation for the *Access to Consumer Credit Reports and Elevator Availability Act, 2018*, or introduce similar legislation to address the concerns expressed by tenants and landlords.

City staff consulted with TSSA staff and Ministry of Government and Consumer Services staff, who advised that they are working with the industry to better understand the causes of elevators being out of service and the policy options available so they can address these issues in an appropriate, enforceable and effective way. TSSA staff recommended that more nuanced approaches would be more effective, namely utilizing the RentSafeTO program to promote education and awareness for landlords with elevating devices.

Collaborating for education and awareness

In order to address issues related to apartment building elevator availability, staff will work with the TSSA to develop guidance documents to assist device owners. In particular, these materials will address the planning and financing necessary for maintenance, and repairs and modernization over the life of a device to ensure adequate functioning and availability. These documents will be included in the information provided to landlords of registered buildings.

Rating System

As directed by Council, staff have explored the feasibility of a rating system similar to the City's "DineSafe" program that requires landlords to post a colour-coded sign that displays the City's rating in a prominent, publicly identifiable location, along with posting the same information on the City's website.

Ratings System Jurisdictional Scan

In a scan of major Canadian cities, staff did not find municipalities with a rental licensing/regulatory program that had implemented a rating system similar to the DineSafe program.

In New York City, the City provided publicly available data on an apartment buildings online portal, and worked with Rentlogic to allow the private sector firm to develop a ratings system using the municipality's data.

In Vancouver, the City created an online searchable database of all buildings with a business licence for five or more rental units. The database provides information about the building owner, number of units, and any identified maintenance, health or safety issues. The purpose of the database is to help renters make better decisions about where they live, and motivate property owners and landlords to keep their properties in good order for renters.

In London, England, the municipality implemented a Rogue Landlord Checker, which allows members of the public to search an online database for information about private landlords and property agents who have been prosecuted or fined for housing offences. There is also a national government database which contains information on landlords who are convicted of the limited range of serious offences e.g. violence, fraud, harassment, etc.

Evaluations-based Rating System

It is recommended that the City of Toronto adopt some of the best practices from the DineSafeTO program and other jurisdictions. Staff recommend adopting the following ratings and disclosure measures for the RentSafeTO program.

Ratings and Disclosure

The evaluation results from the RentSafeTO program reflect the percentage grade that the building received as a result of the evaluation inspection, along with an advisory as to what grades require a follow-up audit, what grades are a pass, and what grades constitute a building in good standing.

Similar to DineSafeTO, landlords should be required to post the results of their evaluations in a conspicuous area that is accessible to building tenants and visitors. Landlords should also be required to provide the results of the evaluation to any tenants or members of the public that request it, including both existing and prospective tenants.

Open Data Initiative

The City of Toronto launched its first Open Data Portal to meet growing demand for open data. Open Data is digital data that is made available with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime and anywhere. It is accessible by the public, and by organizations that are external to the City of Toronto.

The RentSafeTO program requires landlords to submit information on their apartment buildings during the registration process. This data has been uploaded to the City of Toronto Open Data Portal: <https://portal0.cf.opendata.inter.sandbox-toronto.ca/dataset/building-information-for-abs/>.

This dataset is now publicly available, and will be updated on an annual basis as part of the registration renewal process. The registration dataset includes information on each registered apartment building, such as the number of storeys and units; air conditioning, heating systems and cooling rooms; gas, hydro and water metering; laundry facilities; parking and bike parking; indoor and outdoor amenities; barrier-free units, entrances and parking.

Staff have also uploaded evaluation results data to the Open Data Portal (<https://open.toronto.ca/dataset/apartment-building-evaluation/>). Making this available to the public can help provide a more comprehensive picture of Toronto's housing stock, aid prospective tenants in finding housing that suits their needs, and allow private sector or non-governmental organizations to use the data.

Tenant Engagement

Since RentSafeTO is relatively new, key components of the program have been outreach, marketing and communications efforts, including an annual \$160,000 advertisement budget. In 2017/2018, funds were spent on the following tactics: a dedicated City website, the development of a handbook for landlords, participation in OpenStreetsTO; and advertising English and ethnic newspapers (in 12 different languages); TTC subways, buses and stations; campuses, restaurants and bars; magazines; the PATH underground system; various high-traffic websites; and social media. In 2019, this budget was complemented by free transit shelter ads worth \$100,000 received from the City.

Staff heard through public and stakeholder consultation that many tenants were unaware of the RentSafeTO program and their ability to contact the City if their landlords are not responsive to service requests. According to a public opinion research survey conducted by Ipsos Reid, only 9 percent of renters in Toronto were aware of the RentSafeTO program as of September 2019.

Staff have also heard particular concern for a lack of awareness of the program amongst newcomers, those who do not have English as a first language, those with cultural barriers and those who have a lack of trust in government and enforcement authorities.

Awareness and recognition of the program may be low as the program has only been in effect for two years, and it can often take several years for a communications campaign to resonate with the general public. However, staff recommend pursuing new ways of outreach by issuing an RFP to seek a qualified organization to conduct tenant engagement, enhancing our communications strategy and requiring more information-sharing by landlords.

Request for Proposals for Tenant Engagement

It is recommended that MLS move forward with City Council's request to issue a Request for Proposals to seek a specific organization to pursue door-to-door tenant engagement in 2020. This will be included in our existing communications budget, and will not require a budget adjustment.

Staff will work to ensure that the qualified bidder has experience engaging diverse communities, low-income tenants and those who face barriers around mental health and disabilities.

Enhanced Marketing and Information-Sharing

City staff are running a second public education campaign from October – November 2019, which has been expanded to include additional transit shelter ads and digital ads in apartments. Staff will work with Strategic Communications to focus efforts in targeted campaigns.

It is also recommended that landlords be required to provide informational materials on RentSafeTO to tenants annually and upon signing their lease agreement for an apartment.

Ongoing Operational Improvements

Staff continue to assess the RentSafeTO program and make iterative changes as the program and the needs of the City evolve. Some key operational improvements that staff are exploring include an updated evaluation tool, better collection of registration data, and enhancements to communications and dedicated City webpages.

Updated Evaluation Tool

Staff are currently reviewing the criteria and tool used to evaluate buildings through the RentSafeTO program. The first iteration of the evaluation tool scored 20 categories on a scale from 1 to 5, primarily related to cleanliness and maintenance of common areas within and outside of the building. After learning more about the common deficiencies in buildings, staff are assessing the current tool and exploring options to improve the process for the evaluations to be conducted in 2020.

Registration Data

Staff will review the current requirements to provide building information as part of the registration process on an ongoing basis, and consider where there is an opportunity to collect more robust data to inform program changes in the future and address key goals and priorities. For example, there may be an opportunity to collect further information on cooling options in apartment buildings, as well as information on emergency and back-up power sources.

Communications and Data-Sharing

As the program evolves, staff will continue to update communications materials and information provided on the dedicated City webpages, as well as continue to upload registration and evaluation information on Open Data Portal.

Staff will consider further opportunities to ensure transparency of the program and improve access to information for landlords, tenants and the general public, such as

exploring further partnerships and developing more interactive online tools. For example, staff will work with Toronto Fire to provide more information about the High-rise Residential Fire Inspection Results portal on the RentSafeTO webpage, which will allow the public to view inspection results for residential high-rise buildings within the City of Toronto and the details of any Ontario Fire Code violations that have been found and fixed by the property owner at the respective addresses.

Other Considerations in the Review

Certified Rental Building Program

Council requested that staff consider the relationship of the Certified Rental Building Program (CRB) to Chapter 354, Apartment Buildings. The Certified Rental Building Program is a privately-run quality assurance certification program for multi-unit residential apartment buildings. Buildings that have CRB certification are not exempt from the requirements of Chapter 354. While it is a similar evaluation and audit program, the program is not accountable to the public, and is a voluntary program that does not have the authority to impose penalties or take corrective action if a landlord does not comply with the requirements. Staff do not recommend exempting buildings certified through the CRB program from the RentSafeTO program.

Insurance

Staff have explored whether there are insurance products that may provide coverage for tenants and landlords in situations outlined in this report, and whether insurance requirements should be incorporated as part of the RentSafeTO program. Staff also consulted with the Insurance Bureau of Canada, the Financial Services Regulatory Authority of Ontario (FSRA), and the Insurance Brokers Association of Canada (IBAO).

Tenant Insurance

Tenant insurance is not mandatory by law in Ontario, and there are no requirements for insurance companies to have their policies or rates approved by FSRA. Some tenant insurance policies may cover expenses incurred for temporary or short-term accommodation due to an insured event, although subject to certain conditions and limits. The cost of tenant insurance depends on multiple factors, including: how much coverage a tenant needs, the location of the dwelling, a tenant's claims and credit history, the insurance company's claims experience, the age of the dwelling and how the unit or apartment building was constructed, e.g. higher insurance costs for buildings with aging infrastructure.

City staff do not recommend incorporating insurance requirements in Chapter 354, Apartment Buildings, as insurance coverage is decided on a case-by-case basis and dependent on the situation of each tenant, and there is no guarantee that a tenant will be paid for expenses they incur for short-term accommodations.

Landlord Insurance

Existing insurance products for landlords include Business Interruption Insurance and General Liability insurance. General liability insurance does not cover costs for additional or alternate living expenses associated with re-housing tenants elsewhere. A landlord may have Business Interruption Insurance to replace lost rental income during a period of time whereby a property is being restored, but it would be a business decision that the landlord would make regarding whether to spend the insurance money to fund temporary accommodation for tenants. City staff do not recommend incorporating landlord insurance requirements into the By-law, as these insurance products may have cost impacts, there is no guarantee that it will result in coverage of temporary accommodation costs by landlords, and the costs may also be passed on to tenants.

Sensor-based apartment-temperature tracking solutions

As directed by Council, City staff have examined the feasibility of piloting sensor-based apartment-temperature tracking solutions. In 2019, the Toronto Atmospheric Fund published the results of a pilot study involving smart thermostats and sensors (<https://taf.ca/wp-content/uploads/2019/04/Smart-Thermostats-White-Paper-March-2019.pdf>). The estimated a cost of installing these solutions was \$1,463 per unit. This cost includes: the components of a smart thermostat system; room sensors; control valve retrofits, which physically make the adjustments to the radiator or heater in a room adjust the temperature when needed; and the labour of installation. This estimate could widely vary based on the type of heating system for which valves need to be installed. The report found that, combined with retrofits, smart thermometers produced minor benefits related to reduced energy use, carbon emissions, and exposure to extreme temperatures.

Staff advise that the per-unit cost of smart thermostats is cost-prohibitive, could be passed on to tenants as part of an above guideline rent increase, and does not help tenants in buildings where temperature control is centralized and controlled by the building. City staff recommend not proceeding with a pilot program at this time, and continuing to monitor innovations in smart technologies for more cost-effective solutions.

Update on Suite Metering in Toronto

Suite metering allows tenants to control and pay for their own electricity. This was enabled by changes to the *Residential Tenancies Act* and the *Energy Consumer Protection Act* in 2009, which allowed landlords to obtain informed and written consent from existing tenants in order to remove electricity as a service. Landlords who do so must include a rent reduction of the average electricity cost, and meet other conditions such as energy efficient refrigerator standards). For new tenants, suite metering can already be established at the signing of a lease (i.e. without these conditions).

Apartment building registration data shows that 64 percent of registered buildings in the city have separate hydro meters in each unit (i.e. only 36 percent are bulk metered). Suite metering in Toronto appears to be significantly more common than the previous

estimate for Ontario, which may be the result of turnover in rentals and new lease agreements since these legislative changes.

Suite metering may promote energy efficiency by incentivizing off-peak use and reducing overall consumption. However, staff have also heard concerns from tenants and tenant advocacy organizations that suite metering can create additional financial burden and uncertainty for those who may be struggling to maintain their housing, and that the governing legislation does not provide clear enough guidelines or oversight. For example, a landlord cannot discontinue hydro utilities when included in rent, although suite metering companies can shut off hydro utilities if a tenant falls into arrears. The City has limited scope on these matter, but continues to provide resources and supports for tenants in need of emergency energy assistance, such as the Emergency Energy Fund. The provincial government also provides emergency financial support through the Low-Income Energy Assistance Program (LEAP).

Implementation

If approved by Council, the changes to Chapter 354, Apartment Buildings outlined in this report will come into effect on March 1, 2020. The requirements will be communicated to landlords using existing channels available through the RentSafeTO program to ensure that they are aware of how the new By-law will impact them and can take any actions necessary to comply.

It is recommended that changes to Chapter 441, Fees and Charges come into effect immediately.

CONTACT

Ginny Adey
Director, Policy and Strategic Support
Municipal Licensing and Standards
Tel: 416-338-5576
Email: Ginny.Adey@toronto.ca

SIGNATURE

Carleton Grant
Executive Director, Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: Consultation Summary

Attachment 2: Public Opinion Research: Final Report

Attachment 3: Canadian Red Cross Disaster Response Individual and Family Assistance Standards