

TORONTO MUNICIPAL CODE
CHAPTER 575, MULTI-TENANT HOUSES

Chapter 575

MULTI-TENANT HOUSES

ARTICLE 1

General Provisions

§ 575-1.1. Definitions.

§ 575-1.2. Interpretation.

ARTICLE 2

Licensing

§ 575-2.1. General responsibilities.

§ 575-2.2. Licences.

§ 575-2.3. Licence hearings.

ARTICLE 3

Operator Responsibilities – All Multi-Tenant Houses

§ 575-3.1. General responsibilities.

§ 575-3.2. Tenant service request process.

§ 575-3.3. Pest management process.

ARTICLE 4

Operator Responsibilities – Personal-Care Multi-Tenant Houses

§ 575-4.1. General responsibilities.

§ 575-4.2. Level of care, tenant files and incident records.

§ 575-4.3. Physician care.

§ 575-4.4. Staffing.

§ 575-4.5. Personal-care Services.

ARTICLE 5

Offences, Entry, Orders, Remedial Action and Transition

§ 575-5.1. Offences.

§ 575-5.2. Entry to inspect.

§ 575-5.3. Orders to comply.

§ 575-5.4. Remedial action including removal.

§ 575-5.5. Transition.

**ARTICLE 1
General Provisions**

§ 575-1.1. Definitions.

As used in this chapter, except as otherwise indicated, the following terms shall have the meanings indicated:

EXECUTIVE DIRECTOR – The Executive Director of Municipal Licensing and Standards or their designate or successor.

MEDICAL OFFICER OF HEALTH – The Medical Officer of Health of Toronto Public Health or their designate or successor.

MULTI-TENANT HOUSE –

- (1) A building with four or more multi-tenant house rooms, inhabited or intended to be inhabited by persons who do not live together as a single housekeeping unit.

For the purposes of this definition of a multi-tenant house, a “multi-tenant house room” is a room that:

- (a) Is used or intended to be used for living accommodation and is used or intended to be used as a bedroom;
 - (b) Is available for rent; and
 - (c) May include a bathroom or kitchen facilities for the exclusive use of the room's occupant but does not include both.
- (2) A building located within the area bounded on the north by Dundas Street West, on the east by Dufferin Street and the rail lines, on the South by Lake Shore Boulevard West and on the west by Roncesvalles Avenue, where:

- (a) The building is a converted house as defined in former City of Toronto General Zoning By-law No. 438-86;
- (b) The building contains more than three dwelling units;
- (c) The average floor area of the dwelling units is less than 65 square metres; and
- (d) One or more dwelling units are intended to be used in return for remuneration.

For the purposes of this definition of a multi-tenant house, a "dwelling unit" is living accommodation for persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

- (3) A student fraternity or sorority house with four or more bedrooms, inhabited or intended to be inhabited by students who are members of an active chapter of a bona fide national or international student fraternity or sorority.

For the purposes of this definition of a student fraternity or sorority house, a "bedroom" is a room that:

- (a) Is used or intended to be used as a bedroom; and
- (b) May include a bathroom or kitchen facilities for the exclusive use of the room's occupant but does not include both.

- (4) A multi-tenant house does not include:

- (a) Residential premises licensed or similarly approved of by the Government of Ontario or the Government of Canada;
- (b) Shelters operated by or on behalf of the City or a City agency which provide short-term emergency accommodation and associated services;
- (c) Student housing operated by a college or university
- (d) Co-operative student residences owned or leased by a non-profit, non-share corporation and providing housing accommodation on a co-operative basis; or
- (e) Hotels or motels.

OPERATOR — A person who owns or controls the business of operating a Multi-Tenant House.

PERSON-IN-CHARGE — The person, either the operator or their employee, who is in attendance at and supervises a personal-care multi-tenant house.

PERSONAL-CARE MULTI-TENANT HOUSE – A multi-tenant house where personal-care services are provided.

PERSONAL-CARE SERVICES –

- (1) Services provided to tenants including but not limited to furnished multi-tenant house rooms, 24-hour urgent care response, safe storage and access to prescribed drugs, meals and snacks, personal laundry and opportunity to participate in social and/or recreational activities.

- (2) Personal-care services do not include services provided by a regulated health professional

PRESCRIPTION DRUG – A drug that is dispensed by a pharmacist on the direction of a physician, dentist or nurse practitioner.

REGULATED HEALTH PROFESSIONAL – A person or member listed in the Table under section 44 of the Regulated Health Professions Act, including a physician, nurse, occupational therapist or physiotherapist.

SCREENING CRITERIA - Licensing thresholds established by the Executive Director, in consultation with the Medical Officer of Health, with respect to their consideration of criminal record checks and/or other assessment of an application for an initial licence or a licence renewal.

STAFF — A person who is employed to provide personal-care services at a personal-care multi-tenant house, and includes a person-in-charge.

TENANT – A person other than an operator or staff who resides in a multi-tenant house.

URGENT SERVICE REQUEST - Any tenant service request related to the discontinuance of the following vital services:

- (1) Fuel;
- (2) Electricity;
- (3) Gas;
- (4) Heat;
- (5) Hot or cold water.

§ 575-1.2. Interpretation

- A.(1) The Executive Director is authorized to administer and enforce this chapter (except with respect to the administration of the Multi-Tenant House Licensing Tribunal) and the Medical Officer of Health is authorized to enforce this chapter with respect personal-care multi-tenant houses including prescribing the format and content of any forms or other documents required under this chapter.
- (2) The City's Court Services division is authorized to serve as secretary and provide administrative support to the Multi-Tenant House Licensing Tribunal.
- B. Any notice, order or other document to be given by the Executive Director, Medical Officer of Health or Multi-Tenant House Licensing Tribunal to a licence applicant, operator or person-in-charge under this chapter may be given personally to a person at the multi-tenant house who is in attendance at the multi-tenant house and apparently in control of it or by sending the document by email or by prepaid registered mail to the last known address of the licence applicant, operator or person-in-charge on file with the City of Toronto. The giving of notice by email shall be deemed to occur on the first business day after the date of mailing and giving of notice by registered mail shall be deemed to occur five business days after the date of mailing.
- C. A multi-tenant house is subject to all applicable by-laws, including Chapter 629, Property Standards, and provincial or federal legislation or any other provincial or

federal legal requirements including the Ontario Fire Code and the Ontario Building Code and compliance is required at all times. Failure to comply may result in an operator's licence application being refused or an operator's licence being revoked, suspended or continued with conditions.

- D. If there is a conflict between a provision of this chapter and a provision of any other Chapter of the Toronto Municipal Code, the provision that establishes the highest standard to protect the health, safety and well-being of persons shall apply.

ARTICLE 2 Licensing

§ 575-2.1. General responsibilities.

- A. No person shall operate:
- (1) A multi-tenant house, except a personal-care multi-tenant house, without a Type A licence; or
 - (2) A personal-care multi-tenant house without a Type B licence.
- B. Every operator shall operate their multi-tenant house in compliance with this chapter, their licence and any conditions added to their licence.
- C. No licence applicant shall provide inaccurate, misleading or otherwise incorrect information in a licence application.
- D. Every owner of property where a multi-tenant house is located shall ensure their property and the operation of the multi-tenant house are in compliance with this chapter.

§ 575-2.2. Licences.

A. Application for an initial licence or a licence renewal

- (1) An applicant for a Type A or a Type B licence shall apply for an initial licence or a licence renewal once every 12 months by providing the Executive Director with all of the following for an initial licence and all or part of the following, as determined by the Executive Director, for a licence renewal:
 - (a) The name and contact information, including the email address, of the operator;
 - (b) The name and contact information, including the email address, of the person or persons who may be contacted in case of an emergency or about the operation of the multi-tenant house;
 - (c) The address of the property where the multi-tenant house is located and the name and contact information, including the email address, of the property owner;
 - (d) For multi-tenant houses that contain 10 or more multi-tenant rooms, dwelling units or bedrooms, on first applying for an initial licence, or for any multi-tenant house when required by the Executive Director, proof of

an electrical evaluation, logs of service, and/or a certificate of inspection from the Electrical Safety Authority that confirms the multi-tenant house complies with the Ontario Electrical Safety Code;

- (e) On first applying for an initial licence, a preliminary project review (use only) from Toronto Building;
- (f) The following plans:
 - [1] A fire safety plan in compliance with the Ontario Fire Code;
 - [2] A plan of the property showing all of the buildings and other structures including entrance ways, exit ways and parking;
 - [3] A floor plan of the building showing each multi-tenant house room, dwelling room or bedroom and the maximum number of tenants to be provided with living accommodation in each multi-tenant house room, dwelling room or bedroom;
 - [4] A waste management plan that includes at a minimum:
 - [a] The dates and times of garbage, green bin and recycling pickup;
 - [b] The location where waste containers are stored;
 - [c] The name and contact information, including email address, of the person responsible for the waste containers including ensuring the waste containers are in compliance with applicable waste collection by-laws before, during and after pickup;
 - [d] A plan for dealing with excess waste, between pickups, if this occurs;
 - [5] An indoor and outdoor property management plan that includes at a minimum schedules for:
 - [a] Cleaning multi-tenant house rooms, dwelling units or bedrooms and common areas (including bathrooms, kitchens and hallways);
 - [b] Removing snow;
 - [c] Maintaining yards;
 - [d] Cleaning and maintaining balconies, porches and patios;
 - [e] Cleaning windows; and
 - [f] Maintaining fences.
 - [6] A tenant service request plan that includes at a minimum that:
 - [a] The operator will receive tenant requests for service and record:
 - the date and time of the request;

- the name of the requestor and their contact information;
 - the reason for and location of the request, including the multi-tenant house room, dwelling unit or bedroom number if applicable;
 - the operator's determination including reasons of whether the request is urgent or not urgent; and
 - the operator's response to the request including the date and time of the response and action taken;
- [b] The operator will provide a tenant with a copy of the record the tenant's request for service;
- [c] When the operator is in receipt of an urgent service request, they will respond to the tenant making the request within 24 hours of the request being made; and
- [d] When the operator is in receipt of a service request that is not urgent, they will respond to the tenant making the request within 7 days of the request being made.
- [7] A pest management plan that includes at a minimum that:
- [a] The operator will inspect the property for the presence of pests in:
- the common areas of the multi-tenant house at least once every 30 days; and
 - any area of the property within 72 hours of the receipt of any information indicating the presence of pests;
- [b] If the operator is aware of the presence of pests at the property, they will take adequate measures to:
- prevent the spread of the pests into other portions of the property; and
 - eliminate or exterminate the pests in all areas where the presence of the pests is detected;
- [c] The operator will retain a pest management operator or exterminator licensed by the Ministry of Environment to conduct all pest extermination activity;
- [d] The operator will not take any action or fail to take any action which is likely to:
- cause the spread of the pests into other portions of the property; or
 - prevent the control or extermination of the pests.
- (g) The completed licence application in a form acceptable to the Executive Director including the initial licence fee or licence renewal fee for the licence as set out in Chapter 441, Fees and Charges;

- (h) Proof of payment of any fee, or fine or other court awarded cost resulting from a legal proceeding related to this chapter; and
 - (i) Any other information required by the Executive Director.
- (2) An applicant for a Type B licence, on applying an initial licence or when required by the Executive Director, shall also provide the Executive Director with:
- (a) The name and contact information, including the email address, of the person-in-charge; and
 - (b) Satisfactory documentation that:
 - [1] The operator, and when the operator is corporation, each director of the corporation:
 - [a] Is at least 18 years of age;
 - [b] Holds an Ontario Secondary School Diploma (OSSD), or evidence of equivalent standing as determined by Ontario's Minister of Education;
 - [c] Has at least three years employment experience in work comparable to the operation of a personal-care multi-tenant house; and
 - [d] Has undergone Vulnerable Sector Screening that meets the Screening Criteria; and
 - [2] Persons-in-charge:
 - [a] Are at least 18 years of age;
 - [b] Have current CPR and first-aid training;
 - [c] Have completed Grade 10 in an Ontario Secondary School or evidence of equivalent standing or have at least one year employment experience in work comparable to employment in a personal-care multi-tenant house, or other standard satisfactory to the Medical Officer of Health; and
 - [d] Have undergone Vulnerable Sector Screening that meets the Screening Criteria.
 - (c) A safety plan that describes the measures and procedures that are in place to protect the health and safety of the tenants in a form satisfactory to the Medical Officer of Health.
 - (d) A personal care plan that describes how the operator will manage tenant admissions and tenant care in a form satisfactory to the Medical Officer of Health.
- (3) The operator shall update the City immediately with respect to any change to information provided in their licence application.
- (4)(a) Every licence expires 12 months after it is issued unless otherwise provided for under this chapter.

- (b) When an operator fails to renew their licence before it expires, they shall, on providing the Executive Director with a licence renewal application within 90 days of the expiry of their licence, pay the late renewal fee in addition to the licence renewal fee.

B. Inspections

On receipt of a licence application, inspections of the premises as required by the Executive Director, which may include but are not limited to an inspection by Municipal Licensing and Standards for compliance with Chapter 629, Property Standards, by Toronto Fire Services for compliance with the Ontario Fire Code and by Toronto Building for compliance with the Ontario Building Code, shall be completed.

C. Notice of application.

- (1) On submitting a licence application, the operator shall give notice to the tenants of the multi-tenant house by:
 - (a) Posting notice of the application on the notice board; and
 - (b) Giving notice in any other manner considered reasonable by the Executive Director; and

D. Issuance of a licence.

- (1) The Executive Director may issue a licence when:
 - (a) The licence application is complete and in compliance with this chapter including the payment of any required fee; and
 - (b) The required inspections have been completed and the results provided to the Executive Director indicate that the premises complies with the applicable by-laws, including Chapter 629, Property Standards, and provincial or federal legislation or any other provincial or federal legal requirements including the Ontario Fire Code and the Ontario Building Code.
- (2) When a completed application to renew a licence has been provided to the Executive Director, the existing licence does not expire until a final decision on the licence renewal has been made and the operator shall maintain their existing licence in good standing including remaining responsible for the operation of the multi-tenant house in compliance with this chapter at all times.

E. Revocation of a licence without a hearing.

- (1) The Executive Director may revoke a licence with no refund when:
 - (a) The licence has been issued in error; or
 - (b) The licence has been issued as a result of inaccurate, misleading or otherwise incorrect information provided by the licence applicant or operator.
- (2) The decision of the Executive Director to revoke a licence under this section is final.

F. Refusal, revocation or suspension of a licence or addition of conditions to a licence.

- (1) The Executive Director may:
 - (a) on receiving a completed licence application, refuse to issue a licence; or
 - (b) at any time, refer a licence application or a licence to the Multi-Tenant House Licensing Tribunal with a recommendation that a licence be revoked or suspended or that conditions be added to it,if the Executive Director is satisfied that:
 - (a) The operator has not met one or more of the requirements under this chapter or one of more of the conditions on their current licence;
 - (b) The operator has not complied with this chapter, applicable by-laws, including Chapter 629, Property Standards, or provincial or federal legislation or any other provincial or federal legal requirements including the Ontario Fire Code and the Ontario Building Code. Non-compliance includes being issued an order under Chapter 629, Property Standards, the Ontario Fire Code or the Ontario Building Code.
 - (c) The licence applicant or the operator has provided information in an application or by other means that is false or misleading;
 - (d) The operator has not paid any fee to be paid under this chapter;
 - (e) The operator has not paid any fine or court awarded costs resulting from a legal proceeding related to this chapter;
 - (f) The operator has not complied with any prohibition or other court order resulting from any legal proceeding related to this chapter;
 - (g) The operation of the multi-tenant house:
 - [1] Would put the public safety at risk; or
 - [2] Is not or will not be carried on in compliance with the law; or
 - (h) The conduct of the operator (including, in the case of partnership, the conduct of its partners, employees or agents or in the case of a corporation, the conduct of its officers, directors, employees or agents) affords reasonable grounds for belief that the operator will not operate the multi-tenant house in compliance with the law or with honesty or integrity.
- (2) Notice of a refusal shall be given by the Executive Director to the applicant and shall include:
 - (a) The reasons for the refusal;
 - (b) A statement that the applicant may request a hearing on the application before the Multi-Tenant House Licensing Tribunal by delivering a written request for a hearing to the Multi-Tenant House Licensing Tribunal, together with the applicable hearing fee, within 30 days of the date of the notice; and
 - (c) A statement that if no hearing request is delivered by the applicant, the application will be refused.
- (3) A referral shall be given by the Executive Director to the Multi-Tenant Housing Tribunal and shall include the reasons for the recommendation.

- (4) Where an application has been refused by the Executive Director, the applicant may request a hearing on the application before the Multi-Tenant House Licensing Tribunal by delivering a written request for a hearing to the Multi-Tenant House Licensing Tribunal, together with the applicable hearing fee, within 30 days of the date of the notice of refusal.
- (5) Where an application has been refused by the Executive Director and the applicant does not deliver a written request for a hearing to the Multi-Tenant House Licensing Tribunal, together with the applicable hearing fee, within 30 days of the date of the notice of refusal, any further application with respect to those premises or hearing with respect to that licence shall be not considered for one year from the date of notice of refusal.

G. Change of operator.

- (1) No licence shall be transferred.
- (2)(a) If a new operator is replacing an existing operator, at least 90 days in advance of the change:
 - [1] The existing operator shall give notice to the Executive Director; and
 - [2] The new operator shall apply for an initial licence.
- (b) The existing operator shall maintain their licence in good standing including remaining responsible for the operation of the multi-tenant house in compliance with this chapter at all times until the new operator is issued a licence.

H. Consultation.

In carrying out their responsibilities under this Article, the Executive Director may consult with the Medical Officer of Health.

§ 575-2.3. Licence hearings.

A. Multi-Tenant House Licensing Tribunal.

- (1) A tribunal, composed of not fewer than six members, inclusive of a Chair and Vice-Chair, who are appointed by resolution of Council, is established under the name "Toronto Multi-Tenant House Licensing Tribunal" or "Multi-Tenant House Licensing Tribunal".
- (2) The Multi-Tenant House Licensing Tribunal shall hear proceedings as a panel of three.
- (3) The Multi-Tenant House Licensing Tribunal shall have the powers, duties and rights of a tribunal as applicable under the Statutory Powers Procedure Act and any Procedure By-law it adopts.
- (4) The City's Court Services division shall serve as secretary to the Multi-Tenant House Licensing Tribunal and shall attend all meetings of the Multi-Tenant House Licensing Tribunal and shall keep all necessary records and perform such other administrative duties as may be required.

- (5) The Multi-Tenant House Licensing Tribunal does not have jurisdiction to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

B. Notice of hearing.

- (1) When the Multi-Tenant House Licensing Tribunal receives a hearing request from an applicant or a referral from the Executive Director, a hearing shall be scheduled before the Multi-Tenant House Licensing Tribunal and notice of the hearing shall be given to the parties, being the operator and the Executive Director.
- (2) A notice of hearing shall include:
 - (a) The notice of refusal or referral;
 - (b) A statement of the time, date and purpose of the hearing; and
 - (c) A statement that if the operator does not attend the hearing, the Multi-Tenant House Licensing Tribunal may proceed in the operator's absence without notice to the operator.

C. Hearing and decision.

- (1) On holding a hearing, the Multi-Tenant House Licensing Tribunal may:
 - (a) Uphold a refusal or recommendation of the Executive Director;
 - (b) Issue (with or without conditions), refuse, suspend or revoke the licence; or
 - (c) Add conditions to the licence.
- (2) Conditions added to a licence by the Multi-Tenant House Licensing Tribunal may include but are not limited to requiring the operator:
 - (a) Comply with by-laws or other laws or legal requirements and provide proof of such compliance;
 - (b) Pay a fine or other court awarded costs resulting from a legal proceeding related to this chapter and to provide proof of such payment;
 - (c) Comply with a prohibition or other court order resulting from a legal proceeding related to this chapter and to provide proof of such compliance;
 - (d) Supply additional information on convictions under federal or provincial legislation or periodic updates of such convictions or both to the Executive Director;
 - (e) Supply information to verify evidence given at their hearing; or
 - (f) Ensure that the persons operating a multi-tenant house do so in compliance with the law and with honesty and integrity.
- (4) The Multi-Tenant House Licensing Tribunal shall have regard to the following matters when relevant, as may be raised at a hearing:
 - (a) This chapter and other applicable law;

- (b) Circumstances and facts raised by the evidence of the parties;
 - (c) If the operation of the multi-tenant house puts or could put public safety at risk;
 - (d) If the operation of the multi-tenant house is or will be carried on in compliance with the law; and
 - (e) If the conduct of the operator (including, in the case of a partnership, the conduct of its partners, employees or agents or in the case of a corporation, the conduct of its officers, directors, employees or agents) affords reasonable grounds for belief that the operator will not operate the multi-tenant house in compliance with the law or with honesty or integrity.
- (4) The Multi-Tenant House Licensing Tribunal's decision to issue, refuse, suspend, revoke or add conditions to a licence is final.
- (6) After the Multi-Tenant House Licensing Tribunal has made a decision, notice of that decision shall be sent to the parties.
- (7) When the decision of the Multi-Tenant House Licensing Tribunal is:
- (a) To issue a licence, the Executive Director shall issue the licence on the conditions, if any, directed by the Multi-Tenant House Licensing Tribunal; or
 - (b) To refuse or revoke a licence, any further application with respect to those premises or hearing with respect to that licence shall be not considered for one year from the date of the Multi-Tenant House Licensing Tribunal's decision.

ARTICLE 3

Operator Responsibilities – All Multi-Tenant Houses

§ 575-3.1. General responsibilities.

- A. No person shall use, permit the use of, rent or offer to rent a multi-tenant house room, dwelling unit or bedroom if the multi-tenant house does not comply with this chapter, applicable by-laws, provincial or federal legislation or any other provincial or federal legal requirement.
- B. The operator shall repair and maintain the multi-tenant house in compliance with the standards in this Article.
- C. The operator shall ensure that the person or persons identified in their licence application as contacts in case of an emergency or about the operation of the multi-tenant house respond immediately when contacted.
- D. The operator shall install and maintain a notice board in a common area within the multi-tenant house where it can be seen by the tenants.
- E. The operator shall post on the notice board, and provide to tenants when requested:
 - (1) The licence;

- (2) The name, telephone number and email address of the person or persons identified in their licence application as contacts in case of an emergency or about the operation of the multi-tenant house;
 - (3) The most up-to-date plans forming part of their completed and accepted initial or renewal licence application;
 - (4) Any licence condition that is applicable to the operation of the multi-tenant house;
 - (5) Any licence application for the property;
 - (6) The notice of hearing for any upcoming hearings before the Multi-Tenant House Licensing Tribunal, with such notice posted at least 14 days in advance of any hearing;
 - (7) Any notice of decision of the Multi-Tenant House Licensing Tribunal pertaining to the license from the preceding 12 months;
 - (8) Any notice or order issued under applicable by-laws, including Chapter 629, Property Standards, or provincial or federal legislation, including the Ontario Fire Code or the Ontario Building Code; and
 - (9) Any other information required by the Executive Director.
- F. The operator shall comply with the most up-to-date plans forming part of their completed and accepted initial or renewal licence application, including maintaining the multi-tenant house in compliance with those plans.
- G. The operator shall maintain records:
- (1) Of electrical work done on the property;
 - (2) Demonstrating compliance with the most up-to-date plans forming part of their completed and accepted initial or renewal licence application.
- H.(1) Unless otherwise required by law, including by a decision of the Multi-Tenant Licensing Tribunal, if an operator is ending their operation of a Multi-Tenant House, the operator shall:
- (a) Submit to the Executive Director, for their approval, a transition plan at least 210 days in advance of ending operations;
 - (b) On receiving approval of a transition plan from the Executive Director, deliver to each tenant a written notice at least 180 days in advance indicating the date on which operations will end;
 - (c) If a tenant so requests, take reasonable steps to find appropriate alternate accommodation for the tenant.
- (2) A transition plan shall include:
- (a) A statement that the operator intends to end operations;
 - (b) The date on which the operator intends to end operations;
 - (c) The operator's reasons for ending operations;

- (d) A description of how the operator intends to use the building after ending operations;
- (e) The date by which the operator will give each tenant written notice of the date on which operations will end;
- (f) A list of alternate accommodation that may be available to tenants; and
- (g) A list of community organizations that may be affected by the end of operations.

ARTICLE 4
Operator and Person-in-Charge Responsibilities
– Personal-Care Multi-Tenant Houses

§ 575-4.1. General.

- A. The operator of a personal-care multi-tenant house shall ensure that they and the person-in-charge continue to meet the criteria in § 575-2.2.A.(2)(b) [1] and [2] at all times during the term of the licence.
- B. The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:
 - (1) No tenant is denied access to supports, including access to alternative housing options which maintain or enhance the health and welfare of the tenant.
 - (2) The tenants are safe and secure.
 - (3) Inquiries from the neighbourhood and others such as tenant families or friends, are responded to immediately.
 - (4) Emergencies are handled in compliance with by-laws or other laws or legal requirements that apply and otherwise effectively and efficiently including emergency services being contacted immediately by the operator or staff if a tenant experiences a medical emergency.

§ 575-4.2. Level of care, tenant files and incident records.

- A. The operator shall obtain from potential tenants an assessment from a regulated health professional of the level of care to be provided including a list of the personal-care services the potential tenant requires.
- B. The operator and tenant shall enter into a tenancy agreement prior to the tenant moving into the personal-care multi-tenant house, including a list of the personal-care services to be provided to the tenant, consisting of at least the personal-care services such as meals and clean linens that are provided to all tenants and the personal-care services listed in the tenant's § 575-4.2.A assessment;
- C. If a tenant's needs exceed the level of care that can be provided at the personal-care multi-tenant house at any time, the operator shall, with the agreement of the tenant, assist in transferring the tenant to a long-term care facility or other appropriate living arrangement.

- D. The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:
- (1)(a) A notice of the collection of personal information from tenants, approved by the Executive Director, is provided to each tenant when their tenancy starts, is available to tenants on request and is posted on the notice board.
 - (b) A notice of the collection or personal information from tenants shall contain:
 - [1] The legal authority for the collection of their personal information by By-law Enforcement Officers and Public Health Inspectors;
 - [2] The principal purpose or purposes for which their personal information is intended to be used; and
 - [3] The title, business address and business telephone number of an employee of the City who can answer questions from individual tenants about the collection of their personal information.
 - (2) A file for each tenant containing the following information is maintained in a secure manner and is available at the personal-care multi-tenant house for inspection:
 - (a) The tenant's name;
 - (b) The tenant's date of birth;
 - (c) The tenant's gender;
 - (d) The date the tenancy started;
 - (e) The tenant's § 575-4.2.A assessment;
 - (f) The tenancy agreement, including a list of the personal-care services to be provided, consisting of at least the personal-care services such as meals and clean linens that are provided to all tenants and the personal-care services listed in the tenant's § 575-4.2.A assessment;
 - (g) A list of medication and/or other care prescribed by a regulated health professional;
 - (h) A list of any other agencies or organizations providing support to the tenant;
 - (i) The name, address and telephone number of the attending personal physician, if any;
 - (j) The name, address and telephone number of the tenant's attorney for personal care and/or attorney for property, if any;
 - (k) The name, address and telephone number of the next of kin or other person to notify in case of an emergency; and
 - (l) A list of dates and particulars of any significant incidents involving the tenant while in the personal-care multi-tenant house.

- (3) Records of the following incidents are maintained in a secure manner and are available at the personal-care multi-tenant house for inspection:
 - (a) An emergency, including a fire or unplanned evacuation of tenants;
 - (b) A sudden death, including a death resulting from accident or suicide;
 - (c) A tenant absence of 24 hours or more;
 - (d) An attendance by a law enforcement agency or emergency services provider that results in a criminal charge against the operator, staff or a tenant or any of their transportation to a hospital or other emergency care facility; or
 - (e) An allegation of abuse, threat of violence or danger to the life of the operator, staff or a tenant.

§ 575-4.3. Staffing.

The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that there are at all times sufficient staff on duty to enable compliance with this chapter, including that there is a person-in-charge in attendance at the personal-care multi-tenant house 24 hours a day.

§ 575-4.4. Physician care.

- A. The operator and the person-in-charge shall ensure that arrangements are made for a tenant to see a physician in a clinic setting when the tenant does not have an attending personal physician or is unable to be seen by their attending personal physician.
- B. When a physician determines that emergency nursing care or home care is needed by a tenant, the operator shall, with the agreement of the tenant, immediately assist the tenant to receive that care.

§ 575-4.5. Personal-care services.

A. General

The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:

- (1) The personal-care services listed in a tenancy agreement are provided to the tenant.
- (2) The nutritional and prescription drug personal-care services described in § 575-4.5.B and C are provided to each tenant.

B. Nutritional personal-care services.

The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:

- (1) At least once a calendar year, a registered professional dietician reviews past menus and makes recommendations for future menus that ensure tenants are served meals and snacks of good quality and adequate nutritional and caloric value on a daily basis.

- (2) Menus and the meals served follow the registered professional dietician's recommendations and are in compliance with Canada's Food Guide;
- (3) Menus are posted on the notice board and made available to tenants.
- (4) Menus are kept on file and are readily accessible for inspection in the personal-care rooming house for a period of not less than three months from the date on which the meals were served;
- (5) Tenants are served three meals and at least one snack per day;
- (6) Meals are served between the following times:
 - Meal Times
 - Breakfast 7 a.m. to 9 a.m.
 - Lunch 12 p.m. to 2 p.m.
 - Supper 5 p.m. to 7 p.m.
 - Snack 8 p.m. to 10 p.m.
- (7) Meals are saved for tenants if advance notice is given.
- (8) Special diets and nutritional supplements are supplied to a tenant on the direction of a physician.

C. Prescription drug personal-care services.

The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:

- (1) All prescription drugs are kept in one or more locked drug cabinets (except a prescription drug that requires refrigeration or is kept by a tenant for immediate use) and a list of the contents of all drug cabinets and refrigerated prescription drugs, updated daily, is maintained and is available at the personal-care multi-tenant house for inspection.
- (2) All prescription drugs are labelled with the name of the tenant they are prescribed for.
- (3) Prescription drugs are available only to the person to whom they are prescribed, as directed by a physician.
- (4) Injectable prescribed drugs are administered only by a regulated health professional, unless self-administered when ordered by the prescribing regulated health professional.

D. Bathroom, bedroom, linen and laundry personal-care services.

The operator and the person-in-charge of a personal-care multi-tenant house shall ensure that:

- (1) **Bathrooms.**
 - (a) Bathrooms are cleaned at least once each day, and more frequently as is necessary to maintain them in a sanitary condition.
 - (b) Bathrooms have, at all times:

- [1] A supply of toilet paper;
 - [2] A supply of soap;
 - [3] A container of durable construction that can be easily cleaned and that can hold used towels and other waste materials; and
 - [4] A supply of towels or a hot air dryer.
- (c) Bathtubs have slip-resistant material that adheres to the bottom of the bath tub.
- (2) Bedrooms**
- (a) Bedrooms have, for each tenant of the bedroom, a minimum of 0.40 cubic metres of storage space with a lock that is operable only by the tenant and the operator.
 - (b) Beds for the tenants have a width of at least 0.9 metres and are a distance of at least 2 metres apart.
- (3) Linens and laundry**
- (a) Clean towels, clean wash cloths and clean bed linen that are in good repair are made available to each tenant and are changed a minimum of once a week and when the occupancy of a multi-tenant house room or dwelling unit changes.
 - (b) There are, for use by the tenants, one automatic washer and one automatic dryer for every 25 tenants, in good working order.

ARTICLE 5

Offences, Entry, Orders, Remedial Action and Transition

§ 575-5.1. Offences.

- A. Every person who contravenes any provision of this chapter is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- B. Every person who fails to comply with a licence issued, including any conditions added to the licence, or an order made under this chapter, is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- C. In addition to a fine or fines provided for in § 575-5.1 every person who gains an economic advantage from contravening this chapter shall be liable to a special fine in an amount equal to the fair market value of the economic advantage obtained from the non-compliance.
- D. In addition to offences referred to in § 575-5.1A, B and C every person is guilty of an offence under this chapter who:
 - (1) Hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this chapter;

- (2) Neglects or refuses to produce or provide any information or thing to any person acting pursuant to an order made under section 378 of the City of Toronto Act, 2006;
 - (3) Knowingly makes, participates in, assents to or acquiesces in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this chapter.
- E. When a corporation contravenes any provision of this chapter, every director or officer who concurs in such contravention is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- F. When a corporation fails to comply with an order or other direction made under this chapter, every director or officer who concurs in such non-contravention is guilty of an offence and on conviction is liable to a fine of no more than \$100,000.
- G. Each offence is designated as a continuing offence and is subject to, for each day or part of a day that the offence continues a maximum fine of no more than \$10,000. The total of all of the daily fines imposed for each offence may exceed \$100,000.
- H. In a prosecution for an offence under this chapter:
- (1) the holding out, for example by advertising by any means, that a multi-tenant house as defined in § 575-1.1 is available for rent is, when entered as evidence, proof, in the absence of evidence to the contrary, that the building is a multi-tenant house; and
 - (2) when a building otherwise meets the definition of a multi-tenant house, the burden of proving that the persons using the building are living together as a single housekeeping unit is on the person charged.

§ 575-5.2. Entry to inspect.

- A. In compliance with section 376 of the City of Toronto Act, 2006, a By-Law Enforcement Officer or Public Health Inspector may enter on property within the City at any reasonable time for the purpose of carrying out inspections to determine whether the following are being complied with:
- (1) This chapter; or
 - (2) A notice or order issued under with this chapter.
- B. For the purposes of an inspection under Subsection A, a By-law Enforcement Officer or Public Health Inspector may:
- (1) Require, for inspection, the production of documents or things relevant to the inspection;
 - (2) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts of them;
 - (3) Require information from any person concerning a matter related to the inspection;
 - (4) Be accompanied by such person or persons as the By-law Enforcement Officer or Public Health Inspector determines is necessary if such person

or persons possesses special or expert knowledge related to the purpose of the inspection; and

- (5) Make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

§ 575-5.3. Orders to comply.

- A. A By-law Enforcement Officer or Public Health Inspector who finds a contravention of this chapter may make one or more orders requiring discontinuance of the contravening activity or to do work to correct the contravention under section 384 or 385 of the City of Toronto Act, 2006.
- B. If the City is unable to effect service under § 575-5.3.B or the delay necessary to give an order would result in circumstances that endanger the health or safety of any person or similarly serious consequences, a placard stating the terms of the order and placed in a conspicuous place on or near the property shall be deemed to be sufficient notice to the person to whom the order is directed.

§ 575-5.4. Remedial action.

If a person fails to do a matter or thing required under this chapter, including a matter or thing required by an order made under this chapter, the Executive Director or persons acting on their instructions, may enter on public property at any time or enter private property at any reasonable time for the purpose of doing the matter or thing at the person's expense.

§ 575-5.5. Transition.

- A. The provisions of this chapter do not apply to licences granted before XXX under processes old City of Toronto Municipal Code Chapter 285, Rooming Houses or old City of Etobicoke Municipal Code Chapter 166, Lodging Houses until they are renewed provided that the holders of such licences continue to comply with the terms of their licence and that such licences are not revoked or terminated and do not expire without renewal.
- B. All prosecutions and other enforcement processes old City of Toronto Municipal Code Chapter 285, Rooming Houses or old City of Etobicoke Municipal Code Chapter 166, Lodging Houses which have not been completed on XXX shall be completed as if the chapter had not been amended on that date.