

DEPUTATION For Planning and Housing Committee APRIL 22, 2021

Hello, my name is Alex Durlak and I am here representing the Tenant Association of 17 Paton Rd. We vacated our units last year after Toronto Building issued an evacuation order against our building. The majority of us are artists, creative professionals and cultural workers. The building served as an affordable live/work space for 20 years.

I'd like to thank the Committee for taking the time to hear and consider our experience and feedback. I'd also like to thank the Chair, Deputy Mayor Bailao, who is the councilor for our Ward and has closely worked with us during this crisis and has recognized the need for change.

Our building was found in violation of building and fire codes as early as 2018. The evacuation was ordered on March 10, 2020. We all left by August 2020. For us, the evacuation order was the beginning of an intense housing crisis and draining advocacy work that overlapped with pandemic lockdowns and economic and emotional turmoil.

The system that we experienced only recognized two players: the City as the code enforcer and the landlords as the code violators. From our perspective, the tenants were simply seen as collateral damage. For there to be real progress it is fundamental that tenants also be considered as key participants.

I will go through the list of recommendations as listed on the agenda and comment on behalf of our association:

Recommendation 1.a: Recommendations on amendments to interdivisional response plans to enhance and improve the effectiveness and timeliness of interdivisional coordination when orders prohibiting occupancy of a building are issued and tenants may be required to evacuate, with a view to ensuring that appropriate communication with tenants takes place and is effective;

We agree that the City needs to communicate with the tenants directly. In our case, the City only informed the landlords, who in turn informed us. We were shocked that the City deemed the situation grave enough to order evacuation and did not communicate with those whose lives were supposedly endangered, despite having already been in direct communication with us in the months preceding the evacuation order. We were not hard to find. During one of those meetings on January 14, 2020 Building Chief Wil Johnston made a promise to keep us informed of his department's impressions of how things would proceed. He did not, though he did apologize for that later. This communication should be an inherent part of the procedures.

Additionally, we feel that this communication should happen as soon as violations are identified. Our building was identified as being in violation at least two years earlier - if we had been informed it would have given us more time to understand our situation and

establish our rights. And most fundamentally, if our lives were in fact in danger, we had the right to know.

Recommendation 1.b: Recommendations on protocols that can be developed with respect to ensuring that relevant support staff are on-site to support tenants in their emergency housing needs when evacuation orders are issued; and

We agree that relocation and rehousing support needs to be in place immediately when tenants are forced to leave. However, based on our experience, in addition to access to actual alternative housing, we feel that the effectiveness and the appropriateness of the support itself is critical. We received extremely limited assistance. We were not consulted on the kind of services we needed as artists and our particular income precarity was not considered. The housing subsidy that was to compensate for the higher rents on the open market was highly flawed and only available to a handful of us. We would like to acknowledge Deputy Mayor Bailao's work to start a review process of the housing allowances and we are grateful for that.

Additionally, RGI units need to be available for low-income tenants being forced out of highly affordable units like ours. As an example of a potential alternative approach, the city of Sudbury allows for the granting of "urgent status" and thus priority access to RGI units. Here is a link to Sudbury's local priority rules.

<https://www.greatersudbury.ca/live/community-housing/housing-services1/apply-for-social-housing/special-priority-or-urgent-status/confirmation-of-urgent-status/>

Recommendation 1.c: Resources and information that the City provides to tenants and property owners when orders prohibiting occupancy of a building are issued and tenants may be required to evacuate and provide recommendations on any further or other information that may be provided to tenants to identify resources available to immediately assist them, including the protection of their rights.

We strongly agree that resources need to be provided to the tenants who are being displaced. The City needs to ensure that tenants' rights are established and protected at the time of evacuation if not sooner. This should have happened for us **before** we were forced to leave. There was plenty of time in which we could have been provided with information and assistance. Instead, the City proceeded with evacuation without checking that our residential rights were affirmed. They were not and a year later we are still in the process of having them confirmed by the LTB. This has left us in an extremely vulnerable position.

Recommendation 2. City Council direct the City Manager to consult with officials of the Government of Ontario to request the establishment of a Landlord and Tenant Board telephone number where tenants, or the City, can connect with provincial officials

outside of regular business hours in situations where residents are the subject of emergency evacuation orders.

We are unclear on how this phone line would be helpful unless the LTB was prepared to act immediately. For example, we were only granted our first hearing at the LTB six months after we applied. We feel a possibly more useful supplementary approach would be to have city staff trained and educated on tenant rights in order to effectively and immediately provide true support and guidance to the tenants.

Our Recommendation:

The current framing of the Building and Fire codes places no requirement on Chief Building and Chief Fire to consider the Residential Tenancy Act in their decisions around issuing any of their decisions, including Building Permits and Evacuation Orders. We believe that some kind of mechanism should be implemented that would require Chief Building and Chief Fire to also consider, respect and prioritize tenant rights as defined by the RTA.

We are grateful that these reforms are being brought forward and we hope that our requests will be considered. Beyond this, we would also like to ask that a deeper examination of the spirit of these processes are undertaken with creative vision and genuine effort. The goal should be to ensure that every effort is taken to avoid things proceeding to the point of tenant displacement in the first place. We strongly believe that one of the most effective ways to achieve this is to work with the tenants directly and enable our agency, we are more than bystanders.