

RentSafeTO:
Apartment Building Standards Program

2021

YEAR IN REVIEW



 **TORONTO**

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LETTER FROM THE **EXECUTIVE DIRECTOR,** CARLETON GRANT

More than 30 per cent of Toronto residents are renters and that number continues to grow with many families, newcomers, seniors and vulnerable individuals residing in apartment buildings. Ensuring that tenants live in safe and well-maintained buildings has been a key priority for RentSafeTO.

The RentSafeTO: Apartment Building Standards Program aims to ensure that building owners and operators comply with building maintenance standards and that tenants understand their rights and responsibilities.

Since the start of the program in 2017, significant progress has been made by the RentSafeTO team – conducting building evaluations and audits, investigating tenant complaints, working with landlords to achieve compliance, engaging stakeholders, educating tenants, enhancing technology and introducing bylaw amendments to continuously improve the program.

The 2021 RentSafeTO Year in Review provides a snapshot of this progress. The trends indicate a year-over-year growth in the program as more buildings improve their building maintenance standards and adhere to the Apartment Buildings bylaw, Chapter 354. Since 2017, the RentSafeTO team has received and investigated more than 36,000 service requests covering a range of issues such as plumbing problems, leaky ceilings, pests, low or no heat, or problems in the common areas of the building.

In 2021, the RentSafeTO team completed 1,149 building evaluations and received 10,099 service requests – the highest number recorded in a year since the programs was created. The COVID-19 pandemic also led to a rise in requests related to enforcement of public health bylaws. Despite the significant increase in service requests this year, as well as the unique challenges faced during the pandemic, I am pleased to report that the investigation time has improved for bylaws enforced by the RentSafeTO team.

RentSafeTO is committed to engaging with our stakeholders to increase program transparency and to improve communication with the residents of Toronto. The City of Toronto recognizes that access to good quality and safe housing is an important determinant of health and improves the social and economic status of an individual. Through our ongoing outreach, education and engagement with residents and stakeholders, we are working to ensure that safe, critical housing stock is maintained for tenants across Toronto.

I would like to thank staff for their contributions to this report as well as to everyone who is working to provide safe, healthy and adequate housing to tenants in Toronto.



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**THE
RENTSAFETO
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CANADA**

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BACKGROUND

The RentSafeTO: Apartment Building Standards Program is the first of its kind in Canada and builds on the City's previous Multi-Residential Apartment Buildings program. The objectives of the program are to strengthen enforcement of City bylaws, enhance tenant engagement and access to information, and promote proactive

maintenance in apartment buildings to prevent the deterioration of critical housing stock. The program applies to all apartment buildings with three or more storeys and 10 or more units which accounts for 30 per cent of Toronto's residents who live in approximately 3,500 apartment buildings across the city.

HIGHLIGHTS



The number of audits continues to decrease year-over-year, as more buildings improve their evaluation scores and meet building maintenance requirements. In 2021, the RentSafeTO team completed 1,149 building evaluations and the average building evaluation score was 77.6 per cent.



The number of service requests increased significantly in almost every category. A total of 10,099 service requests were received in 2021; a 39 per cent increase compared to the highest number received in 2019.



The City focused on recruitment for RentSafeTO, ensuring that in 2021, the program was operating 33 full-time staff, compared to 27 in 2020. This helped manage a record number of service requests, improve efficiency and service delivery.



The 2021 public education campaign achieved more than 20 million impressions leading to 88,000 visits to the webpage on toronto.ca. In addition, the RentSafeTO team held more than 100 stakeholder and community events to ensure tenants were aware of the program and how to resolve an issue.



BUILDING EVALUATIONS & AUDITS

All apartment buildings registered under the RentSafeTO program are subject to a building evaluation at least once every three years. This results in a final evaluation score (from 0 to 100%) that is used to determine next steps, including the next scheduled evaluation, and whether the building requires an audit.

Buildings that do not pass their evaluation are subject to a building audit. The current threshold is a score of 50 per cent or less. An audit consists of a more comprehensive inspection, additional enforcement action,

and an engagement component for tenants to submit service requests for issues in their units. The number of building audits has decreased over time as more buildings have invested in the quality of their maintenance programs and responsiveness to tenants concerns.

In 2021, staff began work to redesign the evaluation tool with the support of a third party vendor to improve accountability, transparency and access to information.

BUILDING EVALUATIONS AND AUDITS PERFORMED

Action	2017	2018	2019	2020	2021
Building Evaluations	3,421	1,825	1,569	1,469	1,149
Building Audits	42	42	18	17	7

This table provides the number of building evaluations and audits performed from 2017 to 2021.

AVERAGE AND MEDIAN BUILDING EVALUATION SCORES

Evaluation Scores	2017	2018	2019	2020	2021
Average Scores	65.5	72.5	78.5	77.3	77.6
Median Scores	65	73	80	78	79

This table provides the average and median building evaluation scores from 2017 to 2021. In 2021, both the average and median scores increased which demonstrates compliance and awareness of the program.



SERVICE REQUESTS

The RentSafeTO team investigates service requests (complaints) related to apartment buildings that are registered under the program. In total, the RentSafeTO team has received 36,137 service requests between 2017 and 2021, and has closed approximately 94 per cent of these.

SERVICE REQUESTS BY CURRENT STATUS

STATUS	2017	2018	2019	2020	2021
Closed	6,117	6,933	7,209	5,725	7,937
Open	0	8	20	26	2,162
Total	6,117	6,941	7,229	5,751	10,099

This table shows the number of service requests that have been opened and closed between 2017 and 2021. The number of service requests in 2021 that are still open include those that are in various stages of enforcement.

39%

increase in service requests. A total of 10,099 service requests were received in 2021 compared to the previous high of 7,229 in 2019.

94%

of service requests have been closed between 2017 and 2021.

34K

service requests have been closed by the RentSafeTO team since the start of the program in 2017.

SERVICE REQUESTS BY CATEGORY

SERVICE REQUEST *	2017	2018	2019	2020	2021
Property Standards	4,391	5,085	5,372	4,046	7,061
Adequate Heat	959	1,039	1,061	758	934
Waste	503	578	530	363	512
Zoning **	131	128	125	491	1,482
Long Grass and Weeds	51	48	68	22	44
Graffiti	54	53	45	40	45
Fence	24	7	14	7	8
Appliance (Emergency)	4	3	14	24	13
Total	6,117	6,941	7,229	5,751	10,099

This table shows the number of service requests by category from 2017 to 2021.

* Note that this includes all service requests received through 311, phone, email, as well as staff initiated through building audits or evaluations. Non-emergency service requests were not recorded between the end of March and mid-July 2020 as a result of the COVID-19 pandemic. ML&S suspended non-emergency in-suite investigations between November 27, 2020 and April 6, 2021.

** Service requests related to COVID-19, including mask regulations and compliance with enhanced public health measures were categorized under Zoning in 2021.





INVESTIGATION & PERFORMANCE

Once a service request is received through 311, a dedicated RentSafeTO Bylaw Enforcement Officer (BEO) is assigned to investigate. The BEO reviews the service request and begins the investigation process.

Service requests are prioritized based on the impact to health and safety. Emergency service requests which include low and or no heat in apartment buildings, discontinuation of a vital service, abandoned appliances or the removal of hate graffiti are prioritized over non-emergency requests, such as long grass and weeds, zoning or waste. The RentSafeTO team works to meet an initial response time of 24 hours for emergency service requests and five days for non-emergency service requests.

Municipal Licensing and Standards (ML&S) service levels aim to respond to 100 per cent of emergency service requests within the 24 hour standard, and 70 per cent of non-emergency service requests within the five day standard.

Once an investigation is opened in response to a service request, the number of days to close the investigation varies considerably, largely due to external factors such as the nature of the service request and the work required to remedy the situation. It also includes seasonal and other factors that may impact the volume of service requests as well as the ability of contractors to carry out remedial action.

PERFORMANCE OF EMERGENCY SERVICE REQUEST RESPONSES TIME



These graphs illustrate the response time for emergency service requests from 2017 to 2021. In 2021, the response time improved considerably despite the increase in service requests.



The average and median numbers of calendar days to close an investigation vary significantly, as some categories, such as property standards and zoning, can easily be skewed by a limited number of service requests. However, on average, the total investigation time has improved since the introduction of the program for most bylaws enforced by the RentSafeTO team. Staff are able to close investigations in fewer days, despite an increase in volume of service requests received.

To continue improving performance, ML&S is in the process of reviewing service standards and modernizing service delivery models. This includes:

- **Modernizing bylaws** (as adopted by Council in 2018, 2019 and 2020 and improving the regulations for property standards);
- **Business transformation** including transforming legacy data management systems and improving the mobility of BEOs through greater access to technology in the field;
- **Moving towards the prioritization of service requests** to determine the urgency of requests and improve the living conditions for tenants;
- **Expanding the use of compliance tools** such as mediation and public education.





AVERAGE AND MEDIAN TOTAL INVESTIGATION RESPONSE TIME

Average number of days	2017	2018	2019	2020	2021
Property Standards	70	65	50	43	24
Adequate Heat	11	14	12	8	8
Waste	37	34	29	26	20
Zoning	70	104	55	13	9
Long Grass and Weeds	34	46	18	16	22
Average	44	53	33	21	17

Median number of days	2017	2018	2019	2020	2021
Property Standards	35	29	24	16	13
Adequate Heat	4	4	4	3	3
Waste	21	13	11	9	9
Zoning	34	33	15	3	4
Long Grass and Weeds	21	14	9	14	12
Average	23	19	13	9	8

The tables above show the average and median investigation response time in days from 2017 to 2021. The data illustrates that the response time for investigations has improved each year since the start of the program in 2017.



ENFORCEMENT

ACTION

The focus of the RentSafeTO program is to bring landlords into compliance, using progressive enforcement action if voluntary compliance is not achieved. This includes addressing property standards issues such as those related to heat, waste and zoning. It may also involve fines and charges for non-compliance and remedial action if required.

Between 2017 and 2021, the majority (91%) of Orders to Comply and Notices of Violation

were issued as a result of service requests, about nine per cent were issued as a result of audits. The number of Orders to Comply and Notices of Violation decreased in 2020 as ML&S was unable to investigate non-emergency service requests during the provincial lockdown and when enhanced public health measures were in place.

If other enforcement mechanisms have been exhausted, ML&S has the authority

ORDERS TO COMPLY AND NOTICES OF VIOLATION ISSUED AS A RESULT OF SERVICE REQUESTS

Category	2017	2018	2019	2020	2021
Property Standards	831	875	566	348	502
Adequate Heat	19	17	12	5	5
Waste	107	122	82	33	61
Zoning	13	17	15	11	62
Long Grass and Weeds	9	21	19	5	9
Graffiti	20	22	15	13	16
Fence	8	1	1	-	1
Appliance	-	-	1	1	-
Total	1,007	1,075	711	416	656

This table shows the number of fines and charges issued between 2017 and 2021 for non-compliance of the bylaws.



to undertake remedial action. This involves obtaining a contractor authorized by the City to undertake the work necessary to remedy a building deficiency, and adding the cost of this work to the property owner’s property tax bill. This is a last resort to respond to non-compliance. While remedial action is a helpful tool, there are legal limitations to its use. The City cannot undertake remedial action if a property owner is taking their own measures to remedy the building deficiency.

ORDERS TO COMPLY AND NOTICES OF VIOLATION ISSUED AS A RESULT OF AUDITS

Category	2018	2019	2020	2021
Property Standards	155	122	64	17
Waste	9	8	6	2
Long Grass and Weeds	1	-	1	-
Graffiti	-	3	1	-
Fence	1	2	1	-
Total	166	125	73	19

This table shows the number of Orders to Comply and Notices of Violations issued as result of audits between 2017 and 2021. The data illustrates a significant decline in 2021 as more building owners and operators improve their building maintenance standards and ensure compliance.

REMEDIAL ACTIONS TAKEN

Category	2017	2018	2019	2020	2021
Property Standards	2	0	4	1	1
Waste	1	0	6	0	1
Graffiti	1	1	0	0	0
Total	4	1	10	1	2

This table shows the number of times remedial action was taken against a building owner or operator for non-compliance.



If compliance is not achieved within the noted time frame the City can issue a charge under either Part 1 or Part 3 of the Provincial Offences Act. Part 1 offences, which are often referred to as set fines or tickets are for minor offences and they can be issued for non-compliance under a number of bylaws including Chapter 354, Apartment Buildings.

A Part 3 offence is for more serious violations. It involves issuing a summons and requires the individual to appear in court. Staff can serve a summons for offences under Chapter 354, Apartment Buildings, as well as other bylaws including Chapter 629, Property Standards, in accordance with the procedure in the Provincial Offences Act.

The most common charge under the RentSafeTO program is the Failure to Comply with a Property Standards Order; staff have issued about 180 since the introduction of the program, and fines, which are imposed by the Courts, have ranged from \$200 to \$30,000.

As a result of the COVID-19 pandemic, there was a period when the courts were closed. This led to a considerable decrease in the number of charges submitted to the courts and the number of charges resolved by the courts in 2020 and 2021.



CHARGES SUBMITTED TO THE COURTS

Part 1/3*	2017	2018	2019	2020	2021
Part 1 (set fine)	13	114	94	20	26
Part 3 (summons)	36	88	42	52	50
Total	49	202	136	72	76

CHARGES RESOLVED BY THE COURTS

Part 1/3	2017	2018	2019	2020	2021
Part 1 (set fine)	6	94	91	32	24
Part 3 (summons)	11	18	96	12	27
Total	17	112	187	44	51

*Part I (tickets) are given for minor offences. Part III (summons) are available for more serious offences or repeat offences and require the recipient to appear before a Justice of the Peace, as the ticket cannot be resolved through the payment of a set fine.

The tables above shows the number of fines and summons issued in response to violations or charges submitted and resolved by the courts.

NUMBER OF TIMES FINES IMPOSED

Part 1/3	2017	2018	2019	2020	2021
Part 1 (set fine)	13	85	82	15	6
Part 3 (summons)	7	13	55	5	12
Total	20	98	137	20	18

The tables shows the number of times fines were imposed and the total amount of fines between 2017 and 2021.

More information about fines is available through the City's [RentSafeTO Fees and Fines webpage](#).

CONCLUSION

The 2021 RentSafeTO Year in Review is the first annual report for the program. It demonstrates the steps we have taken to ensure more than 3,500 rental buildings across Toronto are safer and in a state of good repair and maintenance for residents.

This year, to improve accountability and transparency, an interactive webpage was launched to post evaluation scores and a bylaw was introduced to ensure building owners inform current and prospective tenants of the current building score.

A public education campaign was launched to ensure tenants were aware of the program and understood the appropriate steps to take to resolve an issue with their apartment building.

In 2022, we will continue to extend our outreach to various stakeholders to improve communications and engagement.

This work includes public consultation on the evaluation tool design, restructuring of the [RentSafeTO webpage](#) to make it easier for residents to find information, a public education campaign to increase awareness of the program and extensive outreach to ensure that building owners or operators understand their rights and responsibilities under City bylaws.

Through feedback, quality customer service and by improving access to information, we are continuously looking for ways to enhance the RentSafeTO program and to improve the condition of Toronto's critical housing stock.

