

PH13.7 Renovictions Policy Implementation: Review of Hamilton Renovation Licence and Tenant Relocation By-law and developing a Toronto Renovictions By-law

**Submission by Melissa Goldstein
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Councillors, I'm frustrated.

I'm frustrated that after two years of stalling, staff are stalling again. Instead of bringing us a bylaw or a report on how the Hamilton by-law approach could be implemented in Toronto, as Council directed, staff are proposing to consult on things that don't warrant consultation and to bring us a bylaw months from now. For the record, this is the 4th time staff have changed the deadline Council gave them 2 years ago for bringing back a draft renovictions bylaw. I think it's safe to assume the October 2024 deadline staff are proposing here won't actually be respected, given that none of the other deadlines have been.

I'm frustrated that staff are considering excluding tenants in multi-tenant houses (MTH) from the protections of this bylaw. Staff note in their report that bringing MTHs into compliance with the new legalization framework is likely to require significant renovations to some properties. What they don't acknowledge is that this means that the framework makes MTH tenants, who are already the tenants most at risk of homelessness in the city, even more vulnerable to eviction and homelessness.

At the time the framework was passed, staff committed to implementing supports to prevent these tenants from eviction and homelessness, however not a single measure has been put in place. A policy similar to Hamilton's would function to protect these vulnerable tenants from eviction and homelessness, yet staff are proposing that these landlords be exempted, rather than proposing a path for these landlords to become compliant that doesn't allow them to evict their tenants into homelessness. Staff seem to have forgotten that the point of MTH legalization is not bylaw compliance for the sake of bylaw compliance, but to improve the housing situations of MTH tenants. Exempting MTH tenants from protection from renoviction and homelessness does not improve tenants' housing situations.

Lastly, I'm frustrated that the City has not included in the staff report any other options besides Hamilton's bylaw, when there are other, better options that that Council should have the opportunity to consider.

For example, Hamilton's bylaw is very narrow in scope and only applies to landlords who choose to issue their tenant an N13 notice. There are many other ways that landlords can choose to pursue a No Fault eviction that don't involve issuing the tenant an N13 notice, and so a Hamilton-style bylaw means that tenants in all of those situations will remain unprotected, and landlords will be incentivized to pursue those eviction methods instead. This could be addressed by broadening the scope of Hamilton's bylaw by changing the trigger from the landlord's issuing a tenant an N13 notice, to a landlord "taking any steps to evict a tenant from a rental unit for the purposes of a renovation or demolition" –which is the trigger used in Ladysmith, B.C.'s bylaw. This would protect tenants facing formal and informal renoviction and ensure that the landlord has already made arrangements to relocate the tenant and/or arrange for them to reoccupy the unit before beginning a formal eviction process. Such a bylaw would deter landlords from pursuing renoviction altogether. It would also protect tenants in housing with a small number of rental units where rental replacement protections do not apply. These are tenants whose housing security is being made vulnerable by measures to encourage increased density on major streets and in residential areas, without any thought to how this will impact the tenants already living there.

As is currently the case with Hamilton's bylaw, the City would only reactively enforce the bylaw on receipt of a licence application or a call from a tenant who has been subject to an action by the landlord that could be considered a "step to evict".

Sadly, the impact of all this stalling by staff is that tenants are desperate for any sort of intervention and are willing to accept less than what they really deserve—the best protections from No Fault eviction possible—because they know that fighting for better will give staff the opportunity to stall even further. It's in this context that I make the following recommendations:

Recommendations:

- 1. Direct staff to bring a draft bylaw to the next Council meeting, using Hamilton's bylaw as the template.**
- 2. Direct staff to undertake fulsome public consultations on that bylaw and its implementation, bringing back a final bylaw and implementation budget for Council approval in October 2024.**

Note: While staff have proposed to consult on a number of issues, none of them actually warrant public consultation. Meanwhile there ARE several things that warrant consultation and consideration:

1. Selecting the City Division most appropriate to manage the bylaw. Buildings, which has very limited capacity and no experience at all working with tenants, seems like a questionable choice.
2. The process for approving renovation licences: Hamilton's process could allow licence applications from non-compliant landlords to be approved. Toronto will need to ensure this won't happen.
3. Enforcement of tenant relocation arrangements. Hamilton's bylaw does not ensure landlords follow through with tenant relocation arrangements, Toronto will need to do better.
4. Developing the public education, tenant outreach, and formal partnership with tenant support organizations components that a Hamilton-style bylaw requires to be effective.
5. Ensuring that relocation requirements for landlords won't and don't negatively impact tenants' social assistance payments.
6. Developing a pathway for multi-tenant house landlords to become compliant with the MTH licensing requirements while ensuring that MTH tenants remain housed.
7. Integrating renovation licence requirements and enforcement into RentSafeTO, MTH licence requirements, and the Toronto Tenant Support Program, just as Hamilton has done.

Melissa Goldstein is an affordable housing and homelessness policy researcher who worked with the City of Hamilton on the development of the City's Renoviction By-law. She is also a tenant advocate and a member of the City of Toronto's Tenant Advisory Committee.