

ROOMING HOUSES

Chapter 285

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[HISTORY: Adopted by the Council of The Corporation of the City of Toronto: Art. I, 1994-10-11 as By-law No. 1994-0754; Art. II, 1995-02-06 as By-law No. 1995-0142. Amendments noted where applicable.]

GENERAL REFERENCES

Housing accommodation — See Ch. 208.

Housing standards — See Ch. 210.

Smoking — See Ch. 301.

Water charges for rooming houses — See Ch. 340.

Zoning — See Ch. 350.

ARTICLE I
Personal-Care Rooming Houses

ROOMING HOUSES

[Adopted 1994-10-11 as By-law No. 1994-0754¹]

§ 285-1. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

OWNER — Includes a person who, alone or with others, or through others:

- A. Owns a business that provides the services of a personal-care rooming house;
- B. Is entitled to any income accruing from the business of providing the services of a personal-care rooming house; or
- C. Manages or controls a personal-care rooming house.

PERSONAL-CARE ROOMING HOUSE — A rooming house or other building or portion of it which is used or is intended to be used, for gain, for the purposes of human habitation, where the owner provides meals and where service is given to residents in caring for their personal needs or health, or both.

PERSON-IN-CHARGE — The individual who, at any time while on the premises, supervises services in a personal-care rooming house.

SERVICE — Assistance or supervision provided to residents in a personal-care rooming house regarding their personal needs or health, or both.

STAFF — A person who is employed in providing service, and includes a person-in-charge, or who is otherwise employed in a personal-care rooming house.

§ 285-2. Enforcing official.

The Medical Officer of Health shall be responsible for enforcing the provisions of this Article.

§ 285-3. Compliance required.

- A. No person shall use, permit the use of, rent or offer to rent any personal-care rooming house that does not comply with any standard in § 285-4.

¹Editor's Note: This by-law was passed under the authority of clause 7(2)(b) of The City of Toronto Act, 1975 (No. 1), S.O. 1975, c. 116, and section 102 and paragraph 63 of section 207 of the Municipal Act, R.S.O. 1990, c. M.45.

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- B. The owner of any personal-care rooming house shall repair and maintain the personal-care rooming house in accordance with the standards in § 285-4.
- C. Except where otherwise provided, every regulation and requirement referred to in this Article represents a minimum standard of physical safety, health, staffing and service requirements, as the case may be, and imposes a duty to comply with not less than the standards in § 285-4.

§ 285-4. Standards.

- A. Sanitary facilities.
 - (1) Every bathtub shall be furnished with slip-resistant material that adheres to the bottom of the tub.
 - (2) Wash basins, water closets, urinals, bathtubs and shower stalls shall be cleaned and sanitized at least once each day, and more frequently as is necessary to maintain them in a sanitary condition.
 - (3) Sanitary facilities shall be equipped with:
 - (a) A supply of toilet paper at all times;
 - (b) A supply of soap;
 - (c) A receptacle of durable construction that can be easily cleaned and that can hold used towels and other waste materials; and
 - (d) A supply of towels or hot air dryer.
- B. Bedrooms; beds.
 - (1) Every bedroom shall have, for each resident, a minimum of forty-two hundredths (0.42) cubic metre of storage space, and this storage space shall have a lock operable only by the resident and the owner.
 - (2) Beds for the residents shall have a width of at least ninety-one and thirty-four hundredths (91.34) centimetres and shall be a distance of ninety-one hundredths (0.91) metre apart.
- C. Towels, washcloths, linens and laundry.

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- (1) Clean towels, clean wash cloths and clean bed linen, all of which shall be in good repair, shall be made available to each resident and shall be changed a minimum of once a week and when the occupancy of a bed changes.
- (2) Every personal-care rooming house shall have located in it for use by the residents, one (1) automatic washer and one (1) automatic dryer, in good working order for every twenty-five (25) residents.

D. Staff.

- (1) There shall be a person-in-charge in every personal-care rooming house twenty-four (24) hours a day, who shall ensure that at all times sufficient staff are on duty to ensure compliance with this Article.
- (2) The person-in-charge shall be responsible for, but not be limited to, the following:
 - (a) Handling emergencies;
 - (b) Ensuring the safety and security of residents; and
 - (c) Responding to inquiries from the neighbourhood and from community residents.

E. Nutrition.

- (1) Menus for meals served shall be kept on file and be readily accessible for inspection in the personal-care rooming house for a period of not less than three (3) months from the date on which the meals were served.
- (2) Residents shall be served three (3) meals and at least one (1) snack per day.
- (3) Meals shall be well-balanced and in accordance with Canada's Food Guide and shall be served between the following times:

Meal

Times

Breakfast	7:00 a.m. to 9:00 a.m.
Lunch	12:00 p.m. to 2:00 p.m.
Supper	5:00 p.m. to 7:00 p.m.
Snack	8:00 p.m. to 10:00 p.m.

- (4) Menus shall be posted in a conspicuous location.

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- (5) Special diets and nutritional supplements shall be supplied to a resident upon the direction of a physician.
- (6) Meals shall be saved for residents if advance notice is given.

F. Medical.

- (1) Arrangements shall be made for a physician (house physician) to be on call for emergencies when the resident's physician is not available, but no resident shall be required to accept medical attention from the house physician.
- (2) Where a physician determines that emergency nursing care or home care is needed by a resident, the resident shall be allowed to receive that care.
- (3) All prescription drugs shall be kept in one (1) or more locked drug cabinets, or with the resident, and a list of the contents of all drug cabinets, updated daily, shall be maintained and shall be available for inspection by the Medical Officer of Health.
- (4) Prescription drugs shall be available only to the person to whom they are prescribed, as directed by a physician.
- (5) Subcutaneous and intramuscular injections shall be given by a registered nurse or a physician or may be self-administered by a resident on a physician's order.
- (6) The owner shall maintain a locked file containing a personal record for each resident.
- (7) The record shall contain the following:
 - (a) The resident's name.
 - (b) The date of commencement of residency in the personal-care rooming house.
 - (c) The name, address and telephone number of the attending personal physician, if any.
 - (d) The Ontario Hospital Insurance Plan (OHIP) number and Drug Plan number.

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- (e) The name, address and telephone number of the next of kin or other person to notify in case of an emergency.
- (8) The record may contain a statement of the resident's relevant medical history obtained from the resident's physician with the resident's consent.
- (9) A resident shall not be denied access to support services, including access to alternative housing options which maintain or enhance the health and welfare of the resident.

§ 285-5. Offences.

Any person who contravenes any provision of this Article is guilty of an offence and, on conviction, is liable to a fine of not more than the maximum fine under section 61 of the Provincial Offences Act.²

ARTICLE II

Licensing

[Adopted 1995-02-06 as By-law No. 1995-0142³]

§ 285-6. Title.

This Article may be cited as the "Rooming House Licensing By-law."

§ 285-7. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

APPLICABLE LAW — Includes this Article, any other City by-law, the Fire Marshals Act,⁴ the Building Code Act, 1992, the Health Protection and Promotion Act,⁵ and any regulations made under these Acts.

AUTHORITY HAVING JURISDICTION — The ministry, organization, office or individual responsible for ensuring compliance with applicable law, and includes the

²Editor's Note: This section was passed under the authority of subsection 1(1) of the City of Toronto Act, 1990 (No. 3), S.O. 1990, c. Pr44, and section 320 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, and, under section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, a person convicted of an offence under this section is liable to a fine of not more than five thousand dollars (\$5,000.).

³Editor's Note: This by-law was passed under the authority of section 7 of The City of Toronto Act, 1975 (No. 1), S.O. 1975, c. 116.

⁴Editor's Note: See R.S.O. 1990, c. F.17.

⁵Editor's Note: Editor's Note: See R.S.O. 1990, c. H.7.

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Chief Building Official, the Fire Chief and the Medical Officer of Health. [**Added 1997-10-06 by By-law No. 1997-0524**]

CITY COMMISSIONER — The Commissioner of Urban Development Services. [**Added 1997-10-06 by By-law No. 1997-0524**]

DWELLING — Includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation, with the land and premises appurtenant to it and all outbuildings, fences or erections on or in the appurtenant land and premises and every dwelling unit or dwelling room within the dwelling.

DWELLING ROOM — A room used or designed for human habitation, and may include either but not both culinary or sanitary conveniences, but does not include:

- A. A room in a hotel, in a dwelling unit or in a tourist or guest home as defined in By-law No. 438-86;⁶
- B. A bathroom or kitchen; or
- C. A windowless storage room that has a floor area of less than ten (10) square metres.

DWELLING UNIT — Living accommodation comprising a single housekeeping unit, designed or intended for use by one (1) person or by persons living together as a family, and consisting of a room or suite of two (2) or more rooms in which both culinary and sanitary facilities are provided for the exclusive use of the person or persons.

LICENSING ASSISTANT — The person designated by the City Commissioner to process rooming house licensing applications under this Article for the Licensing Commissioner and includes any person designated by the City Commissioner to process the applications in the absence of the Licensing Assistant. [**Amended 1997-10-06 by By-law No. 1997-0524**]

LICENSING COMMISSIONER — The person from time to time designated as such by Council, and includes his or her deputy.

OWNER — Includes:

⁶ Editor's Note: See Ch. 350, Zoning.

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- A. The person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his or her own account or as agent or trustee of any other person;
- B. The person who would receive the rent if the land or premises were let;
- C. A vendor of the land under an agreement for sale who has paid any municipal taxes on it after the effective date of the agreement;
- D. The person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word is used sold under an agreement for sale, whether on his or her own account or as agent or trustee of any other person; or
- E. The person who would receive the instalments of the purchase price if the land or premises were sold under an agreement for sale.

ROOMING HOUSE — [Amended 2000-10-05 by By-law No. 698-2000]

- A. A building that contains dwelling rooms and may also contain one (1) or more dwelling units, where:
 - (a) The dwelling rooms, in total are used or designed or intended for use as living accommodation by more than three (3) persons; and
 - (b) The living accommodation is provided in exchange for remuneration; or
- B. 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, as amended;
 - (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.

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TEMPORARY LICENCE — A licence issued under § 285-15C(4) or (5).

WARD COUNCILLOR — The Councillor for the ward in which the rooming house is located.

§ 285-8. Exceptions.

Sections 285-9 to 285-23 do not apply to:

- A. A dwelling licensed and inspected by the government of Ontario or Canada.
- B. A cooperative student residence that is a dwelling:
 - (1) Owned or leased by a non-profit, non-share corporation carrying on the activity of holding and maintaining housing accommodation on a cooperative basis;
 - (2) Containing more than three (3) dwelling rooms; and
 - (3) In which accommodation is provided for more than three (3) students who are members of the non-profit, non-share corporation owning or leasing the dwelling.
- C. A student fraternity or sorority house that is a dwelling:
 - (1) Containing more than three (3) dwelling rooms; and
 - (2) In which accommodation is provided for more than three (3) students who are members of a bona fide nationally or internationally chartered student fraternity or sorority.

§ 285-9. Administration and enforcement.

- A. The Licensing Commissioner is authorized to exercise all of the powers of Council with respect to the issuance, suspension, renewal or revocation of any rooming house licence, including the imposition of conditions upon the owner prior to, and as a condition of, the issuance, suspension, renewal or revocation of the licence as the circumstances require.
- B. Any condition imposed by the Licensing Commissioner upon the owner prior to and as a condition of the licence shall remain in force for the term of the licence unless

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otherwise specified by the Licensing Commissioner in his or her decision. [**Added 1997-10-06 by By-law No. 1997-0524**⁷]

- C. The City Commissioner is responsible for the enforcement of this Article and providing administrative support to the Licensing Commissioner, including responsibility for scheduling any hearings required under § 285-15 or 285-18. [**Amended 1997-10-06 by By-law No. 1997-0524**]

§ 285-10. Licence required.

- A. No person shall use, permit to be used, rent or offer to rent any rooming house unless a rooming house licence, issued for the rooming house by the Licensing Commissioner, is in force.
- B. No person shall use a licensed rooming house except for any purpose for which the licence was issued.
- C. Where a rooming house licence is issued subject to any condition, no person shall use the rooming house except in accordance with the condition. [**Added 1997-10-06 by By-law No. 1997-0524**⁸]
- D. No person shall use, permit to be used, rent or offer for rent a rooming house in violation of this Article, or in contravention of any other City by-law.

§ 285-11. Application for licence.

- A. Submission required.
- (1) The owner of every rooming house, or the owner's authorized agent, shall submit to the Licensing Commissioner an application for a rooming house licence, on a form approved by the Licensing Commissioner.
- (2) Where the application is signed by the owner's agent, the owner's signed authorization shall be submitted with the application.
- B. The application shall contain:
- (1) Consents.

⁷Editor's Note: This by-law also provided for the redesignation of former ~ 285-9B as ~ 285-9C.

⁸Editor's Note: This by-law also provided for the redesignation of former ~ 285-10C as ~ 285-10D.

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- (a) A consent by the owner of the rooming house permitting service of notices to tenants and inspections by any City employee, during daylight or evening hours, upon reasonable notice to the owner.
 - (b) The consent shall allow for the inspection of any portion of the rooming house that is not actually used as a dwelling room or dwelling unit to determine if the rooming house complies with applicable law.
- (2) The acknowledgement of the owner that:
- (a) The owner has obtained a copy of the model fire safety plan drawn up by the Fire Chief.
 - (b) The owner is responsible for having a fire safety plan for the premises in accordance with the requirements of the Fire Code and to use the model fire safety plan drawn up by the Fire Chief to draw up a fire safety plan for the premises.
 - (c) The owner agrees to post a fire safety plan, approved by the Fire Chief, in the premises in a conspicuous place.
- (3) The name, address and telephone number of the emergency contact designated under § 285-21A.
- C. No application shall be accepted by the Licensing Commissioner unless it meets the requirements of Subsection B and is accompanied by the non-refundable fee required by § 285-12.
- D. If requested by the Licensing Commissioner, either before or after the submission of an application, the owner shall provide site or floor plans and shall certify that the rooming house premises match those plans.

§ 285-12. Class designation; term of licence; licence fee.

- A. A rooming house shall be designated as a Rooming House Class 1, 2, 3, 4 or 5 based on the class description in the following table.
- B. Where a rooming house is a "personal care rooming house" under Article I, the letter "P" shall be added after the class number, and this type of rooming house may be called a "Rooming House Class 1P, 2P, 3P, 4P or 5P."

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C. Term of licence; fee.

- (1) The licence fee and term of licence for each class of rooming house shall be as set out in the following table.
- (2) Despite Subsection C(1), where a temporary licence has been issued prior to the issuance of the rooming house licence, the term of the rooming house licence set out in the following table shall be calculated from the date of the issuance of the first temporary licence.

Class	Description	Licence Fee	Term of Licence (years from issue date)
1	A rooming house in which the registered owner occupies a dwelling unit of not less than 30 square metres as his or her personal residence	\$100	2
2	A rooming house, other than a Class 1 or 5 rooming house, of not more than 3 storeys, and basement, in height and containing not more than 14 dwelling rooms, or a combination of dwelling rooms and dwelling units, of which not more than 4 dwelling rooms or dwelling units are located on the third storey	\$100	1
3	A rooming house, other than a Class 1 or 5 rooming house, of not more than 3 storeys, and basement, in height and containing more than 14 dwelling rooms, or a combination of dwelling rooms and dwelling units	\$200	1
4	A rooming house, other than a Class 1 or 5 rooming house,	\$300	1

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more than 3 storeys, and
basement, in height

5	A rooming house which is operated by a non-profit corporation	\$100	1
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§ 285-12.1. Inspection fee; collection. [Added 1997-10-06 by By-law No. 1997-0524]

- A. An owner shall pay a fee to the City of fifty dollars (\$50.) per hour or part of an hour and, where an inspection is required after regular business hours, a fee of not less than one hundred fifty dollars (\$150.) for each inspector for any inspection which is undertaken by or on behalf of the City to determine compliance with any condition imposed on the rooming house licence.
- B. The compensation payable to the City under this section may be added to the tax roll for the rooming house property and collected in like manner as municipal taxes.

§ 285-13. Inspection; notice of application.

- A. Upon receipt of an application for a rooming house licence and the required licence fee, the City Commissioner shall cause an inspection to be made of the rooming house or request any authority having jurisdiction to inspect the rooming house to determine whether it complies with applicable law. **[Added 1997-10-06 by By-law No. 1997-0524]**
- B. Notice of an application for a rooming house licence shall be given to the tenants of the rooming house by posting the notice in a conspicuous place on or in the rooming house, except that if the rooming house does not have an existing licence or if there is a change in ownership, notice of the application shall be given to the tenants in the manner set out in § 285-15B.
- C. Notice of an application for a rooming house licence shall be given to the Ward Councillor.
- D. The notices given under Subsections B and C shall indicate that if the tenant or Ward Councillor has any comments, the comments should be provided to the Licensing Assistant within the time period specified in the notice.

§ 285-14. Issuance of licence.

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- A. The Licensing Assistant, on behalf of the Licensing Commissioner, shall issue a licence for a rooming house, where:
- (1) The application form is complete.
 - (2) Any required fee has been paid.
 - (3) The inspections under § 285-13 have been completed and indicate that the rooming house complies with:
 - (a) The Fire Marshals Act⁹ and the Fire Code.
 - (b) Chapter 210, Housing Standards.
 - (c) Any applicable zoning by-law.
 - (d) The Building Code Act, 1992, and the Building Code.
 - (e) The Health Protection and Promotion Act.¹⁰
 - (f) Article I if applicable.
 - (4) The inspections do not indicate non-compliance with any City by-law.
 - (5) The last licence issued for the rooming house was not subject to any condition, and in this provision "licence" includes a temporary licence.
 - (6) There are no outstanding complaints with respect to the rooming house or objections to the application in the Licensing Commissioner's file on the rooming house or, in the case of a new rooming house, the Licensing Commissioner's file on the application.
 - (7) No objections have been received by the Licensing Assistant with respect to the application.
- B. Where a licence is issued under Subsection A, the Licensing Assistant shall advise the Ward Councillor.
- C. Where a licence is not issued under Subsection A, the Licensing Commissioner shall review the application and where the Licensing Commissioner is satisfied that the

⁹Editor's Note: See R.S.O. 1990, c. F.17.

¹⁰ Editor's Note: Editor's Note: See R.S.O. 1990, c. H.7.

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rooming house complies with applicable law and that there are no grounds for refusal under § 285-15C(2), (3) or (4) or § 285-16, the Licensing Commissioner shall issue a licence for the rooming house. **[Amended 1997-10-06 by By-law No. 1997-0524]**

- D. Where the Licensing Commissioner has been advised by an authority having jurisdiction that the rooming house does not comply with applicable law or where there are grounds for refusal under § 285-15C(2), (3) or (4) or § 285-16, the Licensing Commissioner shall hold a hearing. **[Amended 1997-10-06 by By-law No. 1997-0524]**

§ 285-15. Hearing.

- A. Prior to the hearing, the Licensing Commissioner shall give notice of the hearing to the owner, and the notice shall include:
- (1) A statement setting out those matters in respect of which the Licensing Commissioner is advised that the rooming house in the application does not comply with applicable law and any facts upon which the Licensing Commissioner believes that grounds for refusal exist under Subsection C(2), (3) or (4) or § 285-16. **[Amended 1997-10-06 by By-law No. 1997-0524]**
 - (2) A statement setting out the time and place at which the Licensing Commissioner will hold a hearing to consider the application.
 - (3) A statement that the hearing will be a public hearing and that the authority for the hearing is § 285-14D.
 - (4) A statement that if the owner does not attend the hearing, the Licensing Commissioner may proceed with the hearing in his or her absence, and the applicant will not be entitled to any further notice in the proceeding.
- B. Prior notice of the hearing in a form satisfactory to the Licensing Commissioner shall be given to:
- (1) The tenants of the rooming house by posting the notice in a conspicuous place on or in the rooming house and by:
 - (a) Placing the notice in the mail-boxes of the tenants;
 - (b) Placing the notice under the door of each dwelling room or dwelling unit; or

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- (c) Any manner considered reasonable by the Licensing Commissioner, where it is not possible to give notice in the manner set out in Subsection B(1)(a) or (b);
 - (2) The Ward Councillor; and
 - (3) Any person who has made a written request for notice of the hearing to the Licensing Commissioner or Licensing Assistant, if the request for the notice includes an address for service.
- C. At the hearing, the Licensing Commissioner shall consider the application, and if the Licensing Commissioner:
 - (1) Is satisfied that the rooming house complies with applicable law and that Subsection C(2), (3) and (4) and § 285-16 do not apply, he or she shall issue a licence subject to any conditions as the circumstances require. **[Amended 1997-10-06 by By-law No. 1997-0524]**
 - (2) Is satisfied that a City inspector has been refused entry to the rooming house or, after diligent effort, the inspector has been unable to inspect the rooming house to ascertain if it complies with applicable law, he or she shall refuse to issue the licence.
 - (3) Is not satisfied that the rooming house complies with applicable law, he or she shall refuse to issue a licence. **[Amended 1997-10-06 by By-law No. 1997-0524]**
 - (4) Is satisfied that the past conduct of the owner or, where the owner is a corporation, of its officers or directors, affords reasonable grounds for belief that the rooming house will not be operated in accordance with applicable law, with proper management and with honesty and integrity, he or she shall refuse to issue the licence but may issue a temporary licence subject to any conditions as the circumstances require.
 - (5) Is satisfied that the owner is in contravention of any condition attached to a licence, he or she shall refuse to issue any licence. **[Amended 1997-10-06 by By-law No. 1997-0524]**
- D. **[Added 1997-10-06 by By-law No. 1997-0524]** For the purposes of Subsection C:
 - (1) In considering the issue of proper management, the Licensing Commissioner shall have regard, among other matters, to the following:

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- (a) Maintenance of the rooming house in a safe, quiet, clean and sanitary condition;
 - (b) Any conduct on the part of the owner that would endanger the health and safety of any tenants or members of the public; and
 - (c) Not permitting drug and narcotic or prostitution related criminal activities or any other criminal activities by tenants or visitors in the rooming house or on the lot on which the rooming house is located.
- (2) In considering the issue of honesty and integrity, the Licensing Commissioner shall have regard, among other matters, to the following:
- (a) Any convictions, orders, rulings or judgements made by any authority against the owner related to the operation of the rooming house; and
 - (b) Any false or misleading information provided by the owner in any application or hearing under this chapter.

§ 285-16. Previous offences and complaints. [Amended 1997-10-06 by By-law No. 1997-0524]

In deciding whether to issue a licence or a temporary licence under § 285-15C(4), the Licensing Commissioner shall take into account any record of previous contravention or conviction against the owner for offences under applicable law and any record and disposition of complaints against the owner by:

- A. Federal, provincial or municipal authorities respecting the enforcement of legislation under their jurisdiction governing dwellings owned by the owner.
- B. Occupants of dwellings owned by the owner.
- C. Residents in the vicinity of dwellings owned by the owner.
- D. Any other person who, in the opinion of the Licensing Commissioner, has knowledge of the manner in which the owner operated dwellings or permitted them to be operated.

§ 285-17. Temporary licence.

- A. Where a temporary licence is issued under § 285-15C(4) or (5), the temporary licence shall set out:

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- (1) The period of time for which it is valid, which period shall not exceed one (1) year;
 - (2) The provisions of any by-law, Act or regulation which the rooming house contravenes;
 - (3) The nature of the previous contravention, conviction or complaint against the owner; and
 - (4) A statement that the owner is required to bring the rooming house into compliance with the by-law, Act or regulation or is required to remedy the situation which led to the previous contravention, conviction or complaint within the period of time set out in Subsection A(1).
- B. Where, in the opinion of the Licensing Commissioner, a rooming house for which a temporary licence has been issued is brought into compliance with applicable law, the Licensing Commissioner may reinstate or issue a rooming house licence.

§ 285-17.1. Inspection to ensure compliance with licence conditions. [Added 1997-10-06 by By-law No. 1997-0524]

Where a licence is issued with conditions attached to it, the City Commissioner shall cause an inspection to be made of the rooming house or request that any authority having jurisdiction inspect the rooming house to ensure compliance with any condition.

§ 285-18. Suspension or revocation of licence.

- A. The Licensing Commissioner may suspend or revoke any licence issued under this Article after holding a hearing and §§ 285-15, 285-16 and 285-17 apply with necessary modifications.
- B. At the hearing, the Licensing Commissioner may also suspend or revoke any licence if, in his or her opinion, the information provided in the application for the licence is incorrect.
- C. At the hearing, where the Licensing Commissioner is satisfied that the owner is in contravention of any licence condition, he or she shall revoke the licence. **[Added 1997-10-06 by By-law No. 1997-0524]**

§ 285-19. Licence transfer; expiration.

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- A. Transfer prohibited; change of ownership.
- (1) A rooming house licence shall not be transferred.
 - (2) A rooming house licence expires when the ownership of a rooming house changes, and a change of ownership includes:
 - (a) The conveyance of the ownership on the title to the land or premises.
 - (b) Any arrangement by which the beneficial ownership is transferred.
 - (c) Where the ownership is held by a corporation, the transfer of the ownership of shares which results in a change in the control of the corporation.
 - (3) Where a licence is issued with conditions attached to it and the ownership of the rooming house changes, the City Commissioner shall cause an inspection to be made of the rooming house or request any authority having jurisdiction to inspect the rooming house to ensure compliance with any condition. **[Added 1997-10-06 by By-law No. 1997-0524¹¹]**
 - (4) When the ownership of a rooming house changes, the Licensing Assistant shall, on request, on the Licensing Commissioner's behalf, issue a temporary licence to the new owner, on the same terms and conditions as the rooming house licence existing when the ownership changed, which shall be valid for ninety (90) days from when the ownership changed.
 - (5) Despite § 285-19A(4), where the Licensing Commissioner is advised by an authority having jurisdiction that the owner is in contravention of any licence condition, he or she shall refuse to issue a temporary licence. **[Added 1997-10-06 by By-law No. 1997-0524]**
 - (6) The City Commissioner shall forward an application for a new licence under § 285-11 to the new owner of the rooming house at least thirty (30) days prior to the application date under Subsection C. **[Amended 1997-10-06 by By-law No. 1997-0524]**
 - (7) The new owner of the rooming house shall apply for a new licence under § 285-11 not less than sixty (60) days after the ownership changed.

¹¹Editor's Note: This by-law also provided for the redesignation of former ~ 285-19A(3), (4) and (5) as ~ 285-19A(4), (6) and (7), respectively.

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- B. The City Commissioner shall forward an application for a new licence under § 285-11 to the owner of the rooming house at least thirty (30) days prior to the application date under Subsection C. **[Amended 1997-10-06 by By-law No. 1997-0524]**
- C. The owner of the rooming house shall apply for a new licence under § 285-11 not less than ninety (90) days prior to the expiration of any licence, except a temporary licence.

§ 285-20. Licence revision.

- A. On written notice from the owner, or the owner's authorized agent, the Licensing Assistant shall issue, on the Licensing Commissioner's behalf, a revision to a licence to reflect:
 - (1) A change in the address or telephone number of the owner.
 - (2) A change in the name, address or telephone number of the emergency contact designated under § 285-21A.

§ 285-21. Responsibilities of owner.

- A. The owner shall designate an agent as a person to contact in cases of emergency or with respect to the operation of the rooming house.
- B. The owner shall:
 - (1) Post conspicuously and maintain posted the following in the entrance to the rooming house:
 - (a) The licence.
 - (b) The name, address and phone number of the owner and the owner's agent under Subsection A.
 - (c) The fire safety plan.
 - (d) Any licence condition that is applicable to the operation of the rooming house. **[Added 1997-10-06 by By-law No. 1997-0524]**
 - (2) Allow inspections as described in §§ 285-11B(1), 285-13A, 285-17.1 and 285-19A(3). **[Amended 1997-10-06 by By-law No. 1997-0524]**

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- (3) Allow access for the service of the notices to tenants that are required by this Article.
- (4) Obtain and post a fire safety plan in a conspicuous place in the rooming house.
- (5) Maintain the rooming house premises in accordance with any site and floor plans filed with the application.
- (6) Give the Licensing Commissioner written notice of any of the changes set out in § 285-20.
- (7) Give the Licensing Commissioner written notice of any change of ownership as set out in § 285-19A(2). **[Added 1997-10-06 by By-law No. 1997-0524]**

§ 285-22. Service of notice.

- A. Subject to section 18 of the Statutory Powers Procedures Act,¹² any notice or document required or permitted to be served by the Licensing Commissioner on the owner may be delivered personally to the owner or sent by first class mail addressed to the owner at the address given on the application submitted under § 285-11 or as revised under § 285-20.
- B. Where a notice or document is served by mail, it is deemed to have been received on the fifth day after the date of mailing.

§ 285-23. Offences.

Any person who contravenes this Article is guilty of an offence and, on conviction, is liable to a fine of not more than the maximum fine permitted under the Provincial Offences Act.¹³

§ 285-24. Applicability; existing licences.

- A. Subject to Subsection B, this Article applies to any application for a rooming house licence accepted by the Licensing Commissioner on or after March 24, 1995.

¹²Editor's Note: Editor's Note: See R.S.O. 1990, c. S.22.

¹³ Editor's Note: This section was passed under the authority of subsection 1(1) of the City of Toronto Act, 1990 (No. 3), S.O. 1990, c. Pr44, and, under section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, a person convicted of an offence under this section is liable to a fine of not more than five thousand dollars (\$5,000.).

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- B. Where an application for a rooming house licence is accepted by the Licensing Commissioner before March 24, 1995, the application shall be processed under By-law No. 502-80.¹⁴
- C. An unexpired licence issued under By-law No. 502-80 is deemed to be a licence issued under this Article.
- D. Despite Subsection C, where the Licensing Commissioner has given notice of his or her intention to revoke or suspend a licence under section 24 of By-law No. 502-80 before March 24, 1995, the Licensing Commissioner shall continue to consider the revocation or suspension under By-law No. 502-80.

¹⁴ Editor's Note: By-law No. 502-80 is on file with the City Clerk.