

Guidance Document for Apartment Building Owners/Operators

Background

Vital services are essential services that apartment building owners/operators must provide to keep tenants healthy and safe. Vital services include hot and cold water, fuel, electricity, natural gas, and heat. A vital service disruption is an event where any of these services is disrupted.

Vital service disruptions can result in:

- tenants remaining in place in an apartment building without access to some vital services (also known as shelter-in-place);
- an evacuation of part of a building; or
- an evacuation of all of a building.

The decision to evacuate or close a building is made by authorities having jurisdiction based on their assessment of risk, such as by Toronto Fire Services.

[Chapter 354 of the Toronto Municipal Code](#) requires all apartment building owners/operators to develop and maintain a Vital Service Disruption Plan.

Chapter 354 allows the City of Toronto (the City) to take enforcement action against apartment building owners/operators who do not develop and maintain a Vital Service Disruption Plan or who fail to adequately implement their Vital Service Disruption Plan during a vital service disruption. In a situation where an apartment building owner/operator does not implement their Vital Service Disruption Plan, the City may deliver services to support affected tenants. The City has the ability to recover any costs it incurs to deliver these services during a building evacuation as per Chapter 441 of the Toronto Municipal Code.

Apartment building owners/operators are required to immediately provide their Plan to the City during an evaluation, audit, investigation, or response to a vital service disruption, and at any other time that the City requests it. The City can lay charges against owners/operators who fail to provide the Plan which may result in a fine of up to \$100,000 on conviction (or more if a daily fine is imposed).

When to Implement the Plan

A Vital Service Disruption Plan is intended to guide your response to unplanned vital service disruptions that occur in your building. The Plan is not intended for emergencies that impact a larger geographic area and are beyond your control, such as an extreme weather event or a power outage that effects an entire neighbourhood.

You must begin implementing your Vital Services Disruption Plan once you have identified an unplanned vital service disruption. The Vital Service Disruption Plan form provides minimum requirements for the Plan, including the timeframes in which you must take specific actions.

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The City may direct an apartment building owner/operator as to how their responsibility is to be carried out at any time during an unplanned vital service disruption. If the City is involved in supporting the response to a vital service disruption, you must implement your Plan in close coordination with City divisions, agencies, and corporations, such as the Office of Emergency Management and Toronto Fire Services.

How to Develop your Plan

This Guidance Document provides information to help you complete the Vital Service Disruption Plan form. The accompanying Vital Service Disruption Plan form sets out the necessary standards and minimum requirements for your Plan. You must use the form to complete your Plan. You may not delete or alter any component of the form. You (or your representative) must sign and date the Plan. You must review and update your Plan on an annual basis and anytime that there are operational or organizational changes.

You can contact the City's RentSafeTO team at 416-396-7228 or RentSafeTO@toronto.ca with any questions about the form or the requirements under Chapter 354.

Section 1: Building information

Section 1 requires you to provide basic information about the apartment building, including the property type, address, number of units, and number of floors. If you own/operate more than one apartment building, you must complete a separate Vital Service Disruption Plan form for each. If you do not know your RentSafeTO registration number, you can contact the RentSafeTO team at 416-396-7228 or RentSafeTO@toronto.ca.

Section 2: Contacts with the authority to act for the owner/operator

During an unplanned vital service disruption, the City must be able to contact staff in your organization. In Section 2, you must provide two contacts (a primary and a secondary contact) who will communicate with the City. Both contacts must have the authority to make financial decisions and bind the apartment building owner/operator. The City must be able to reach at least one of these individuals at all times.

Section 3: Communicating with the City of Toronto

Section 3 requires you to provide the methods you will use to communicate with the City during an unplanned vital service disruption. Throughout a disruption you must respond to communications from the City within two hours at all times. You must provide contact information for the individual(s) who will be available on-site during a disruption.

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Section 4: Communicating with tenants

Section 4 requires you to provide the details of your communications plan for tenants. Ensuring timely two-way communication with tenants is an important component of your Vital Service Disruption Plan. The Plan sets out minimum standards for communication with tenants and you must describe how tenants will receive regular and detailed updates about a vital service disruption.

For most vital service disruptions, the primary point of contact for tenant enquiries would typically be a member of your staff. However, in large-scale vital service disruptions, particularly those that involve evacuations, apartment building owners/operators may consider hiring external communication support and expertise. It is recommended that apartment building owners/operators undertake their own independent research and be prepared in the event that external communication support is required.

As an apartment building owner/operator, the Plan requires you to include details on how you will ensure that tenant contact information is kept up-to-date. You must also outline the process by which you will proactively inform tenants of how they will receive information during an unplanned vital service disruption.

Section 5: Services for tenants during shelter-in-place events

An unplanned vital service disruption may result in tenants staying in their unit throughout the event (known as shelter-in-place). Section 5 outlines the services that must be provided at the expense of the apartment building owner/operator to support tenants who shelter-in-place. You must provide tenants with drinking water, heat (when appropriate), and access to food (such as hot meals, meal vouchers and/or a kitchen to prepare meals). You may also decide to provide additional provisions such as blankets, generators, food, and bathing facilities.

You must also meet your obligations under the Ontario Fire Code, including implementing the Fire Safety Plan as required, as well as securing the premises if a vital service disruption has an impact on normal day-to-day security measures.

Section 6: Services for displaced tenants during evacuations

A vital service disruption may result in tenants needing to be evacuated from their unit. Section 6 outlines the services that must be provided at the expense of the apartment building owner/operator to support tenants who have been displaced. For the duration of the tenants' displacement, you must provide tenants with lodging, drinking water, and access to food (such as hot meals, meal vouchers and/or a kitchen to prepare meals). You may also decide to provide additional provisions such as clothing and toiletries.

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You must also meet your obligations under the Ontario Fire Code, including implementing the Fire Safety Plan as required, as well as securing the premises if a vital service disruption has an impact on normal day-to-day security measures.

You must also have a plan for providing tenants occasional access to their units if the building is deemed safe to enter.

Section 7: Tenants on the Voluntary Tenant Contact List

Chapter 354 requires apartment building owners/operators to maintain a voluntary list of tenants who may require additional assistance during a vital service disruption. Use Section 7 to provide details on how you will support these tenants during a vital service disruption, including regular check-ins and responding to their questions within two hours.

Section 8: Other considerations, if any

Use Section 8 to provide additional information on any aspect of your Vital Service Disruption Plan. You may add additional rows as needed.

Section 9: Signature of apartment building owner/operator

In Section 9, the apartment building owner/operator, or an authorized representative, must sign the completed Vital Service Disruption Plan. An electronic signature is acceptable. The apartment building owner/operator is responsible for ensuring that the Vital Service Disruption Plan is developed and maintained.