



Residential Rental Licensing Public Feedback Survey

Additional Information Document

October 13, 2021

Why license residential rentals?

- Bring more properties into compliance with applicable laws and safety regulations
- Support and enhance existing enforcement mechanisms
- Improve, understand and preserve Windsor's existing rental housing stock

Issues with residential rentals

- Structural and safety issues
 - Building Code (alterations without a permit)
 - Property Standards (repairs, overcrowding)
 - Fire Code (alarms, extinguishers)
- Neighbourly issues
 - Exterior property maintenance (lawns, snow)
 - Garbage preparation (bags, furniture)
 - Noise complaints

What could licensing do?

- Secure owner consent to inspect units
- Confirm owner and local contact info
- Document the City's rental housing stock
- Reduce illegal and unsafe units
- Improve accountability for tenants and landlords

Advantages of licensing

- Proactive instead of complaint-based
- Documents issues and ensures repairs
- Encourages compliance with Codes
- Discourages “absentee landlords”
- Improves enforcement performance
 - Faster responses, more efficient inspections
- More accurate data about housing stocks

Limitations of licensing

- Does not address behavioural issues
- Licensing fees can add to housing costs
- Court or Tribunal timelines / jurisdiction
 - Court processes can move slowly
 - Discriminatory by-law provisions can be challenged and/or struck down
 - Only LTB can order an eviction

Survey design considerations

- Evaluated existing reports and research
- Reviewed approaches taken by other municipalities in Ontario
- Considered harmonization with by-laws, provincial legislation and regulations
- Aligned question design with Statistics Canada demographic data standards

Pilot study scope

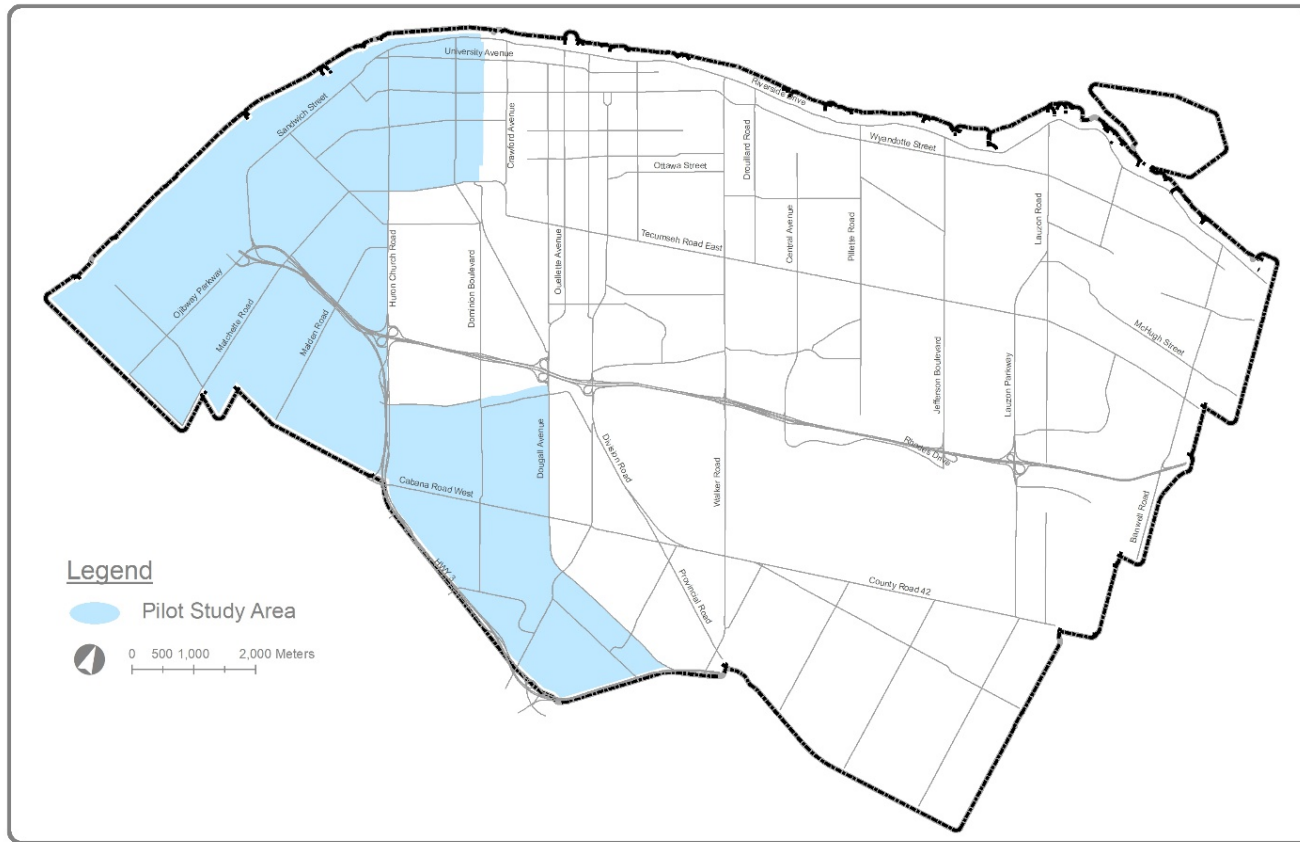
Includes:

- Dwellings in Wards 1 and 2
- Dwellings with 1 to 4 units

Excludes:

- Owner-occupied dwelling units
- Lodging houses (Class 1 and 2)
- Short-term rentals
- Already regulated housing (social housing, long term care)

Pilot study area



Measuring success

- Fewer noise, garbage, yard complaints
 - Improved voluntary compliance
- Improved level of property standards
 - Fewer properties with major, minor defects
- Reduced rates of enforcement escalation
 - More resolutions without court involvement

Licensing in other municipalities

	Deed	Corporate Info	Proof of Insurance	Criminal Check	Floor Plan	Site Plan	Maintenance/ Garbage Plan	Parking Plan	ESA Cert.	Self-certification checklist	Fire Safety Plan	Building Certificate	Fire Safety Certificate	Zoning Certificate	Sworn Statement	Local Contact
Hamilton	!		!	!	!	!	!		!	!		!	!	!		!
London	!	!	!		!					!		X	!	X	*	!
N. Bay	!	!	!		!		!	!	!		!	!		!		
Oshawa	!	!	!		!		!	!	!			!	!	X		!
Thorold	!	!	!		!	!	!		!	!	!				!	!
Waterloo	!	!	X	!	!			!	!				X			!

! = Required to submit with application

X = Required to declare, but no submission or inspection required

* = May be requested at the licence issuer's discretion

Application requirements

- Owner(s) contact information
 - Name, address, phone, email
 - Local agent information
 - Partnership or Corporate Info
- Proof of appropriate insurance
- Criminal record check
- Fire safety plan
 - Exits
 - Smoke Alarms / CO Detectors
- Maintenance plan
- Building site plan
 - Parking spots
 - Garbage storage
- Unit floor plan
 - Number of bedrooms
 - Max number of occupants
- By-law awareness declaration
 - Garbage Prep B/L
 - Property Standards B/L
 - Dirty Yard B/L
 - Noise B/L

Licence disqualifiers

- Failure to meet zoning requirements
- Failure to meet Building or Fire Code
 - Egress, minimum heights, minimum areas
- Criminal, statutory or regulatory conviction related to rental property management
 - After by-law effect date

Licence fee breakdown

Line Item	Cost
Administration	\$111.80
Zoning Inspection	\$41.00
Building Inspection	\$83.70
Fire Inspection	\$300.00
Enforcement	\$23.94
Office Expense Overhead	\$21.95
Total per licence fee	\$615.54 (\$616)

Licence maintenance

- Property standards inspection
- Fire safety inspection
- Required to post:
 - Issued licence
 - Maximum occupancy
 - Owner and agent contact info
 - Site, Floor, Fire Safety, Maintenance Plans
 - Information Plaque
 - Rights and Obligations of tenants and landlords
 - Contact info for 311, LTB, Legal Aid

Enforcement processes

- Potential unlicensed rental identified
 - Owner address vs. property address
 - Complaints from tenants, residents
 - Advertisements
- By-law Enforcement investigates
- Officer orders the owner to secure a licence
 - Owner complies; or,
 - Ticketing (\$750)
 - Charges filed, which may lead to penalties
 - Injunctions

Enforcement limitations

- Dependent on securable evidence
- Dependent on cooperation of witnesses
- Uncertainty around licence revocation
 - Evictions are the sole jurisdiction of LTB
- Fees and fines as “cost of doing business”