

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Tenant Defence Sub-Committee

Meeting No. 2

Wednesday, May 26, 2004

The Tenant Defence Sub-Committee met on Wednesday, May 26, 2004, in Committee Room 4, City Hall, Toronto, commencing at 2:12 p.m.

Members Present:

Councillor Michael Walker
Councillor Shelley Carroll
Councillor Cliff Jenkins
Councillor Gloria Lindsay Luby
Councillor Peter Li Preti
Councillor Jane Pitfield
Councillor Sylvia Watson

No declarations of interest pursuant to the Municipal Conflict of Interest Act were made.

Confirmation of Minutes

On motion by Councillor Jenkins, the Tenant Defence Sub-Committee confirmed the Minutes of the meeting held on February 27, 2004.

2.1 Consultation Paper on Residential Tenancy Reform

The Tenant Defence Sub-Committee considered a report (May 20, 2004) from the Commissioner of Community and Neighbourhood Services providing a range of options outlined in the Ontario Government's Residential Tenancy Reform Consultation Paper and recommend legislative changes as the City of Toronto's response to the Province with respect to rent control and protection of rental housing.

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Recommendations:

It is recommended that:

- (1) the recommendations for the City's response to the Province's Residential Tenancy Reform Consultation Paper as set out in this report be approved;
- (2) the Community Services Committee forward this report to the Ontario Minister of Municipal Affairs and Housing after its meeting on June 3, 2004 as the City of Toronto's response to the Province's Residential Tenancy Reform Consultation Paper;
- (3) the Minister of Municipal Affairs and Housing be requested to schedule a meeting with City representatives before June 15, 2004, to discuss the recommendations in this report; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The following persons appeared before the Tenant Defence Sub-Committee in connection with the foregoing matter:

- Dan McIntyre, Program Co-ordinator, Outreach and Organizing Team, FMTA;
- Mechel Linus Selkin; and
- Tim Rourke.

A. Councillor Lindsay Luby moved that the Tenant Defence Sub-Committee endorsed the recommendations contained in the report (May 21, 2004) from the Commissioner of Community and Neighbourhood Services, subject to amending the report to include the amendments to the City's key recommendations, as follows

(Carried)

B. Councillor Carroll moved

- (i) that Key Recommendation (3) headed "Costs No Longer Borne' for Utility Costs" be amended by adding the words:

"and further, that any allowance awarded not double count the allowance already built into that year's rent increase through the guideline";

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- (ii) that Key Recommendation (6) headed “Interest on Rent Deposits” be reworded to reflect the following:

“The landlord would have no need to pay interest on deposits, and the tenant would have no need to top up the deposit over the length of their tenancy. For social housing, it is recommended that the interest rate on last month’s rent deposits be equal to the annual rent guideline”; and

(Carried)

C. Councillor McConnell moved:

- (i) that Key Recommendation (4) (c) headed “Maintenance of Buildings and Rents” be amended to clarify and expand the power of municipalities to charge property owners for the costs of providing alternative accommodation to tenants in emergency repair situations;

- (ii) that Key Recommendation (11)(h) headed “Ontario Rental Housing Tribunal Processes” be amended to reflect the following:

“to implement an independent review of the quality and effectiveness of the Tribunal mediation process and proposed improvements to ensure that the process is fair to tenants”;

and that such report, as amended, be referred back to the Commissioner of Community and Neighbourhood Services with a request for a revised report directly to the Community Services Committee, for consideration at its meeting on June 3, 2004; and

- (iii) that the Tenant Defence Sub-Committee request the Commissioner of Community and Neighbourhood Services to:

- (a) prepare a one-page information sheet for distribution to the attendees of the town hall meeting to be held by the Ontario Government at the OISE Auditorium in downtown Toronto on May 31, 2004; and

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- (b) arrange for a press release to be issued at a later date outlining the City's position on Residential Tenancy Reform.

(Carried)

(Community Services Committee; c. Commissioner of Community and Neighbourhood Services; General Manager, Shelter, Housing and Support Division – May 27, 2004)

2.2 Update on the Tenant Support Grants Program

The Tenant Defence Sub-Committee considered a Memorandum (May 19, 2004) from the General Manager, Shelter, Housing and Support Division, providing, for information, an update of the applications received under the 2000, 2001, 2002, 2003 and 2004 Tenant Support Grant as at May 19, 2004.

The following person addressed the Tenant Defence Sub-Committee in connection with this matter:

- Mechel Linus Selkin on behalf of the tenants of 6 Saranac Boulevard and 30 Covington Road;

On motion by Councillor Watson, the Tenant Defence Sub-Committee:

- (1) received the report (May 19, 2004) from the Commissioner of Community and Neighbourhood Services for information; and
- (2) requested the Commissioner of Community and Neighbourhood Services, in consultation with Councillor Moscoe, to report to the Tenant Defence Sub-Committee meeting scheduled on July 28, 2004, on the tenants' issues concerning 6 Saranac Boulevard and 30 Covington Road; and
- (3) directed that the deputant be advised of the Tenant Defence Sub-Committee meeting.

2.3 Fountainhead Tenants' Association

The Tenant Defence Sub-Committee considered a communication (April 29, 2004) from the City Clerk advising that City Council at its special meeting on April 15

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and 16, 2004, referred the Notice of Motion by Councillor Walker and the report dated April 8, 2004, from the Commissioner of Community and Neighbourhood Services, entitled 'Non-Concurrence in Request for a Tenant Support Grant from the Tenant Defence Fund by the Fountainhead Tenants' Association following an Ontario Municipal Board Decision (Ward 8 – York West)' to the Tenant Defence Sub-Committee meeting of May 12, 2004, for report to the Community Services Committee.

On motion by Councillor Li Preti, the Tenant Defence Sub-Committee:

- (1) deferred the following communication until its meeting on July 28, 2004; and
- (2) requested the City Solicitor and the Commissioner of Urban Development Services to attend such meeting and discuss the details of the OMB settlement.

(Community Services Committee; c. Commissioner of Community and Neighbourhood Services; General Manager, Shelter, Housing and Support Division – May 27, 2004)

**2.4 Getting Back on Track – Submission to MPP Brad Duguid,
Parliamentary Assistant to Minister of Municipal Affairs and
Housing**

The Tenant Defence Sub-Committee considered a communication (April 26, 2004) from Councillor Michael Walker forwarding, for information, a copy of a submission to MPP Brad Duguid, Parliamentary Assistant to the Minister of Municipal Affairs and Housing, outlining some of the main concerns and suggested changes to the Tenant Protection Act.

On motion by Councillor Carroll, the Tenant Defence Sub-Committee received the above communication for information.

The Tenant Defence Sub-Committee adjourned its meeting at 3:50 p.m.

Chair