Council Direction:

At its meeting of October 15, 2008, Council approved Item 5(d) of the Committee of the Whole Report 08-030, Report PED05215(c)/SPH05066(c) Roomers and Boarders – A Comprehensive Approach, which reads as follows:

(d) That staff be directed to report back to Emergency and Community Services Committee after the first year of the Comprehensive Rooming House Strategy pilot regarding the progress and evaluation of the pilot project.
Information:

Background and Pilot Development

The Comprehensive Rooming House Strategy is an initiative to improve the condition of existing lodging houses through:

- Inspections and enforcement;
- Educate and improve relationships with lodging house operators; and,
- Work with tenants “to ensure they are aware of their rights, and have access to appropriate income, social services and mental health supports.”

Another component of the strategy is to bring the lodging homes up to standard that are operating without a license, and not subject to regular inspections, to ensure minimum by-law standards are met. To complete this work, it was recommended that a Rooming House Coordinator (RHC) position be created contingent upon Federal or Provincial funding.

The City of Hamilton entered into an agreement with the Housing Help Centre to initiate the Comprehensive Rooming House Strategy Pilot. In September 2009, the Centre received funding through the Homelessness Partnering Strategy (HPS) for the Pilot, including the coordinator position for the period October 1, 2009 to March 31, 2011.

A working group was established to provide guidance to the Pilot and is comprised of the following members:

- Rooming Housing Coordinator;
- Executive Director of the Housing Help Centre;
- Program Manager of the Residential Care Facilities and Hostel Unit;
- Superintendent of the Licencing & Permits, Parking and By-law Services Division;
- Senior Project Manager, Parking and By-law Services Division; and,
- Additional staff members, as needed.

The role of the Rooming House Coordinator

The role of the RHC is two-fold. First, it is to work closely with the operators of Rooming Houses in order to bring them into compliance with the City's Licensing Code By-law 07-170. This will ensure that available stock in this sector will meet minimum building and safety requirements. A comprehensive listing of rooming and lodging houses has been compiled. The RHC is working with 30 operators representing 41 properties. Currently, there are 15 licensed Rooming Houses and the proposed plan is to double or triple this number by March 2011. It is estimated that it may take four to
six months to become a licensed lodging home depending upon the issues associated with each property.

The second role is to provide support to tenants and offer solutions if alternate accommodation or advocacy is required. The RHC provides advocacy and education to tenants about their rights and responsibilities under the Residential Tenancies Act (2006). The goal is to minimize the displacement of tenants as a result of bringing owners into compliance with Schedule 9 of the City’s Licensing Code By-law 07-170. To date, 33 tenants have received various forms of assistance from the RHC, who has provided information and has made referrals on behalf of tenants to the Housing Help Centre and other agencies.

Other municipalities that have undertaken a planned approach to license illegal rooming houses have seen their rooming house stock depleted, as operators chose to close rather than become licensed. This reduces the stock of a critical element of affordable housing within the housing continuum and would put additional pressure on emergency hostel services in the city. To-date, this has not been the experience in Hamilton, as it has been a key objective to avoid this scenario.

The Coordinator has engaged partners from key City Departments and community organizations to implement the Comprehensive Rooming House Strategy and has worked closely with the following City Departments and Divisions:

- Housing and Homelessness Division, Community Services Department;
- Fire Prevention, Emergency Services;
- Hamilton Police Services;
- Parking and By-law Services; Building Services; and Planning Divisions, Planning and Economic Development, Department; and,
- Health Inspections, Public Health Services.

The RHC has consulted with the following external organizations:

- Electrical Safety Authority;
- Hamilton-Halton Home Builders Association;
- Hamilton-Wentworth Detention Centre;
- Community Legal Clinics;
- Inspiration Place at St. Joseph’s Hospital;
- COAST (Mental Health Outreach); and,
- Toronto Fire Services.
The RHC has conferred with peers in the City of Ottawa where a similar role exists and has become an active member of the following not-for-profit organizations/committees, in order to advance the objectives of the project:

- 25’n’5 (Hamilton Network for Poverty Reduction);
- Social Housing Access Committee;
- Roomers & Boarders Committee; and,
- The Interfaith Social Assistance Reform Coalition.

During the past ten months, the RHC has undertaken the following:

- Created a harmonized list of licensed and potentially unlicensed rooming houses from information provided by various stakeholder groups (Fire Prevention, Hamilton Police Services, Public Health, and Municipal Law Enforcement);
- Completed a landlord and a tenant self-assessment tool in order to identify potential problems in both licensed and unlicensed Rooming Houses;
- Created a resource package for operators of Rooming Houses in order to assist them in becoming a licensed operator. This resource package has recently been sent to owners of unlicensed rooming houses;
- Conducted ten presentations (i.e., Fire Prevention, Property Standards & Zoning Team, Roomers and Boarders Committee) and consulted with various stakeholders within the City of Hamilton and the community;
- Organized and facilitated a discussion forum in March 2010 regarding the issues surrounding rooming houses; and,
- Creating an on-line resource webpage for operators and tenants.

**Identified Issues for the Rooming Housing Strategy**

The following issues have been identified by the RHC during the past ten months:

- A number of operators have agreed to apply for a licence, however, they expressed concerns about the costs associated with the licensing fees and have not applied and they continue to operate. It costs approximately $970 per site, based on 10 residents, which includes zoning verification, police clearance; license fee plus the initial administrative cost, a certificate of compliance, which includes a base fee plus a per resident cost, fire, public health and parking fees. If this avoidance continues, appropriate enforcement action will be taken.
• For operators seeking a zoning change, as some properties are not zoned for rooming homes, the process is lengthy (i.e., 3 to 6 months depending upon the situation) and for some possibly cost prohibitive; therefore, it may impact on achieving the goal of increasing the number of licensed rooming houses by March 2011.

• The list of potential rooming houses still requires validation by City staff. This has proven to be cumbersome since the inception of the project, as it is an extremely labour intensive exercise.

System Challenges for the Project

• There is a lack of co-ordination between various City Departments and Divisions regarding rooming houses, which is impacting on the licensing process and causing unnecessary delays for operators seeking to comply with Schedule 9 of the City’s Licensing Code By-Law 07-170. Staff is working with the RHC to address this issue.

• There was a recent decision of the Landlord and Tenant Tribunal that favoured a property owner operating an illegal and unsafe Rooming House. It is uncertain why the Tribunal supported the operator. It may have been an issue of the credibility of the tenants versus that of the operator. The tenants are initiating an appeal of the decision. The working group will monitor the outcome of the appeal as this may be evidence that the City will need to initiate discussions with the Tribunal to ensure consistency in objectives.

Conclusion

The Comprehensive Room House Strategy Pilot is funded until March 31, 2011. The initiative will continue to focus on supporting Rooming and Lodging House owners to become compliant with Schedule 9 of the City of Hamilton Licensing Code By-Law, 07-170, while ensuring the availability of safe, adequate housing.

Staff will report back to the Emergency & Community Services Committee in the first quarter of 2011 regarding the evaluation of the project and a sustainability plan for the future.