Request to Speak to a Committee of Council

Standing Committee Requested

Kindly indicate which Standing Committee: *

Committee of the Whole

Requestor Information

Name of Individual: * Sheldon Palmer
Name of Organization: NIL
Do you or your organization represent a Yes
lobbyist (voluntary) No
Contact Number: * Home: [Redacted]
Email Address: * [Redacted]
Mailing Address: * 16 Wexford Ave N Hamilton, ON L8H $M1
Reason(s) for delegation request: * Property Standards departmental policy/procedure modifications and introduction of a new municipal by-law named the HCRP (Hamilton Residential and Commercial Rental Property By-Law) for consideration and implementation, which has the potential of grossing approximately 40 million dollars over a three year license period.

Will you be submitting a formal presentation with your request?*

Yes

Overhead projector required for the presentation

No

Power Point required for the presentation

Requests to speak to Council are forwarded to the Standing Committee for consideration. Once considered by Committee, and approved, you will be notified of the date for your presentation. Personal information collected on this form is authorized under Section 5.10(2) of the City's Procedural By-law No. 03-301 for the purpose of contacting individuals and/or organizations requesting an opportunity to appear as a delegation before a Standing Committee and will be published with the Committee Agenda. The Voluntary Lobbyist Registry is a public document and will be available for viewing in the City Clerk's office. The Procedural By-law is a requirement of Section 238(2) of the Municipal Act. Questions about its collection can be directed to the Manager of Legislative Services, 71 Main Street West, 2nd Floor, Hamilton, ON L8P 4Y5 (905) 546-2424 ext. 5409
Re: Proposed Hamilton Residential/Commercial Rental Property By-Law (HRCRP)

HRCRP- By-Law/Departmental objectives/functions.

Mission:

Promote and sustain health, safety and quality of life within the City of Hamilton for tenants and landlords on fair and equal terms.

Objective:

To promote and protect landlord/tenant rights, health, safety and quality of life through the introduction of a new municipal by-law for the City of Hamilton, or the HRCRP-Hamilton Residential/Commercial Rental Property By-Law.

“TREAT LANDLORDS LIKE A BUSINESS, BECAUSE THEY ARE”

Current Provincial Landlord and Tenant Board has no clear “forms” or “good state of repair” guidelines to follow; it relies on those of the Municipal level.

The City of Hamilton has no landlord-tenant guidelines to follow!

Municipal Level:

- License the landlord and his property with a 3 yr rental license-subject to stiff fines for renting a property without a license
- Ensure landlords of registered rental property(s) have up to date and current structural and/or property insurance before being rented-part of rental property package
- If the landlord does not comply with a membership fee then add it to the appropriate property taxes.
- Repeat compliance offenders lose their rental license
- Force property owners to conform to Canada post privacy restrictions-one mailbox per unit
- Create guidelines specifically for landlord/tenant due to rapid turn around of rental units; ie terms of cleanliness, special requests, appropriate utility responsibilities etc.
- Create a public registrar for all rental properties within city boundaries and allow tenants to look into the landlords past for compliance, like they do to the tenants now
- Implement strict rental property guidelines ie health, fire safety, building code (according to Municipal guidelines) before and after every rental
• Mandatory rental unit fire inspections BEFORE being rented to tenants and on a yearly basis
• Mandatory cleanliness guidelines before being rented
• Stiff mandatory municipal fines for non compliance
• Standardize rental forms, i.e. rental, scheduled maintenance, compliance, change of landlord agent, property compliance check list and all other associated applications and forms available through a license/membership package
• Provide rental letter of approval to tenant at the end of the lease
• Co-ordinate with the Provincial government to mediate claims before they go to the tribunal (Priority Bases) and cut back on trivial issues reaching a provincial court level that do not belong there
• HRCRP rent check account to stop landlords from not claiming their rent funds legally-collecting rent is considered income, all while taking away the number one reason a dispute lands in the provincial level-L&T Board-RENT!. The HRCRP collects the rent for the period of the lease for more effective routing of funds. i.e 6% interest refund on last month collected, parking key deposits etc.
• Appoint a certified public auxiliary compliance officer who has the power to order immediate major repairs to the rental property without delay; the landlord may appeal to the committee
• Provide property maintenance programs for out of and in town landlords on monthly/yearly basis and create a municipal property maintenance fleet
• Yearly property compliance inspections for health and safety and property standards
• Create a standard property check list, room by room with the signing of a property lease to document any minor damages before a tenant takes occupancy-avoids any blame or finger pointing
• Promote provincial and/or federal assistance programs for upgrading aspects of landlord property and apply to property taxes. i.e. lead water pipes, energy efficient appliances, energy efficient doors and windows etc.-promote and pursue a green Hamilton

Positives

• Protects human rights for everyone involved
• Safer, healthier, smarter and a good municipal investment for all communities
• Lucrative investment for the city and the landlord
• Cleaner more appealing city
• Takes the health and safety of tenants out of the hands and care of landlords and into the hands of those concerned
• Prevents against identity theft/fraud of any kind
• Attract higher class of people to the inner City
• Landlords become less liable for court action through aggressive compliance
• Negligent landlords will think twice about their aspirations of becoming landlords-only serious investors will apply
• Possibility of generating a real estate boom in city by negligent landlords selling those properties where they wished to be “bum landlords”
• Properly maintained properties cuts down on inner city crime
• Reduce the number of pests and vermin in the inner city, garbage in the streets
• Safer communities for children to play
• Positive landlord/tenant relations
• Safer conditions for seniors (and renters alike) outside of long term care facilities-seniors are seniors no matter where they reside-A RENTER IS A RENTER!
• Local communities more appealing on the eyes of those who pass through our city
• City of Hamilton maintains a tighter grip on property standards and MORE enforcement of those by-laws-fines apply
• More accountability as landlords will not be permitted to let properties get run down through annual inspections and compliance-fines apply
• Level playing field for landlord and tenant, thereby reducing the amount of claims that enter the provincial Landlord and Tenant Board
• Drastically frees up local utility grids; i.e. hydro, water and natural gas—NO MORE ENERGY CONSUMING HOMES IN HAMILON! We have to go green from the inside out, not the outside in
• Happier tenants make happy landlords
• Tenants who rent longer help create a safer neighborhood for everyone
• Speeds up a property repair order or request
• Eliminates the possibility of a municipal to provincial conflict of interest or accidental City involvement
• Full release of utility consumptions
• Full release of past tenant complaints upon request
• Instills integrity in a new municipal by-law
• The landlord has his investment effectively monitored and maintained according to municipal by-laws

License Fees

Census report for City of Hamilton-2006

• Number of private dwellings-Municipal 194,455
• Number of private dwellings-Provincial 4,555,025
• Number of rented dwellings- Municipal (No registry) 61,675 + (10%)
• Number of rented dwellings- Municipal + (6168) 67,843
• Number of rented dwellings- Provincial 1,312,290
• Dwellings requiring major repairs- Municipal 14,430
• Dwellings requiring major repairs- Provincial 300,631
Municipal

- 61,675 (current) x $500 3yr license/membership fee = $30,837,500.00 or $10,279,166.00/yr
- 67,843 (+10%) x $500 3yr license/membership fee= $33,921,500.00 or $11,307,166.00/yr
- 14,430 x $500 municipal by-law fine for major repairs required = $ 7,215,000.00/yr

$38,052,500.00 or (+10%) $41,136,500.00/3yr

- Available property maintenance/service fees and non compliance fines to be established.

Landlord

- For a $500 investment—that’s a monthly input of only $13.89—cheap peace of mind
- A landlord is able to write-off a percentage of home running costs as part of an “office” expense i.e. mortgage, internet, utilities etc. putting more cash into the local economy.
- One complimentary property inspection for the landlord to assess the compliance of said property to be rented.