



Property Standards

in the City of Hamilton

Introduction

The Property Standards By-law sets minimum standards to ensure that property owners maintain their properties. These standards are put in place to protect the health and safety of occupants/tenants as well as the general public. Property Standards address the physical building and the land around the property.

What is the law regarding Property Standards?

Basically the property owner must maintain and repair the interior and exterior of their property.

Please note: Vacant buildings and properties that have immediate health and safety concerns (e.g. falling bricks, open to trespass, significant cracks in foundation, bulging walls) should be reported to:

- Building Services during regular business hours: Monday - Friday: 8:30 a.m. - 4:30 p.m. 905.546.2424 Ext. 3950
- Customer Contact Centre after business hours: 905.546.CITY(2489)

What are some of the interior and exterior issues covered under Property Standards?

Interior:

- Doors and windows
- Interior stairs
- Floors and walls
- Plumbing
- Electrical

Exterior:

- Exterior walls and roofs
- Eaves troughs and downspouts
- Balconies, porches, and exterior stairs
- Fences, barriers, and retaining walls
- Garages/sheds

Who is responsible for maintaining Property Standards?

The property owner is responsible for ensuring that violations are corrected. In some cases, occupants of a property may also be responsible for the correction of the violation. The rental agreement may address who is responsible to make repairs.

How do I register a Property Standards complaint?

Anyone can make complaint about a possible Property Standards violation by calling 905.546.2782 or sending an email to mle@hamilton.ca or completing the online complaint form at www.hamilton.ca/bylawcomplaintform. Please give as much information as possible including the address, exact location on the property (e.g., top right area of the roof) and details of the problem. If you are an occupant you need to contact the property owner/landlord in writing first (if possible), listing the problems and allow a reasonable time period for the problem(s) to be corrected. Municipal Law Enforcement (MLE) can be contacted and may investigate if there is no action taken in a timely manner. As part of their investigation, staff will want a copy of the dated letter or documentation that the property owner was contacted about the problems.

What is the process for enforcement?

A Municipal Law Enforcement Officer (MLEO) investigates to determine if there is a violation(s) of the By-law:

- If no violation(s) is found the file is closed.
- If a violation(s) is found - the MLEO will contact the property owner to advise them of the violation(s), request the appropriate action be taken, and/or issue an Order to Comply.

An Order lists the violation(s) and explains what needs to be done by the property owner to correct

the violation and gives a specific time frame for the work to be completed.

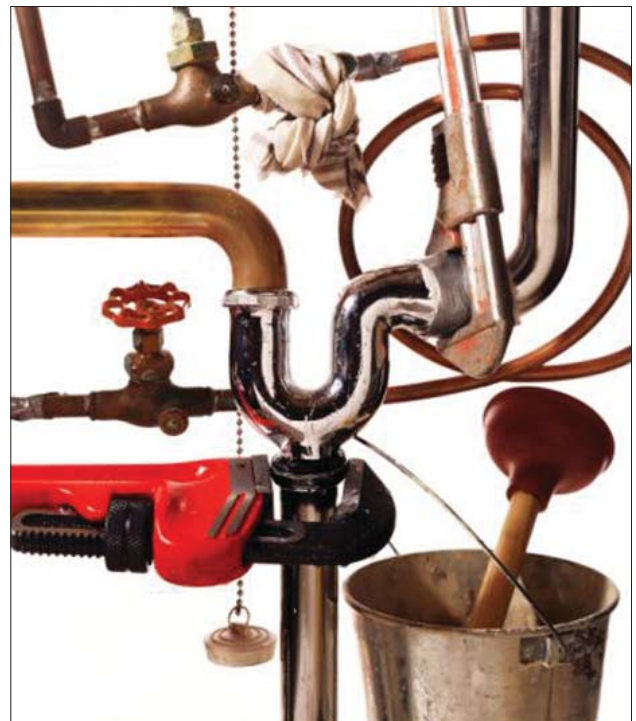
What happens if a property owner does not comply with the Order?

If the property owner does not comply with the Order, the MLEO can use various tools to resolve the violation which may include:

- A Fee for Inspection cost that will be added to the property taxes
- Tickets or Court Action
- Sending out a contractor to complete the required work with the costs added to the property taxes.

What are my rights as a property owner?

The property owner has the right to appeal the Order to Comply to the Property Standards Committee. The directions and timelines to make an appeal are noted on the Order to Comply.



THE CITY OF HAMILTON
77 James Street North, Suite 250, Hamilton On L8R 2K3

Planning and Economic Development

ORDER

Pursuant to Section 15.2(2) of the Building Code Act, 1992

Issued To:

Municipal Address:

LEGAL DESCRIPTION:

TAKE NOTICE that on **Insert Date** an inspection of your property at 100 Hamilton St. N formerly FLAMBOROUGH, Now CITY OF HAMILTON, ON indicated that the property does not conform with the standards prescribed for within the City of Hamilton Property Standards By-law #03-117 specifically:

ITEM	BY-LAW SECTION	STANDARD PARTICULARS OF THE REPAIRS TO BE EFFECTED (noted in bold below)
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1.

2.

Specifically ordered:

You as the Owner of the property, are ordered to carry out the work as set out above, or alternately, you are ordered to clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition by **Insert Date**.

TAKE NOTICE that a Building Permit is required before demolition work or any material alteration or repair to a building or system is done.

AND TAKE NOTICE FURTHER that if the building is used as a rental residential property, you must also comply with the requirements of the Residential Tenancies Act, 2006.

AND TAKE NOTICE FURTHER that in default of compliance with the foregoing, within the time specified herein:

- a) The City of Hamilton may carry out the repair or clearance at the expense of the owner.
- b) Every owner who contravenes an Order that is final and binding, is liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$100,000.00 for any subsequent offence.

Notwithstanding the above, if a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$100,000.00 for a first offence and \$200,000.00 for any subsequent offence.

- c) Notice of Appeal shall be sent by Registered Mail to the Secretary of the Property Standards Committee, City Centre, 77 James Street North, Suite 220, HAMILTON, Ontario L8R 2K3

- d) **THE LAST DATE** of appeal of this Order is **Insert Date**

Issued and sent by Registered Mail On: _____ Insert Date

Signature: _____

Bylaw Officer

10-188843 00 PS

Order to Comply Form

Exterior of buildings need to be maintained to prevent the entry of vermin and birds and prevent the leakage of water into the building.



Example of Property Standards Violations

Damaged doors and windows eg. broken glass or hardware needs to be repaired or replaced.



Example of Property Standards Violations

For more information contact:

Parking and By-law Services Division
Municipal Law Enforcement Section
Planning and Economic Development Department
Hamilton City Centre, 77 James Street North
Main Floor, Suite 250
Hamilton, Ontario, L8R 2K3

Monday - Friday
8:30 a.m. - 4:30 p.m.
Phone: 905.546.2782
After Business Hours: 905.546.2489
Email: mle@hamilton.ca
Website: www.hamilton.ca/mle