

**Brampton Committee of Council: Wednesday, March 29, 2023**

**MOTION: Brampton Rental Landlord Registration/Licensing Program**

**MOVED BY: Santos**

**SECOND BY: Keenan**

**WHEREAS:**

1. Licensing a business ensures that adequate measures are in place to safeguard the health and safety of residents and provides protection for consumers and Licenses generally require zoning approval, regular proof of insurance, annual inspections (i.e. fire and property standards);
2. Relative to other types of business operations across the city and despite significant health and safety risks to residents related to this sector, the business of operating room or unit rentals does not consistently require registration or a license to operate;
3. Precedent exists for licensing of other types of rental businesses, such as licensing of short-term rentals or lodging homes;
4. In 2015, the City of Brampton implemented a registration process to permit a business to operate in a manner with specified rules and regulations as set out by a municipality but does not necessarily require the same safeguards (i.e. annual inspections) as a license;
5. The implementation of a one-time registration of second unit dwellings has successfully increased registered units from May 2019 at 1,254 new units to February, 2023, at 16,264 two-units registered with the City;
6. From 2018 to 2022, Enforcement received more than 8,800 property standard (i.e. garbage, noise, weeds/long grass) complaints related to two-unit dwellings but many times having difficulty contacting the property owner to address the issue as it was no longer the principal residence or ownership of the property was transferred;
7. Presently, the City's Two-Unit Dwelling registration process does not assume the units will be rented nor does it require landlords/property owners to update the City with new information;
8. It is anticipated that the City will experience an increase in ARU applications and garden suite applications in the coming year with the adoption of the Official Plan and Zoning By-Law amendments based on the Province's Bill 23 legislation and pressure to create new housing based on Brampton's Municipal Housing pledge to the provincial target of 113,000 units over the next 8 years;
9. Over the past eight years the City's Enforcement Department has seen an increase in the number of illegal lodging house complaints, but in over seventy-five percent (75%) of complaints investigated by Enforcement there was no substantial evidence to determine the dwelling was operating an illegal lodging house;
10. As presented in the corresponding report and attachment 1 - municipal benchmarking, other municipalities such as The City of Waterloo, have experienced similar issues and have implemented licensing of landlords or are currently piloting landlord licensing programs;
11. The highest number of service requests related to property standard violations are concentrated in Wards 1, 3, 4, 5 as per Attachment 3, figure 8 of the Information Report on Proactive Property Standards Exterior Enforcement (RM 42/2022 and RM 55/2022).

**THEREFORE, BE IT RESOLVED THAT:**

1. The report from Mirella Palermo titled, 'Information Report: Current City Licensing and Registration Programs of Rental Housing, Overview of Potential Landlord Licensing Programs and Landlord Code of Conduct (RM 40-2022 and 52/2022)' to the Committee of Council Meeting of March 29, 2023, be received.

2. Staff be directed to report back in Q3 2023, on with an implementation plan for a 2-year pilot (beginning Q1 2024), of a Brampton Rental Landlord Registration/Licensing Program based on the City of Waterloo and other benchmarked municipalities from Attachment 1 of the Report with the following objective:
  - Objectives of the Residential Rental Licensing Program – to protect the health and safety, and human rights of persons to protect the residential amenity, character and stability of residential areas. To proactively mitigate potential risks that may exist within a particular business sector and provide enforcement mechanism to respond to complaints relating to that sector.
3. In the report regarding the implementation of a 2-year pilot, staff include (but not be limited to) the following best practices from other municipal licensing programs:
  - a) Set a cap or process to regulate the number of rental units allowed in ARUs per housing type (single detached, semi-detached, row townhouse)
  - b) Set a cap on the number of residents permitted in a lodging home and update licensing requirements accordingly
  - c) That licensing for short-term rentals be amended to include random inspections and that this be applied for new applications or renewals of such licenses moving forward
  - d) Landlord Registration/Licensing program (applications and renewals) include annual and/or random inspections related to the Ontario Building, Electrical and Fire Codes
  - e) Explore establishing a Landlord Code of Conduct
  - f) Application and renewal fees to help offset the cost of the program
  - g) Include fines and escalating fines for rental units (ARUs, garden suites, or lodging homes) without a license or for those who continue to operate but fail to renew
  - h) Develop and implement a demerit point system for landlords (similar to Oshawa) to encourage compliance with the City's by-laws beyond fines
  - i) Develop a checklist or protocol to help bylaw enforcement determine if a property may be operating as a business /Landlord (rental of ARUs, garden suites, and/or lodging home) without a license
  - j) Develop a list of tenant and owner responsibilities regarding property standards and bylaw enforcement, snow cleaning, and it be provided to landlords in an accessible manner either as a handbook or as an online resource and if possible include pertinent regional information such as waste collection. Licensed landlords would be required to provide this information to tenants
  - k) Create a directory or interactive online map of all registered licensed properties similar to the current registered second units that is accessible on Geohub to all residents
4. The implementation of the pilot be applied to rental properties (registered or not currently registered as an ARU or garden suite) identified in the top 4 hotspot areas (as per Attachment 3, figure 8 of the Information Report on Proactive Property Standards Exterior Enforcement (RM 42/2022 and RM 55/2022), identified as Wards 1, 3, 4, 5 which represent the highest concentrations of property standard issues across the city
5. That as per Action Item 8.1.4.1 of the Housing Brampton Plan staff be directed to provide a Report to Council on a work-plan to update Lodging Houses for city-wide application.
6. That staff report back in Q3 of 2023 on the work plan for implementing the 2-year Brampton Rental Landlord Registration Licensing Program, beginning in Q1 2024, including funding required from the 2024 and 2025 Budgets.

7. That this motion and corresponding/mentioned reports with appendices, be forwarded to Sheridan College, Algoma University, Toronto Metropolitan University, and identified private colleges for consideration as part of the work being completed on the Brampton Charter for International Students;