

Safety and Facilities Services Committee
City of Oshawa
50 Centre Street South
Oshawa, ON L1H 3Z7

September 15, 2023

Re: Report SF-23-28

The Durham Region Home Builders' Association is in receipt of Report SF-23-28 – *Additional Proposed Policy Options for the Residential Rental Housing Licensing Program* and has circulated this report to our GR committee. Our comments on this report are based on their feedback.

The DRHBA's position remains as it was in the correspondence submitted on May 17, 2023 and May 4, 2022.

While we appreciate that the committee referred report SF-23-18 back to staff to incorporate information received at the spring Safety and Facilities Services committee meeting, DRHBA is still not in support of a city-wide expansion of the R.R.H.L.

Upon review of the rationale provided to support expanding the R.R.H.L. program to all wards, DRHBA has several questions and concerns.

In section 5.1.3.2, in reference to report CORP-21-23, staff state that “the data review appears to suggest that the R.R.H.L. Program creates a safer living environment for tenants which is the intended objective of ensuring compliance with municipal and provincial standards.” This statement appears to be based on the stated information that between 2012 and 2022, there have been no fire-related deaths in rental dwelling units within the existing R.R.H.L. area. However, this alone is not enough to support the conclusion drawn. More information is needed, such as are there other areas of Oshawa outside the R.R.H.L. area that also saw no fire-related deaths in rental dwelling units? Is there evidence that confirms that any fire-related deaths in rental dwelling units in Oshawa were solely due to the negligence of the landlord? Is there any statistical information about fire-related deaths in apartment buildings vs. basement or single-detached units, or new builds vs. much older units? Without further supporting evidence, DRHBA cannot accept that the R.R.H.L. program is solely responsible for preventing fire-related deaths in rental

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dwellings, or that expanding the program would prevent any more fire-related deaths in rental dwellings.

The report also states that as of Spring 2023, only 78% of rental units in the R.R.H.L. area are in compliance. This means that after being in place for 15 years, over 20% of units in the R.R.H.L. area are not in compliance. If this program was expanded to all wards, how long would it take to have all units in compliance? Based on staff availability and resources, is it even possible to have a 100% compliance rate city-wide? Or will it be the responsible landlords that comply, and the irresponsible landlords that continue to fly under the radar?

Committee members are aware that there is a serious housing affordability crisis, which is also impacting the City of Oshawa. It's not just impacting house prices, but rental costs are also seeing a substantial increase.

Efforts to combat ever-rising housing costs have been undertaken by both the provincial and federal governments, with the federal government just yesterday announcing their plans to remove the GST on purpose-built rentals. In order for any of the programs to work, municipalities need to get on board as well. By expanding the R.R.H.L. program, the City of Oshawa will be working against the spirit of the legislation and programs put in place by the provincial and federal governments, by adding more costs and red tape to rental housing.

DRHBA understands that the committee and council want to ensure that residents have a safe place to live. However, there is existing legislation and municipal by-laws already in place that regulate rental housing and the safety of rental units.

All new construction, including renovations, must be built to the Ontario Building Code (OBC) and pass all municipal inspections as part of the permitting process.

All landlords and tenants are governed by the *Residential Tenancies Act, 2006*. For example, Part III, section 20 (1) of this legislation states, "A landlord is responsible for providing and maintaining a residential complex, including the rental units in it, in a good state of repair and fit for habitation and for complying with health, safety, housing and maintenance standards." If a landlord is not in compliance with this section, the legislation allows for remedies to be enforced by the Landlord Tenant Board, which include, but are not limited to: terminating the tenancy; ordering an abatement of rent; authorizing a repair or replacement that has been or is to be made, or work that is to be done, and ordering its cost to be paid by the landlord to the tenant; ordering the landlord to complete specific repairs/replacements within a specified time; prohibiting the landlord from increasing the rent until repairs have been complete; etc. (Part III, Section 30(1)).

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The City of Oshawa also has the ability to enforce safety issues through its property standards bylaw.

As we are currently in an unprecedented housing affordability crisis, it would be counterintuitive to expand a program that will ultimately increase rental rates in legal, safe units, while having little to no impact on the illegal, unsafe units.

The proposed Residential Rental Housing Licensing Program does not provide tenants with any protections that are not already addressed in existing municipal bylaws or provincial legislation.

Instead, expanding the program will only serve to add an additional layer of red tape around housing – which is already in crisis. Added fees and duplication of regulations will only serve to increase rents and decrease the number of rental units available on the market, as it may serve to discourage small landlords from entering the rental market. Combined with the fact that there really hasn't been a concerted effort to entice development of more purpose-built rental units, it is really this shortage of available units that will continue to prop up ever-increasing rental rates.

As an Association, we are championing housing affordability and will only support initiatives that will lead to greater supply, less red tape and more housing options for the residents of Oshawa and Durham Region.

We look forward to continuing to work with City staff to ensure that all residents of Oshawa have a safe and affordable place to call home.

Sincerely,



Stacey Hawkins
Executive Officer
Durham Region Home Builders' Association

Cc:
Domenic Chiodo, President, DRHBA
Nick Henley, Chair, GR Committee, DRHBA
DRHBA Membership

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