

ASH comments on the Rental Accommodation Study Housing Options paper

August 2019

We have compared in the table below how rental licensing or enhanced regulations could address Sandy Hill-specific problems.

Overall, our position is that landlords should be responsible for their properties and for the negative consequences that arise from poor management and neglect. The existing and potential landlords/developers in Sandy Hill need to receive a strong message that the City is intent on translating negative externalities into internalized business costs.

- One purpose of rental licensing is to counter the situation where bad landlords make money on the back of students, neighbours, and Ottawa taxpayers – by not meeting various safety, public health, and property standards, and rental leasing, bylaw and zoning rules.

ASH's position is that implementation of a five-year pilot project in Sandy Hill is the best means to test and evaluate the effectiveness of rental licensing to address the issues outlined in the table below. A pilot project would allow for a cost-benefit analysis that would clearly show all parties how current costs to the City for Sandy Hill (such as for Bylaw enforcement, including its dedicated Bylaw officer, and the very high number of 311 calls from Sandy Hill residents) compare with the costs of a licensing system. It would quantify, through agreed-upon performance indicators, the benefits to students, neighbours and Ottawa taxpayers of improved rental housing standards in Sandy Hill.

ASH would like to contribute to designing a system that is flexible and promotes positive change in the community, including

- Incentives for good landlords, such as reduced licensing costs and less frequent inspections when properties garner no 311 calls or tenant complaints, and meet all licensing requirements for three years in a row
- Promoting the planting of front yard trees in City rights-of-way on rental properties, and contributing to City waste management goals by supporting greater recycling rates and green bin use

Next steps:

- ASH encourages the consultants and the City project team to consult with uOttawa students directly on this study. It is vital this population's views are captured.

ASH analysis of rental accommodation licensing vs. enhanced enforcement of existing regulations

Issue	Rental accommodation licensing in Sandy Hill	Enhanced enforcement of existing regulations in Sandy Hill
	For all issues below, licensing provides an added lever, above notices and fines, to revoke a license and suspend operations after too many cases of failure to comply	No added lever
Compromised tenant safety	Mandatory inspection provides regularized access to emergency service officials (e.g., to verify for egress, smoke detectors, fire extinguishers, evacuation plan)	Does not provide regularized access, relies on tenant and/or neighbour action
Adverse public health conditions	Mandatory inspection provides regularized access to public health officials (e.g., to verify for interior and exterior, i.e., for rodents)	Does not provide regularized access, relies on tenant and/or neighbour action
Non-conformity with zoning and building code	Mandatory inspection provides regularized access to City building inspectors for Ontario Building code violations (e.g., to verify exiting requirements such as basement egress window size, number of exits, exit widths; fire separations between units; guardrails with proper heights and load capacity, bedroom sizes) and City zoning bylaws (such as garbage storage, access to rear yards, grading/water run-off, privacy/views, 30% landscaping, # bedrooms)	Does not provide regularized access, relies on tenant and/or neighbour action
Non-conformity with property standards bylaw	<p>Garbage and recycling storage is a chronic problem with a long history in Sandy Hill. Licensing and inspection are another opportunity to apply pressure to comply with bylaws. Existing bylaws, such as a qualified garbage enclosure need to be met, prior to approval of a rental license.</p> <p>Provides added lever, above notices and fines, of power to revoke license after too many cases of failure to comply</p>	<p>Relies on existing system of tenant/ neighbour reporting, process-heavy notice and fine system</p> <p>After much effort expended by both bylaw inspectors, Sandy Hill residents, and ASH over the past 10 years, many violations still occur or are chronic repeat offenders</p>

Issue	Rental accommodation licensing in Sandy Hill	Enhanced enforcement of existing regulations in Sandy Hill
Non-conformity with Residential Tenancies Act (LTA) and/or Ottawa Rooming House Bylaw	As in Oshawa system, ability to verify tenancy agreement and use of standard lease, and ensure that tenants are not living separately (if they were, landlord would need a rooming house license)	Does not provide means to verify living arrangements
Grandfathered “illegal rooming houses” (that existed prior to the new rooming house definitions, and if built now, would have to obtain a permit)	Will finally fall under a licensing regime, and their impact lessened in a licensing system like Oshawa’s that limits the bedroom count to 4 and to 40% of the dwelling unit.	No added benefit
Difficulty in identifying and contacting property owners/landlords	Licensing requires contact information. No numbered rental companies can be allowed.	No solution to issue
Corollary issues		
Current lack of student housing to meet demand, and impacts on affordability	Any impact on supply and affordability from licensing must also be weighed against other factors that will add supply and increase affordability: for example, housing made “closer” by the LRT, student residence building plans by uOttawa, student rental accommodation soon to come on the market on Rideau St., and expected zoning changes that will allow increased density in currently low-density near-urban neighbourhoods will work to increase affordability.	n/a

Issue	Rental accommodation licensing in Sandy Hill	Enhanced enforcement of existing regulations in Sandy Hill
<p>Nearly all new rental developments in Sandy Hill cater to only one demographic, excluding other tenant types due to small bedroom sizes, lack of storage facilities, etc.</p>	<p>Where, to obtain a rental license, landlords find the costs of meeting the required standards persist year over year due to high turnover or problem tenants, there may be an incentive instead to provide upgraded or renovated rental housing that appeals to longer-term and more careful tenants.</p>	<p>n/a</p>
<p>Undermining of Sandy Hill's heritage and character</p>	<p>The City's drive for intensification, amplified by the demand for student housing in Sandy Hill, has meant that returns on investment are being realized through redevelopment that has undermined heritage properties and the overall character of Sandy Hill as a historic Ottawa neighbourhood. A licensing system is a small but nevertheless important means to ensure that all costs associated with rental are included in investment calculations.</p>	<p>Has so far proven unsatisfactory.</p>