



**Housing is a municipal issue.  
Hamilton just needs to care  
about it.**

# **Tenants Demand A Better City from City Hall**

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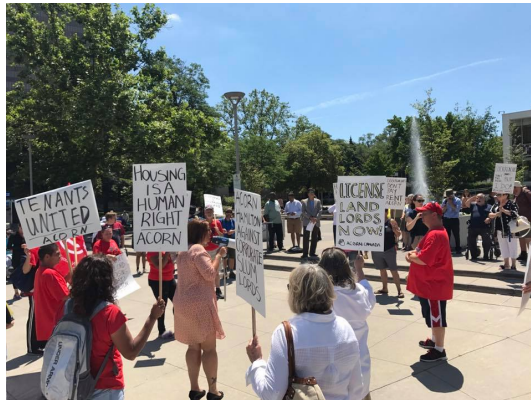
# Introduction

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Hamilton is in an affordable and livable housing crisis. This is a trend seen across most major Canadian cities, that will worsen with no government action. The City of Hamilton has a responsibility to protect the most vulnerable. If the city continues on its current path of protecting developers and landlords over working class communities, more and more tenants will lose affordable housing or be forced to remain in unsafe and unhealthy conditions.

Hamilton City Council has a choice to make.

ACORN is calling on the city to provide leadership and action this term.



## Housing is a municipal issue

The City of Hamilton has massive powers over housing. It controls what is built in the city through zoning powers granted under The Planning Act. It controls health standards granted under the Ontario Health Protection and Promotion Act, giving the city the responsibility to regulate and enforce health and safety issues in Hamilton. The City also has the duty to regulate and enforce building codes in accordance with the Building Codes Act. Lastly, the responsibility of operating social housing as laid out in the Housing Services Act.

The city may not make use of all of these powers but they have them. While all levels of government need to do more, Hamilton needs to start in its own backyard. It's time for the city to exercise its power for the benefit of all residents.

## Case Study:

Tenants in this King St E apartment were told by bylaw officers that electrical outlets were not part of their job and to call ESA. Likewise, unfinished work in their bathroom, that had been neglected by their landlord, was deemed cosmetic.



# Housing Platform

## 1. Overhaul the city's property standards

Hamilton's apartment bylaws are outdated and missing many of the issues that tenants are facing. Most tenants would be shocked to learn that a working appliance is not covered. Hamilton's bylaws were last updated in 2013.

ACORN is calling on the city to review and update apartment property standards to include all health and safety issues tenants are confronted with.

Some examples of items insufficiently covered or left out of Hamilton's property standards:

- Ventilation
- Electrical Outlets
- Appliances
- Cleanliness of Elevators
- Mail Room

## Case Study:

Tenants at 285 Melvin Ave in Ward 4 finally had enough of their landlord, Harold Keen, in the spring of 2018. Years of no repairs & no investment created a dangerous living situation for a building full of seniors and low income tenants. The City of Hamilton needs to hold landlords accountable and ensure the kind of issues at 285 Melvin don't go on for years with no repercussions for landlords.



# Housing Platform

## 2. Create a Landlord Registration System

We need a proactive approach, not a program that puts the burden on tenants. ACORN is calling for a registration system that would see landlords register with the city and pay a reasonable fee per unit annually. Buildings would be annually inspected and expected to comply with a comprehensive list of building maintenance standards. We know this can be done for mid to high rise apartments. Toronto passed landlord registration in February 2017, with annual fees around \$12 per year. We are calling on the City of Hamilton to immediately begin development of a similar program in our city.

Tenants in smaller buildings also need protection and proactive support from the city. That is why ACORN is calling on the City of Hamilton to explore the development of a full scale registration program for all apartments in the city, including basement suites and properties with less than 10 units. The purpose of this plan cannot be to discourage apartments from being rented out - we need places to live - and any registration fees should reflect that. Likewise, the purpose of property standards should be to protect safe, healthy and affordable homes. The city will have more tools to ensure buildings are up to code to protect tenants, and at the same time prioritize that no displacement takes place if a building has property standards orders against them.



## Case Study:

**Hamilton Bylaw visited 228 Rosewood Ave and discovered that the property operating as a 6-plex for decades was only zoned for 4 units. Due to the financial barrier of going through the rezoning process and unlikelihood of a zoning change in that neighborhood, the landlord issued an eviction notice to the tenant paying the lowest rent to comply with the violation. As a result, Shawna Chorney is facing eviction from her safe and affordable home of 10 years.**



# Housing Platform

## 3. No Displacement Policy

Hamilton's rental market is not just in apartment buildings. City-wide single family homes have been converted into multi-unit apartments for decades. While zoning has not kept pace with changing neighborhoods and housing needs, tenants should not pay the price. When zoning violations are identified, no tenants should be displaced from safe and affordable units. In fact when such violations are issued, the city doesn't even recommend which units must be removed or offer any support to the selected tenants. Instead we end up with landlords targeting tenants who pay the lowest rent from safe apartments. Likewise, when property standards violations are issued, the city should work with the landlord to bring the property into compliance. In the rare instance when a tenant must leave due to safety issues, the city should develop a program in place to support tenants in relocation. ACORN is calling on the city to end this practice and implement an anti-displacement strategy to ensure the city is not uprooting tenants when the focus should be on protecting them.

## Case Study:

**Malleum Properties received a City grant of \$44,000 to renovate Hendry's Shoe store on Barton St. A year and a half later, the company bought an 8 unit apartment property down the street at Barton & Sherman. Unfortunately for the low income tenants there, their new landlords had no plans for the tenants to stay. Malleum has been buying out tenants to renovate units and increase rents.**



# Housing Platform

## 4. Tenant Protections from Renovictions

As Hamilton's downtown core sees more developer investment, rent-controlled tenants are increasingly at high risk of a practice called renoviction. As developers buy up property along the proposed LRT line, they use techniques to force out tenants in order to 'fix up' suites to maximize profits. This practice puts a large section of Hamilton's affordable housing stock at risk, and is currently upending the lives of low-to-moderate income Hamiltonians.

The common tactics used to get tenants to give up their rent controlled units include disinvesting in maintaining the building and waiting for tenants to grow tired and move out, something that a RentSafe program would help stop. If that does not work, developers often go directly to tenants and offer low-ball buyouts — financial incentive for the tenant to terminate their lease. This practice is unscrupulous due to the vulnerable tenant population that is being pressured.

Affordable housing is lost during a housing crisis, tenants lives are upended dramatically, no new revenue is generated for the City (in fact costs of social services and housing increase), and the developer profits.

# Housing Platform

## 4. Tenant Protections from Renovictions Continued

ACORN is calling on the city to develop anti-renoviction policies that adopt best practices from other jurisdictions:

- A) The city should devise methods to keep track of all apartment buildings sold and immediately inform Hamilton tenants of their rights;
- B) The city should explore measures to regulate and publically register all tenant buyouts;
- C) The city should require that landlords offer displaced tenants the opportunity to temporarily move out for the necessary duration of renovations without their leases ending or rent increasing;
- D) The city should stop all grant programs to developers who are displacing tenants.



# Conclusion

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ACORN Hamilton is an organization of low to moderate income families. We demand solutions to the housing crisis because we are living it day in and day out. We understand that the heads of the departments, the politicians we elect, the owners of the buildings we live in, do not understand the housing crisis the way we do, and therefore don't prioritize solutions to these problems. That is why ACORN exists, to remind the powers that be that tenants and low-income people matter.

