

Public Participation Meeting - Rental Unit Licensing By-Law

Sunday, 22 March 2009

London City Council's Planning Committee will hold a Public Participation Meeting for the Residential Rental Unit Licensing By-Law on Tuesday March 24th at 5pm in Centennial Hall.

[Update: After a lengthy and contentious public meeting, the Planning Committee adopted the staff recommendation by a vote of 4-0 with an amendment changing the exemption from "5 or more units" to "7 or more units" (thereby including 5 and 6 unit buildings). The by-law will go to full council on March 30th].

The city has been considering several enforcement options to deal with substandard rental housing, including the option of requiring rental units to be licensed like other businesses in the city.(see previous planning department reports of December 2008 and February 2009)

While rental licensing is strongly opposed by the organized rental housing industry, city staff is recommending a limited licensing program, exempting units in buildings with five or more rental units (making it applicable only to buildings containing four or fewer rental units). A draft by-law will be presented to the Planning Committee on Tuesday and it is expected that they will take action on it that evening.

While the proposal is a step in the right direction, it falls far short of what is needed to adequately protect the health and safety of tenants and their neighbors. Applying a business licensing by-law to only the smallest properties while exempting the larger ones does not create an even playing field, and it will pose enforcement difficulties.

The London Housing Advisory Committee (LHAC) supports a city-wide licensing requirement as part of an overall strategy to deal with substandard rental conditions and other health and safety concerns. At its last meeting, LHAC reiterated its support for a city-wide licensing by-law and adopted the following set of principles for a rental licensing by-law . . .

General Principles for a Residential Rental Unit
Licensing By-Law for the City of London
Adopted by the London Housing Advisory Committee
March 11, 2009

The London Housing Advisory Committee (LHAC) reiterates the policy recommendations it has taken in support of a city-wide Rental Residential Business Licensing Program and adopts the following principles which should guide the city in implementing this program:

-

The provision of rental residential housing units is a business and should therefore be governed by the same types of licensing requirements applicable to other businesses in the city. In the past, the province has limited the City's power to apply its business licensing requirements to residential rental units, but now that this limitation has been removed, the City should exercise its new authority and treat the rental housing industry in a manner similar to other businesses.

-

The Rental Residential Business Licensing Program should be city-wide in application, and the end goal of the Program should be to include all residential rental units regardless of the size or location of the property. The licensing fees should be kept to the minimum necessary for cost-recovery.

-

Should the City Council determine that it be necessary to phase-in the licensing program, the selection of criteria should be based on objective and ascertainable factors that bear a reasonable relationship to the safety of tenants and condition of the housing stock. Factors such as the age of the building and the number of stories are better criteria than the reported number of rental units on the property. Under no circumstances should the geographic location of the property determine its order of licensing in a phase-in. There should be no cap on the number of licenses issued and minimum distance separation between addresses should not be considered as a criteria.

-

Any such phase-in should be for a reasonably short period, and accompanied by a target schedule along with ongoing reporting and review of the program.

-

The City Council should reject attempts on the part of the rental housing industry to influence the policy process by resorting to tactics designed to scare tenants with false representations about a landlord's ability to passthrough licensing fees to existing renters.