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March 15th, 2024

City Councillors
Community and Protective Services Committee
City of London

Please accept London ACORN's official submission in regards to city staff's report on renovictions and our desire to see a renovation bylaw similar to Hamilton introduced in London.

London ACORN is nearly three thousand members strong in the City of London, with over 177,000 ACORN Canada members across the country. We are comprised of low to moderate income families working on issues of social and economic justice. Like any union or association, our membership decides the drives of the organization, while determining that the vast majority of our resources go towards organizing door to door, block to block, and city to city. We've been organizing in Canada for nearly 20 years and consistently the number one issue that comes up when we speak with residents at their door is housing.

We commend the City for taking the time to review the anti-renoviction and landlord licensing policies in Hamilton, New Westminister and Burnaby, how they work and the positive impact they've had on protecting existing affordable housing. These policies are vital for ensuring an equitable relationship between landlords and tenants and preventing renovictions and other predatory landlord tactics. London ACORN members are excited to hear that Civic Administration plan to submit a draft by-law addressing renovictions to CPSC in Q2 2024. We also fully support Civic Administration's recommendation that the City's next steps should be to explore a multi-layered tenant support program centred around a renovation by-law. Ultimately, it is our hope that the City of London adopts a renovation bylaw and landlord licensing policy similar to Hamilton's, along with a Tenant Defense Fund similar to those found in Hamilton and Toronto.

Following the submission by J. Hoffer and Cohen Highley Lawyers, we would like to address some misleading and false concerns raised by the landlord lobby regarding the City Staff report:

- 1. According to the statement by J. Hoffer and Cohen Highley Lawyers, " the RTA already "covers the field" and will do so to an even greater extent once Bill 97 edits become law."**

ACORN members have expressed several concerns regarding the passing of Bill 97 due to the fact that this bill does very little to address the affordability crisis impacting renters, and in fact leads to weaker tenant protections. For example, to combat renovictions, the main

solution Bill 97 proposes is to require landlords to have qualified professionals sign off that the renovations require the unit to be vacant, keep tenants informed on the progress of the renovations and to double the fines for landlords who are found to have renovicted a tenant in bad faith.

These policy changes are not enough to stop renovictions. It is all too easy for landlords to hire their own contractors to say units must be vacant for renovations and ACORN members have yet to hear of a landlord actually being fined. Higher fines for predatory landlords are great, but not if they're rarely applied. Currently all of the onus of enforcement is on tenants. Most landlords doing renovictions would rather risk the fine - it's simply seen as the cost of doing business - because the financial incentive is so huge (rents usually double or even triple as a result of renoviction, as we've seen with the renovictions happening on Webster Street).

2. The statement by J. Hoffer and Cohen Highley Lawyers claims that the proposed renoviction bylaw and landlord licensing policies are "illegal" because they conflict with provincial laws

Renoviction bylaws and landlord licensing policies are not illegal nor do they conflict with provincial legislation or the RTA. These concerns have been raised in other cities, including Hamilton, where ultimately it was concluded that these tenant protection policies in fact are complementary to the RTA. Other municipalities are now researching Hamilton's bylaw to create similar policies - including Toronto, Sudbury, St Catharine's, and Waterloo Region. These concerns of legality were also addressed several times by legal experts during the creation of Hamilton's bylaw. We encourage CPSC members to review the [legal opinion from the Advocacy Center for Tenant Ontario](#) (ACTO - a specialty community legal clinic with a focus in housing issues related to tenants in Ontario) and the [legal opinion from Raven Law](#), which both address these concerns and support implementing municipal renoviction bylaws.

3. According to J. Hoffer and Cohen Highley Lawyers, licensing fees would act as an "indirect tax" on tenants due to landlords passing on these costs through Above Guideline rent Increases (AGIs)

Rent is regulated by the Province, and if a landlord wants to increase rents by more than what the Province allows (currently 2.5%), they need to then apply for an AGI at the Landlord Tenant Board. A landlord's application for an AGI is VERY unlikely to be approved, because cosmetic renovations are disallowed. Moreover, AGIs are capped at 3% above the annual guideline, so the maximum a landlord can legally increase rent even with an AGI is 5.5%.

ACORN members - who are low income tenants themselves - would rather pay an AGI (typically a \$50-\$75/month increase) than have to look for a new place to rent on the private market where they'll pay double or triple their previous rent as a result of being renovicted.

4. According to J. Hoffer and Cohen Highley Lawyers, ACORN's recommended policies would discourage landlords from undertaking the necessary repairs and maintenance to their properties.

Landlords are required by law to keep their properties in a good state of repair - this is why we have municipal property standards which need to be enforced. If landlords refuse to keep up with repairs in their properties because they are no longer allowed to displace tenants inside, they should be fined for not completing repairs. Additionally, as CPSC members have undoubtedly heard from constituents and as we have heard from many of our low-income ACORN members - landlords already are not keeping up with repairs in their buildings to save costs and drive long term tenants out. Landlord licensing is necessary to put a stop to the neglect already happening in apartment buildings across London.

We urge members of CPSC to hear the needs of tenants from across the City of London and continue to move forward with the proposed recommendation from Civic Administration to explore a multi-layered tenant support program centred around a renovation by-law.

Sincerely,

A handwritten signature in black ink that reads "Jordan Smith". The signature is written in a cursive, flowing style.

Jordan Smith
Chair, Carling-Stoneybrook chapter of London ACORN

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