

## Report to Community and Protective Services Committee

**To:** Chair and Members  
Community and Protective Services Committee

**From:** Scott Mathers, MPA, P.ENG., Deputy City Manager  
Planning and Economic Development

**Subject:** Renovictions: Renovation License and Relocation Bylaw  
Changes

**Date:** June 10, 2024

## Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development,

- (a) the attached proposed amendment to the Business Licensing by-law L.-131-16 (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on June 25, 2024, for the purpose of requiring landlords to obtain a licence before requiring vacant possession to repair a under ss. 50(1)(c) of the Residential Tenancies Act, 2006;

it being noted that a future by-law amendment will be brought forward to amend the Administrative Monetary Penalties By-law No. A-54 to introduce penalties and amounts to Schedule A-4 pertaining to the Business Licensing By-law L.-131-16 and this proposed new license category.

it being noted that a future by-law amendment will be brought forward to amend the Fees and Charges By-law No. A-59 to introduce fees and charges associated with this proposed licence category.

## Summary

In April of 2024, Civic Administration was directed to report back with respect to a Renovation Licence and Relocation by-law. Rather than creating a standalone bylaw, Staff recommend amending the current Business Licensing by-law L.-131-16 to introduce a new Licence category. The proposed changes to our by-law will have a similar effect to the recently enacted City of Hamilton by-law. This new licence would licence renovations to rental units that are so extensive that they require a tenant to move out. Commensurate amendments to the Fees and Charges By-law A.-59, and the Administrative Monetary Penalties By-law A-54 will be presented at a future meeting.

This report and the attached draft by-law amendment are being submitted for review at this time. At the recommendation of Committee and Council a public comment period will commence, and a future Public Participation Meeting is intended to be held to gather input regarding the attached draft by-law.

Using the public input, Staff anticipate that a by-law, which includes the aforementioned public input, would be presented at the Community and Protective Services Committee Meeting in September and decided on by Council later this year.

## Linkage to the Corporate Strategic Plan

This proposed amendment is directly linked to the Mission of the City's 2023-2027 Strategic Plan to improving quality of life and building a strong community through bold, proactive, and accountable City services.

It supports the *Housing and Homelessness* Strategic Area of Focus by demonstrating leadership and building partnerships to increase quality, affordability, and support for tenants. The by-law is intended to keep individuals and families housed and improve their existing living conditions.

Helping tenants understand their rights and, if they choose, to reoccupy renovated units will help keep London affordable and shows we are acting in a supportive way, as articulated in the *'Wellbeing and Safety'* Strategic Area of Focus in the Plan.

The licensing of this process should foster trust, demonstrate openness and accountability, and make us a leader in public service, which support the Strategic Area of Focus of a *Well-run City*.

## Analysis

### 1.0 Previous Reports and Resolutions Related to this Matter

In January of 2024 Civic Administration was directed to report back to the Community and Protective Services Committee (CPSC) with recommendations on a spectrum of municipal options to limit or prevent renovictions, including but not limited to amendments to or new municipal by-laws, policies, and programs. This report was to consider communications from Mayor Morgan, Deputy Mayor Lewis, Councillor Cuddy, and Councillor Trosow, that were appended to the agendas with respect to including the potential operational value of N12-N13 filing requirements in the report back.

On March 18, 2024, Staff submitted a Renovictions Information Report to the Community and Protective Services Committee which provided information to Council regarding some of the problems facing tenants and how these issues have been and continue to be addressed in Ontario, in British Columbia, and in other parts of the world.

On April 3, 2024, Council Resolved that Civic Administration report back at a future meeting of the Community and Protective Services Committee with respect to a "Renovation License and Relocation by law" (the name of Hamilton's By-law), it being noted that a public participation meeting would be held prior to the introduction of a new by-law.

### 2.0 Discussion & Considerations

Civic Administration was asked to review our current by-laws and recommend amendments to help tenants understand their rights in the face of eviction due to renovation, or as it has come to be known, a "renoviction"<sup>a</sup>. As discussed in the March 18 CPSC Renovictions Information Report, there is evidence of "bad faith"<sup>b</sup> evictions in London, either through the incorrect use of the N13, "Notice to End Your Tenancy Because the Landlord Wants to... Repair (the Rental Unit)...", Form, or through other methods.

In fairness, there are renovations to rental units that follow the prescribed processes in the *Residential Tenancies Act* regarding compensation and (potential) re-occupation of the unit following repairs. These however are difficult to track because there is no reporting mechanism for "renovictions" that go smoothly or are undertaken properly.

The problem is that "bad faith" evictions are causing hardship on residents and in many cases placing additional burden on housing services and shelter systems as people are being displaced and end up in less than adequate accommodations or on the streets. Evidence provided in the March 18 Renoviction Report shows that notwithstanding the

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<sup>a</sup> For a definition of "renoviction", see Watson, H. G. (Maclean's, February 1, 2024), "Why this Ontario city is passing an anti-renoviction policy", retrieved May 28, 2024, from <https://macleans.ca/society/hamilton-renoviction-policy/>.

<sup>b</sup> For a definition of "bad faith", see Beattie, Samantha (CBC News, January 18, 2024), "Hamilton to become 1st Ontario city with bylaw to stop 'bad faith' renovictions", retrieved May 28, 2024, from <https://www.cbc.ca/news/canada/hamilton/renoviction-bylaw-1.7086701>. Also used in the Residential Tenancies Act, 2006, ss.57(1)(c).

current processes outlined in the *Residential Tenancies Act*, delays in hearings and a lack of enforcement are being exploited to the detriment of tenants, province-wide<sup>c</sup>.

In fact, because the province is aware of these issues, the “*Helping Homebuyers, Protecting Tenants Act, 2023 S.O. 2023, c.10 – Bill 97*” was enacted, in part, to amend the *Residential Tenancies Act* and provide more protection and clarification for tenants than the current Act does. Notwithstanding that the proposed amendments have not yet been made to the Residential Tenancies Act, key elements of Bill 97 have been included in this proposed Licensing By-law in an effort to help inform tenants now, rather than, “...on a day to be named by proclamation...”<sup>d</sup> in the future.

The proposed introduction of a new category to the Business Licensing By-law L-131.16 will require landlords who issue a Notice to End a Tenancy pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006* – or an N13 - to get a license from the City to undertake repair of the unit. This licence provides an administrative backstop to help ensure the two parties – the Tenant and the Landlord – are aware of the rules set out in the *Residential Tenancies Act*. This Licence is not intended to be a substitute for the Act, or alter any processes set out therein, but simply to help ensure that the proper documentation and information is exchanged up front, by way of the required Tenant and Landlord Information Package, as part of the proposed Licence.

### 3.0 Financial Impact/Considerations

#### 3.1 Staffing Implications

Upon review of the new licensing requirements, Civic Administration has identified the need for six (6) new positions to be created and filled to adequately deliver on the administrative demands of this new by-law schedule. The following table outlines the financial implications of these new positions:

Position Name	# of positions	Total
Enforcement Staff	2	\$214 000
Customer Service Staff	2	\$149 000
Program Support Staff	2	\$218,000
<b>Total:</b>		<b>\$581 000</b>

These positions are required to ensure that the proposed new licensing program is properly supported.

#### 3.2 Licence Application Fee

The Application Fee for a Rental Unit Repair Licence is proposed to be set at \$400.00 and will be indexed annually commencing January 1, 2025, based on the Consumer Price Index calculated each October and rounded to the nearest dollar, as per the Fees & Charges By-law A-59. Once the By-law is finalized, an amendment will be made to By-law A-59 to account for the new licence category fees and charges.

#### 3.3 Applications and Cost Recovery

The proposed fee is not expected to cover the additional staffing requirements set out in 3.1. One of the anticipated benefits of a renovation licensing regime is the effect of being a disincentive to improper renovation evictions. Based on the most recent data

<sup>c</sup> Beattie, Samantha (CBC News, December 7, 2023), “Ontario has a rental housing enforcement unit. It investigates a fraction of cases and fines even fewer”, retrieved May 28, 2024, from <https://www.cbc.ca/news/canada/hamilton/rheu-enforcement-1.7048391>.

<sup>d</sup> Residential Tenancies Act, 2006, S.O. 2006 c.17 ss. 50(3), “Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 50 (3) of the Act is repealed and the following substituted: (See: 2023, c. 10, Sched. 7, s. 2)” Retrieved May 28, 2024, from <https://www.ontario.ca/laws/statute/06r17#BK72>.

available - as reported in ACORN Canada's "Ontario Renoviction Report"<sup>e</sup> - there were approximately forty-five (45) N13s *filed* with the Landlord Tenant Board, for London, in 2022. However as discussed in the March 18, 2024, information report, this number is misleading because only a fraction of N13s given to tenants are 'filed' with the Landlord Tenant Board.

Reducing the number of N13s issued (not necessarily filed) will obviously reduce the amount of money collected via application fees. Furthermore, because we don't intend to penalize landlords who legitimately need to evict tenants for extensive renovations, and because we're requiring one licence and one fee per renovated rental unit (which is financially tougher on multi-unit renovations), the fee needs to be reasonable and fair.

Because of our inability to calculate the difference in the volume of N13s being issued vs. filed, it is difficult to generate a fee that is directly tied to cost recovery because a desirable outcome of a successful licensing program is to restrict N13's being issued at all.

Therefore, it will be necessary to update the multi-year budget to implement the staffing and program needs.

### 3.4 Administrative Monetary Penalties

Administrative Monetary Penalties (AMPS) are based on specific violations of the by-law. Once the by-law is finalized, an amendment to the AMPS by-law will be included to identify the newly created administrative penalty categories and their commensurate administrative penalty amounts.

## 4.0 Key Issues and Considerations

### 4.1. Balancing Proper vs. Improper Evictions

Balancing between proper and improper evictions is a key component of this proposal. The Rental Unit Repair Licence is proposed where a Notice to End a Tenancy pursuant to subsection 50 (1)(c) of the *Residential Tenancies Act, 2006* (N13 Form) is used. However, this licence should only act as a deterrent to those Landlords that are seeking to evict under "bad faith" or false pretenses.

This is because a repair or renovation that genuinely requires vacant possession of a unit requires nearly all of the same information, administration, and material proposed in this licence schedule. This includes a building permit, notices and their associated timelines, the opportunity for a Tenant's right of first refusal, etc.

The only truly new requirement - the "report from a qualified professional" should not be difficult to deliver because a typical building permit requires design, review, and stamping by the same professionals required to provide the report. The report would simply be an add-on to building permit drawings. Further, this report requirement is taken from the proposed amendments to subsection 50 of the *Residential Tenancies Act, 2006*, as introduced in the *Helping Homebuyers, Protecting Tenants Act, 2023, c. 10, Sched. 7, s.2*), but which is not yet in force and effect. Thus, requiring a report as part of a licence application is not a stretch from what will undoubtedly be a requirement of the Residential Tenancies Act.

As indicated, the intent is that the licensing of the "renoviction" will disincentivize improper evictions in two ways. First, by requiring Landlord's to provide vital information to tenants regarding their rights under the Residential Tenancies Act, and second, through the requirement of acquiring a Licence when issuing an N13 Notice. Both of these are achieved while not negatively affecting proper evictions for extensive (and legitimate) repairs.

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<sup>e</sup> ACORN Canada. February 28, 2024. Renovictions in Ontario. ACORN Canada. <https://acorncanada.org/resources/renovictions-in-ontario/>

And while this program presents a somewhat heavier administrative burden on City Staff, the required program support staff are intended to manage the Rental Unit Repair Licence process from start to finish.

## **4.2 Hamilton's Renovation Licence and Relocation By-law**

Since the March 18<sup>th</sup> Renoviction Information Report by the City of London, the City of Hamilton has brought their by-law into force and effect, including the creation of 28 new Staff positions to implement and enforce the program.

Hamilton's by-law is a standalone licensing by-law that focuses on the same renoviction concern as our proposed amendment does; Notices of termination given to a tenant pursuant to Section 50(1)(c) of the Residential Tenancies Act, 2006 for repairs or renovations to a rental unit that are so extensive that they require a building permit and vacant possession of the unit.

The Hamilton *Renovation Licence and Relocation By-law* wades deeply into the management of the relationship between landlord and tenant, including not issuing a licence until "...arrangements have been made with the tenant" and giving the Director the power to determine such things as the acceptability of alternate accommodation on behalf of a tenant. Hamilton has embedded the compensation rules from the *Residential Tenancies Act* within the by-law and goes a step beyond by linking required compensation to the difference between the (current) rental rate paid by the tenant and the Average Market Rent of a unit as published by the CMHC.

It is the opinion of Civic Administration that this proposed licence category is best administered through the existing Business Licensing By-law, rather than as an amendment to the Residential Rental Unit Licensing by-law, or as a new standalone By-law. This is because the existing Business Licensing By-law provides a good foundation to easily integrate this proposed new Licence Schedule. The underlying Business Licensing By-law also allows us to simplify the language, as many of the requirements outlined in Hamilton's by-law are already embedded in our licensing by-law.

The London by-law requires a Rental Unit Repair Licence on a unit-by-unit basis, rather than issuing a single Licence to a Residential Complex, as Hamilton's by-law does. Civic Administration believe that it is important to be able to tie a licence to a single unit, even if that unit is within a multi-unit complex. This may reduce the number of tenants that are displaced and/or inconvenienced by repairs or renovations to larger buildings, as justification will need to be provided on a unit-by-unit basis prior to a licence being issued.

Finally, as was discussed in the March 18<sup>th</sup> Renoviction Information Report, and herein, the very presence of a Licence requirement is intended to act as a disincentive to those Landlords evicting under false pretenses, and not punish landlords that truly need a unit to be vacant to make necessary repairs. This by-law is not about adjudicating the relationship between landlord and tenant, but about ensuring tenants and landlords are aware of their rights and responsibilities under the Residential Tenancies Act, and curtailing "bad faith" renovictions.

## **4.4 Community Partners and Internal Services**

Staff will continue to work with internal departments including Housing Services and Legal Services and develop and leverage relationships with external service providers such as Neighbourhood Legal Services to create and circulate Tenant and Landlord Information Package.

The creation, awareness, and delivery of that information will be key to counteracting the negative impact that renovictions are having in London.

## **Conclusion**

As we know renting is a vital housing option in London, provincially, nationally, and worldwide, since for many people homeownership has become less attainable. Unfortunately for some tenants, following the rules set out in the Residential Tenancies Act seems to have become optional for some landlords who use “bad faith” evictions to get vacant possession of a unit, only to raise the rent.

Licensing “renovictions” as proposed is important to ensure tenants and landlords are aware of their rights and responsibilities under the Residential Tenancies Act, and disincentivizing Landlords from using N13 Notices to evict tenants under false pretenses.

Civic Administration believe that this proposed amendment to the Business Licensing By-law will help to maintain, as much as possible, an affordable housing mix that makes London an attractive place to settle and live.

**Prepared by:** **Ethan Ling MSc.  
Policy and Program Analyst, Municipal Compliance**

**Submitted by:** **Nicole Musicco,  
Manager, Licensing, Policy, and Special Operations**

**Reviewed &  
Concurred by:** **Wade Jeffery,  
Manager, Community Compliance and Animal  
Services, Municipal Compliance,  
(Acting) Director, Municipal Compliance**

**Recommended by:** **Scott Mathers, MPA, P. Eng., Deputy City Manager,  
Planning and Economic Development**

## Appendix “A”

Bill No. XXX  
2024

By-law No. \_\_\_\_\_

A by-law to amend the Business Licensing By-law L.-131-16, with respect to a Rental Unit Repair Licence for Landlords performing renovations or repairs on rental housing units requiring vacant possession.

WHEREAS section 8 of the *Municipal Act, 2001* states that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides a single-tier municipality with the broad authority to pass by-laws respecting (i) the economic, social and environmental well-being of the municipality, (ii) the health, safety and well-being of persons, (iii) the protection of persons and property and (iv) business licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* authorizes a municipality to provide for a system of licences with respect to a business and may:

- (a) prohibit the carrying on or engaging in the business without a licence; refuse to grant a licence or to revoke or suspend a licence;
- (b) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (c) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (d) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence; and,
- (e) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 of the Act as if it were a system of licences with respect to a business;

AND WHEREAS, in accordance with subsection 23.2(4) of the *Municipal Act, 2001*, Council for the City of London is of the opinion that the delegation of the legislative powers under this by-law to the Licence Manager including, without limitation, the power to issue and impose conditions on a licence are powers of a minor nature having regard to the number of people, the size of the geographic area and the time period affected by the exercise of the power;

AND WHEREAS subsection 39(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf

of any other municipality or any local board; and,  
(c) for the use of its property including property under its control.

AND WHEREAS subsections 425(1) and 429(1) of the *Municipal Act, 2001* authorize a municipality to pass by-laws providing that a person who contravenes a municipal by-law is guilty of an offence and to establish a system of fines for offences under a by-law;

AND WHEREAS section 434.1 of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such considerations as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that person has failed to comply with a by-law of the municipality passed under the *Municipal Act, 2001*;

AND WHEREAS section 436 of the *Municipal Act, 2001* provides that a municipality may pass a by-law providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether a by-law of a municipality has been complied with;

AND WHEREAS sections 444 and 445 of the *Municipal Act, 2001* provides that municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity and do work to correct the contravention;

AND WHEREAS the Province of Ontario has enacted the *Residential Tenancies Act, 2006* and such *Act* states that:

*“The purposes of this Act are to provide protection for residential Tenants from unlawful rent increases and unlawful evictions, to establish a framework for the regulation of residential rents, to balance the rights and responsibilities of residential Landlords and Tenants and to provide for the adjudication of disputes and for other processes to informally resolve disputes.”*

AND WHEREAS pursuant to subsection 37(1) of the *Residential Tenancies Act, 2006*, a tenancy may be terminated only in accordance with that Act.

AND WHEREAS pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006*, a Landlord may give notice of termination of a tenancy if the landlord requires possession of the rental unit in order to demolish it, convert it to use for a purpose other than residential premises or do repairs or renovations to it that are so extensive that they require a building permit and vacant possession of the rental unit.

AND WHEREAS subsection 50(3) of the *Residential Tenancies Act, 2006*, requires that the notice of termination given pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006*, shall inform the tenant that if they wish a right of first refusal to occupy the premises after the repairs or renovations they must give the Landlord notice of this in accordance with Subsection 53(2) before vacating the rental unit;

AND WHEREAS subsections 53(1), 53(2), and 53(3) of the *Residential Tenancies Act, 2006* establish that a tenant who receives notice of termination of a tenancy for the purpose of repairs or renovations pursuant to section 50(1)(c) of the *Residential Tenancies Act, 2006*, and that gives the landlord written notice of their intent to occupy the rental unit as a tenant when the repairs or renovations are complete, may reoccupy the rental unit at a rent that is no more than what the Landlord could have lawfully charged if there had been no interruption in the tenant's tenancy;

AND WHEREAS the City of London seeks to regulate, by way of licensing, any landlord who intends to do repairs or renovations to a rental unit that are so extensive that they require vacant possession of the unit;



NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law L.-131-16 is amended by adding a new Schedule attached to this amending by-law as Schedule 23, after Schedule 22.
2. This amending by-law shall come into force and effect on, [month][day], 202\_.

PASSED in Open Council on [month][day], 2024, subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan, Mayor

Michael Schulthess, City Clerk

First, Second and Third Reading - [month][day], 2024.

## **SCHEDULE 23 – RENTAL UNIT REPAIR LICENCE**

### **1.0 DEFINITIONS**

#### **1.1 Definitions**

“Landlord” includes:

- (a) the owner of a rental unit or their agent, and;
- (b) the heirs, assigns, personal representatives, and successors in title of a person referred to in clause (a).

“N13 Notice” means a notice of termination pursuant to subsection 50(1)(c) of the *Residential Tenancies Act, 2006*;

“Rental Unit” means a building or part of a building:

- (a) consisting of one or more rooms,
- (b) containing toilet and cooking facilities,
- (c) designed for use as a single housekeeping establishment, and
- (d) used or intended for use as a rented residential premises;

“Residential Tenancies Act, 2006” means the *Residential Tenancies Act, 2006, S.O. 2006 c. 17*; as amended from time to time;

“Tenant” includes a person who pays rent in return for the right to occupy a Rental Unit and includes their heirs, assigns, and personal representatives;

“Tenant and Landlord Information Package” means a document produced by the City which provides information to Tenants about their rights and entitlements under the *Residential Tenancies Act, 2006*, and this Schedule of the Businesses Licensing By-law.

### **2.0 POWERS OF THE LICENCE MANAGER**

2.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may, under this Schedule:

- (a) prescribe the form and content of the Tenant and Landlord Information Package;
- (b) prescribe the form and content of the notice of application referred to in section 5.7, and the manner in which it is to be posted, and;
- (c) prescribe the form and content of the licence required by this Schedule, and the manner in which it is to be posted, as required in section 5.8.

### **3.0 ADMINISTRATION OF THE BY-LAW**

3.1 This By-law shall apply to all Rental Units within the Municipality.

3.2 This By-law shall not apply to any of the following:

- (a) a licensed hotel, motel, inn, or bed and breakfast, tourist home, licensed lodging house, licensed short-term accommodation, or licensed residential care facility;
- (b) any building to which any of the following statutes, or their regulations, apply;
  - (i) the *Homes for Special Care Act, R.S.O. 1990, c. H.12*;

- (ii) the *Innkeepers Act, R.S.O. 1990, C. 17*;
- (iii) the *Fixing Long-Term Care Act, 2021, S.O. 2021, c. 39, Sched. 1*;
- (iv) the *Retirement Homes Act, 2010, S.O. 2010, c.11*;
- (v) the *Housing Services Act, 2011, S.O. 2011, c. 6, Sched. 1*;
- (vi) social housing or affordable housing that is not subject to the *Housing Services Act, 2011*, but which is subject to an agreement with the City, and which has been approved for exemption by the Licence Manager.

## **4.0 APPLICATION FOR LICENCE**

4.1 In addition to all of the requirements for an application set out in this By-law, an Applicant applying for a Rental Unit Repair Licence, and renewing a Licence, shall include all of the following in their application:

- (a) a copy of the N13 Notice given to the Tenant for that Rental Unit;
- (b) an affidavit from the person who gave the N13 Notice to the Tenant, which sets out the date the N13 Notice was given to the Tenant, the manner it was given to the Tenant, and by whom;
- (c) an affidavit from the person who gave the Tenant a Tenant and Landlord Information Package, setting out the date the Tenant and Landlord Information Package was given to the Tenant, the manner it was given to the Tenant, and by whom;
- (d) a copy of a report prepared by a person licensed in the Province of Ontario as a Professional Engineer or Architect, or by a person who possesses a current, registered Building Code Identification Number (BCIN), that states that the repairs or renovations required for each individual Rental Unit are so extensive that they require vacant possession of the Rental Unit;
- (e) a copy of the building permit issued by the City's Chief Building Official with respect to the repair or renovation of the Rental Unit;
- (f) the address and unit number of the Rental Unit for which the application is being made;
- (g) a copy of the tenancy agreement for the Rental Unit;
- (h) a copy of the written notice (if any) from the Tenant indicating they wish to exercise their right of first refusal to reoccupy the rental unit following the renovations, pursuant to subsection 53(2) of the Residential Tenancies Act, 2006, and;
- (i) any other information, affidavits, or documents as the Licence Manager may reasonably require.

## **5.0 REGULATIONS**

5.1 A Landlord who gives an N13 Notice to a Tenant shall at the same time provide the Tenant a copy of the Tenant and Landlord Information Package.

5.2 A Landlord who has given an N13 Notice to a Tenant shall within seven (7) days of giving the N13 Notice, submit an application to the City for a Rental Unit Repair Licence pursuant to the requirements of this By-law.

5.3 A Landlord shall apply for a Rental Unit Repair Licence for each Rental Unit that requires repairs or renovations under Subsection 50(1)(c) of the *Residential Tenancies Act, 2006*.

5.4 A Rental Unit Repair Licence shall be specific to a single Rental Unit and shall apply only to the Rental Unit for which it was issued. The Rental Unit Repair Licence shall set out on its face the Rental Unit for which it was issued.

5.5 A Landlord shall not be entitled to a Rental Unit Repair Licence if they do not have all necessary permits required to carry out the repair or renovation, including a building permit under the Building Code Act, 1992.

5.6 A Landlord shall not be entitled to a Rental Unit Repair Licence if they do not comply with this By-law and Schedule.

5.7 Where a property or premises has more than one Rental Unit the Landlord shall post a notice of application stating that an application has been made to the City of London for a Rental Unit Repair Licence. This notice shall include a list of all of the unit numbers subject to application until such time as the Licences are issued, the applications are withdrawn, or they are refused. This notice shall be posted on the site of the proposed renovation in a location visible to all the tenants of the premises, to the satisfaction of the Licence Manager. Multiple notices may be required, depending on entries and common areas.

5.8 When a Rental Unit Repair Licence is issued by the City of London, the Landlord shall post a copy of the Licence on the door of the unit where the repair is taking place, or on the exterior of the building where the unit is being renovated, to the satisfaction of the of the Licence Manager, until such time as the unit is repaired.

5.9 A licence issued under this By-law shall be valid for either the period of one (1) year or the estimated date by which the Rental Unit is expected to be ready for occupancy following the repairs or renovations, whichever is earlier. If after one (1) year the Rental Unit is not ready for occupancy the Licence will need to be renewed.

## **6.0 PROHIBITIONS**

6.1 No Landlord who gives an N13 Notice to a Tenant shall fail to give the Tenant, at the same time, a copy of the Tenant and Landlord Information Package.

6.2 No person shall fail to submit an application to the City of London for a Rental Unit Repair Licence within seven (7) days of giving an N13 Notice to a Tenant for a Rental Unit.

6.3 No Landlord shall perform, or cause to be performed, renovations or repairs to a Rental Unit which requires vacant occupancy unless the Landlord holds a Rental Unit Repair Licence for that Rental Unit.

6.4 No person shall perform, or cause to be performed, renovations or repairs to a Rental Unit which requires vacant occupancy unless the person first confirms that the Landlord holds a Rental Unit Repair Licence for that Rental Unit.

6.5 No person who holds a Rental Unit Repair Licence shall fail to comply with the conditions of the issued Licence.

6.6 No Landlord shall fail to post a notice of application as per section 5.7 of this Schedule.

6.7 No Landlord shall fail to post a copy of the Rental Unit Repair Licence as per section 5.8 of this Schedule.

6.8 No person shall advertise, or cause to be advertised, or permit the occupancy of, a Rental Unit while the Tenant has the right of first refusal under the *Residential Tenancies Act, 2006*.