



<b>TO:</b>	<b>CHAIR AND MEMBERS PUBLIC SAFETY COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>VITAL SERVICES BY-LAW – ANNUAL CASELOAD MEETING ON JANUARY 24, 2012</b>

<b>RECOMMENDATION</b>
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That on the recommendation of the Director of Building Controls and Chief Building Official, the following report **BE RECEIVED** for information purposes.

<b>BACKGROUND</b>
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The Vital Services By-law was passed by Council on March 6, 1995. The By-law requires that landlords provide and maintain vital services to residential buildings. The By-law was passed under the authority of private legislation known as the “City of London Act” (Vital Services) 1993 concerning the provision of vital services at leased or rented dwellings. The intent of the Vital Services By-law is to provide protection for tenants who are innocent of non-payment of utility fees by their landlord, by maintaining vital services to their rental dwelling. After several warning letters from the vital services supplier, if payment is not received to maintain the vital service (hydro, heat), the City pays the outstanding fees which are added to the taxes of the subject property. An administration fee of 10% is also added to the taxes. The “City of London Act” limits the administration fee to 10%.

When the by-law was passed in 1995, Municipal Council also adopted an enforcement policy which limited the enforcement of the Vital Services By-law as it relates to non-payment of vital services to rental buildings containing five or more rented units. On November 27, 2006, Municipal Council directed that the Civic Administration take the necessary steps to commence enforcement of the Vital Services By-law, as it relates to non payment of vital services, for all tenant occupied residential units where the landlord is responsible for the payment of vital services. The enforcement policy amendment was passed in February 2007 and implemented in mid 2007.

The following table summarizes the annual vital services caseload of files processed.

**Vital Services Caseload - Non Payment by Landlords**

Year	# of files processed	\$ total
2011	84	151,823
2010	93	199,654
2009	145	272,572
2008	232	252,118
2007	28	56,276
2006	3	16,804

With the enforcement policy change in 2007, there was a substantial increase in vital services caseload directly attributed to non-payment by landlords with rental properties containing less than five units. However, since 2009, the number of vital service files processed has been continuously decreasing indicating an increase in compliance with the payment regulations of the by-law.

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<b>PREPARED BY:</b>	
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<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>G. KOTSIFAS, P. ENG. DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>	<b>PAT. MCNALLY, P. ENG. EXECUTIVE DIRECTOR – PLANNING, ENVIRONMENTAL &amp; ENGINEERING SERVICES</b>

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