

## PUBLIC PARTICIPATION MEETING COMMENTS

### 10. Council Policy for Publicly Releasing Fire Conviction Information

- J. Hoffer, Cohen Highley Law Firm – indicating that he is representing the London Property Management Association (LPMA), which is an organization dedicated to the education of the multi-residential industry, cooperation between landlords and tenants and best practices in managing multi-residential property; noting that the main point he wants to raise is that the proposed policy, the creation and implementation of the policy is what the LPMA is opposed to; stating that the main reason the LPMA is opposed to it is that it is of limited value in conveying whether or not a building is safe; noting that the inferences to be drawn from that information may mislead members of the public; noting that the information would be posted for a minimum of two years, which would not reflect the level of safety in the building; indicating that the information, once distributed and posted electronically can be used in any number of disputes; noting that when he was looking through the staff report staff indicates that the “information within the enquiry system should not be considered a reliable source of information of current compliance” and goes on to say that there should be a disclaimer that basically says the information should not be relied upon; indicating that the fine print is what always gets missed; noting that on Schedule ‘C’ of the report references a report to the Committee from 2016 and many of the things he noted in his submission are things that were noted in that report from a year ago; indicating that the report also states that 20 other fire services were contacted in Ontario and none of them engage in this type of practice; stating that there is also, in that 2016 report, a wide range of severity of convictions and a lot of the convictions are situations where the tenant committed the offence but the landlord gets charged because that is the easy target and they are the ones who can afford to pay the fines and the fire service has the option of charging the owner or the tenant so some discretion is going to be required; indicating that in terms of building types, multi-residential has been isolated but there are a lot of other facilities, such as nursing homes and care homes that should be considered because of the vulnerable populations and people may want that information when deciding whether to place a family member in a location; noting that these locations are safe but there can be incidents that occur and many of these things are a result of tenant activity; indicating that in the 2016 report is also critical of how long this information is posted and some of the challenges that are posed by that, also that at the end of the report there is a “notwithstanding” submission to the Committee and the challenges are what level of non-compliance to be posted, what types of buildings, how long would it be posted, information removed from the site can still be retrieved in the future and the concern about City liability and the need for disclaimers basically saying that all of the information is meaningless; stating that they are critical of this policy and they urge that a public policy and a legislative approach where the City works in collaboration with LPMA and with the industry rather than create this divisive framework for dealing with fire code offences; noting that at the end of the day this is nothing more than a way to publicly shame landlords and it won’t do anything rather than misinform the public about the status of property and it does nothing to promote fire safety in multi-residential buildings; indicating that if Council does move forward with this policy, they would request a deferral until the results of an MFIPPA request they have made are in so that the Committee can see that London-Middlesex Housing creates safe buildings.