

To: Mayor Guthrie, Guelph Councillors and Staff

From: McElderry Community

Re: Long-term and Short-term Rental Housing Report

We wish to comment on the Rental Housing Report, specifically those aspects which pertain to **long-term rentals**, which will be presented to Committee of the Whole on February 7, 2022.

From a community perspective, there are many positive elements in the report:

- Cross-training of inspectors
- Search warrant program
- Tenant safety program
- Increased fines for violations

However, the report is not clear when it comes to distinguishing between measures that apply to 1) accessory rental apartments within an owner's home and 2) detached and townhomes that are fully rented by the bedroom or as a unit to unrelated individuals.

Accessory dwellings are registered under the Two-Unit regulations. Detached/townhome dwellings are not registered at all unless they fall into the category of lodging houses. The issues that arise in neighbourhoods where there are a lot of student rentals are exclusively with unregistered dwellings. Therefore, we cannot tell from this report if inspectors carried out any pro-active safety/fire/building inspections; if they issued any orders; or if they laid any charges for standalone rental properties.

The report endorses the current approach, which is to rely on complaints from residents under the Noise, Nuisance Party and Property Standards Bylaws and then attempt to enforce the Bylaws. **This is reactive**, not pro-active and residents feel that the City must acknowledge that there is a double-standard when it comes to regulating rental properties: accessory apartments have regulations that ensure safety and compliance and standalone rentals have no enforceable regulations (unless they can be deemed lodging houses) no matter how many individual tenants are crammed into a three-bedroom house.

The report also emphasizes education initiatives which have been aimed at student tenants and real estate professionals. But, where are education programs for **business owners**, i.e., the landlords who are in the business of providing a product (housing) and a service (maintenance) for their own profit? This is a huge gap in the status-quo approach that is promoted for long-term rentals in Guelph.

It is clear to anyone who resides in a near-campus neighbourhood that buying up family homes and converting them to student housing is indeed big business. These business owners are currently exempt from the regulations that apply to all other business initiatives which the City requires to be licensed in order to operate in Guelph.

While we welcome the fact that Staff and Council are evaluating the current approach to long-term rental housing, we ask that you act on the following:

- 1) **Acknowledge the two-tier system for long-term rentals needs to be updated.** The current system lacks consistency (registration of ARDUs but not standalone rentals) and places an undue burden on local constituents to involve themselves, by registering complaints, in order to ensure basic safety and bylaw compliance within their own neighbourhoods. This is a reactive, not a pro-active, approach that needs to be altered.
- 2) **Require business owners who have more than one rental property to register their businesses.** The City can then implement a system of pro-active inspections to ensure that safety and building regulations are being adhered to. There need not be a cost to the business owner but the requirement must be compulsory with penalties if there is no compliance. This is a compromise if the City does not wish to adopt licensing as many other municipalities have.

If, the statement in *Attachment 3* of the report, “Planning Act regulations do not allow for the City to determine rental versus owner-occupied dwellings” is correct, Guelph needs a detailed legal opinion on what the actual impediment is. Is licensing rental properties the only way to get around this? If yes, then we recommend that licensing be considered.

- 3) Referring the report back to staff to include a distinction between the two types of long-term rentals and the merits of adopting a process to **register long-term rental properties**. This would provide the City and residents with a complete picture of where various types of long-term rentals are and how affordable housing and neighbourhood stability are impacted. This would be valuable information for Guelph officials and residents to have.

In the recent issue of *Guelph Today* (February 3/2022, p.4), Mayor Guthrie is quoted on affordable housing, “You cannot manage what you cannot measure.” In the case of standalone long-term rentals, this is indeed the case and this report merits additional examination and consideration of other options in order to support neighbourhoods where there is currently a lack of accountability in the long-term rental sector.

Regards

McElderry Community Residents

2022 02 04