

Memo to: Board of Directors: **CHARA**
From: Lorraine Neville, Board Member
Date: November 26, 2019

Subject: City of Ottawa Rental Accommodation Study Report

Although I didn't attend the November 15, 2019 Meeting, due to illness, I did receive **the Actual Staff Report of 63 pages**, and **The Recommended Regulatory Regime for Rental Housing, Document 1 of 9 pages**, and **The Recommended Regulatory Regime for Short-Term Rental Accommodations, Document 2 of 11 pages**.

Here is a summary: The report confirms that the staff have conducted policy research and commissioned specific studies along with conducting extensive public and stakeholder consultation in order to prepare the report. The report reviews possible regulatory regimes for different forms of rental accommodations in the City of Ottawa (including rental housing, short-term rental accommodations, and traditional hotels, motels and bed and breakfasts.)

My summary deals with only two parts:

- 1. Rental housing** means private, long-term rental housing 2. **Short-term rentals** or "STR" means: rental of any portion of a dwelling unit used to provide accommodations for any period that is **less than 28 consecutive days:**
 - **RENTAL HOUSING:** An increased re-inspection flat fee of \$500 for property standards matters caused by continued non-compliance by the property owner or occupier, in order to further deter non-compliance and provide cost-recovery for focused enforcement;
 - **New Draft Rental Property Management By-Law**, that creates obligations for communication between landlord and tenants. including how to report maintenance issues and clear instructions for waste management and property upkeep, in order to mitigate service demands;
 - **Upon signing A lease agreement**, the landlord (or their agent) would need to provide the tenant with the following in writing: **Name, Address, Phone Number and Email Address for the landlord and their designated property manager (if applicable), Instruction of waste management, Instructions for lawful parking (on-site and/or on-street, as applicable), Instructions for maintenance/cleanliness of common areas and exteriors, Instruction on how to report problems: first to the landlord/property manager, and to the City.**
 - Copy of this document would be signed by the tenant, retained with landlord's copy of the lease, and provided upon request to investigating officers from By-Law and Regulatory Services.
 - **VERION CONTROL:** Creating and enacting additional pest and vermin control regulations with standards and obligations for both landlords and tenants.
 - **Establish tracking mechanisms to monitor rental housing quality.**
 - **Establish a consumer protection and education website for tenants.**
 - **Prove contact information for tenant advocacy and legal services agencies.** Enable tenants to become informed about their rights and responsibilities under applicable legislation.

REGULATORY REGIME FOR SHORT TERM RENTAL ACCOMMODATIONS “STR” rental of any portion of a dwelling unit used to provide accommodations for any period that is less than 28 consecutive days.

. The recommendations for regulations related to STRs include the following:

- Enacting Short-Term By-Law to govern the activities of short-term rental platforms, agents and hosts, including:
- Registration and related requirements for platforms and STR agents. **Platform Fee: one-time (AIRBNB AND Expedia Group and other similar enterprises) = \$4,000 (not final to be determine) STR Agent (those who manage STR properties on behalf of STR hosts) FEE OF \$200 PER YEAR.**
- Establishment of a short-term rental permit and associated regulations and fees for STR host **TWO YEAR PERMIT IS \$100 renewal every two years** and
- A registration systems for STRs along with permits: Permits would only be issued to natural persons and not corporations; No one would be able to hold more than on permit; Permits would only be issued for the host’s primary residence and /or cottage; Permits would not be issued to persons indebted to the City for any imposed but unpaid user fee or fine; Permits may be revoked for criminal activity, unpaid fees or penalties, serious incidents impacting public health and safety, and egregious or repeated public nuisances (“Party House Provisions”).
- Restricting STR activity to primary residences only, thereby prohibiting rentals in investment properties.
- Establish a process for Condominium Corporation and Landlords to register prohibitions against short-term rentals in their buildings or Property (Units): **(SPECIAL NOTE: With respect to permits, there is a proposal that hosting permits would not be issued if a Condominium Corporation has Registered and Objection with the City) The recommended fee for this service is the standard \$58.00 administrative fee plus \$5.00 per unit.one time only**
- A prescribe regulation and obligations for STR hosts that will protect both guest and hosts and mitigate nuisances for neighbours.
- Principle residence Requirement: that Will prohibit people from renting out a unit solely as a short -term rental accommodation.
- Temporary-use By-Law that will allow STRs of a Principle residence from a zoning perspective;
- Enforcement team that would be established for an initial period of three years to make sure that people are following the rules;
- A possible increase in the Municipal Accommodations TAX(“MAT”) to provide for By-Law administration and enforcement.
- **Exemptions (a) Cottages & Vacation Homes:** STR hosts of homes in rural zones (AG, RR, RU) be required to obtain an STR permit but be exempt from the proof of primary residency and occupancy limit requirements. **Traditional Bed & Breakfasts:** Required to obtain an STR permit but be exempt from the requirements: Occupancy Standards (as these are provided for in the zoning By-Law) and Municipal Accommodations Tax and service fees for rentals not conducted through an STR Platform.
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The November 15, 2019 meeting was to **Review these Reports** and if passed, sent to City Council for their approval at the November 27, 2019 meeting.

Our **Councillor Riley Brockington** may have more information on the **status/outcome of these Studies**, as I believe he attended the November 15,2019 meeting.

Special Note: There may be a delay until the Local Planning Appeals Tribunal (“LPAT”) makes a decision on similar regulations that have been implemented in the City of Toronto. This means that even if the recommendation, are approved by Council, the actual drafting and implementation of the regulations may take some time.

SPECIAL NOTE;

Decision came down on November 18,2019, dismissed the appeals (and upheld the City’s (Toronto) zoning amendments). As a result, the City of Toronto has indicated its intention to go ahead and implement the new requirements (but the timing of such is yet to be confirmed).THIS COMES AS EXCELLENT NEWS FOR OTHER MUNICIPALITIES (LIKE THE City of Ottawa) that are considering similar regulations!

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