

MEETING MINUTES



MEETING	Property Standards Committee Meeting		
DATE	March 21, 2018		
LOCATION	Committee Room B		
TIME	7:00 PM		
PRESENT	Committee members	Jon Hebden, Katharine Lammer, Doug Smith	
	Manager Bylaw Compliance, Security and Licensing	David Wiedrick	
	Property Standards Inspector	Jason Lapier, Stephen Jamieson	
	Secretary-Property Standards Committee	Rebecca Smith	
	PSC-17-012	Lawyer for Appellant:	Steve Jackson
		Appellant:	Sashi Kumar and Michael Kumar
	PSC-18-001	Lawyer for Appellant:	Kevin Thompson
Appellant:		Mark Powell	

DISCUSSION ITEMS

ITEM #	DESCRIPTION
1	Appointment of Chair Person: K. Lammer appointed Chairperson
2	Disclosure of Pecuniary Interest: There were no declarations of pecuniary interest.
3	<p>PSC 17-012 – 94 Sunnylea Cres</p> <p>Meeting called to order at 7:05 pm</p> <p>Introductions of the Committee, City Staff and the appellant of PSC-17-012 were made</p> <p>Chair (K. Lammer) asked City to present its case.</p> <p><u>Background:</u></p> <p>J. Lapier – Attended unit 3 on October 18, 2017 and noted the following concerns:</p> <ul style="list-style-type: none"> ▪ The screen/storm door was missing from rear entrance door ▪ There were gaps around the same door ▪ The sliding windows were difficult to close ▪ The opening in exterior wall for ac unit did not have an exterior cover only a grille with a broken piece of rigid insulation behind it ▪ The refrigerator did not seal correctly ▪ There was a water damaged area on ceiling in washroom above shower

As the result of those inspections a notice was issued to:

1. Install the missing screen / storm door to the rear exterior door and ensure the exterior / entrance door is adequately weatherstripped, complete with a door sweep or the like, so as to prevent infiltration by the elements.
2. Repair or replace the sliding window sashes located in the living room to ensure they can be easily opened and closed.
3. Install an exterior cover over the grille for the air conditioner opening in the living room wall or install a sealed cover on the interior side of the grille to prevent infiltration by the elements.
4. Repair or replace the seal around the refrigerator freezer door and ensure the refrigerator and freezer are maintained in proper working order.
5. Repair the water damaged areas on the ceiling in the washroom above the shower area, complete with paint for high moisture areas.
6. Retain a licensed pest control service to eradicate the possible rodent / mouse infestation in this unit and seal any openings in this unit, including the hole in the bottom of the kitchen cabinet under the sink, so as to prevent rodents from entering this unit in the future.

Note: Rodent droppings observed in drawers in the kitchen.

On November 22, 2017 a second inspection was completed as there was no change an Order was issued for the previous items as well as a 7th item was added to:

7. Clear / remove any clogs or obstructions from the kitchen sink drain to allow for adequate drainage and ensure the kitchen drain is maintained to be free of any clogs, obstructions, leaks or other defects.

This was issued on November 22, 2017 with a compliance date of December 12, 2017.

We were notified in February by the tenant that there was a hearing at the Landlord Tenant Board for April. An inspection was attempted March 21, 2018, but was not able to enter. Based on the tenant, to date none of the work has been completed.

The chair (K. Lammer) asked the committee for questions for the City:

None

Chair (K. Lammer) asked the appellants to present their case:

S. Jackson – There was a hearing date with the Landlord Tenant Board to be had on April 19, 2018 that was pushed back to the end of April. Most of the damages to the unit were caused by the tenant. The screen door was removed by the tenant and will be replaced.

The tenant moved in in 2014/2015. Before they moved in the unit wall all tiled, the door was changed and the washroom redone. People were partying in the unit so an N4 was issued. There was no air conditioner included in the rent only the space for one. The fridge and stove were bought new in 2014 and a company came into repair the fridge when it stopped working. A lot of money has been spent to fix up the unit.

The tenant sublet the unit and said she would take care of the repairs to the unit. We are working to fix the ceiling in the washroom by making repairs to the washroom in the unit above. Once the tenant leaves we can make repairs to her unit. Pest control

has also come in and sprayed once and will be coming the week of March 27 to spray again.

We want to have the tenant evicted before we go in and fix the unit. We are afraid if we fix the unit now, it will only be damaged again. The tenant has been hard to deal with in the past.

The chair (K. Lammer) asked the committee for questions for the Appellants:

K. Lammer – What are you asking the committee for?

S. Jackson – We are looking for an extension – we would like to have the repairs done after the tenant leaves.

K. Lammer – Do you know when this will occur?

S. Jackson – We are hoping to have it resolved by the middle of May.

D. Smith – If you are going to the Landlord Tenant Board it could be a longer process

S. Jackson – It should be dealt with by May as we have the appeal date and it should be dealt with at that date.

D. Smith – Has an eviction notice been sent already?

S. Jackson – There is not notice yet. Our meeting at the landlord tenant board is April 30, 2018. The screen door and other damages were caused by the tenant and we believe with that evidence she will be required to leave.

D. Smith – Do you have a specific date in May to have the work done?

S. Jackson – By the middle of May we should have an indication of when the tenant will be out and we will let you know then.

J. Hebden – The date we are looking for is the date all of the work in the unit will be complete.

D. Smith – We would rather pick a date you can be sure to have the repairs done.

S. Jackson – We can do some changes like the door and some other items on the Order. What items would be required to be complete?

J. Lapier – **It's not a matter of which items, but rather when all items will be complete**

K. Lammer – Some outside items may be easier to complete.

D. Smith – Is there a safe date to have all of the work complete that gives you enough time to get it all done?

S. Jackson – They could all be done by the end of June.

K. Lammer – How long will you need to get a contractor?

	<p>M. Kumar – As soon as the tenant is out, we will get the work done.</p> <p>The chair (K. Lammer) asked for any more questions from the committee to any of the parties:</p> <p>None</p> <p>The chair (K. Lammer) closed the meeting and let the attendees know they were welcome to stay while the committee deliberated and reached a decision.</p>
4	<p>DECISION PSC 17-012</p> <p>Motion by K. Lammer carried unanimously.</p> <p>In the matter of the Appeal of the Order of the Property Standards Officer issued on November 22, 2017 regarding 94 Sunnylea Cres Ave, being PLAN 528 PT LOT 29 PT LOT 30, it is the decision of the Committee that Order 17-006986 CM is confirmed and the compliance date extended to June 30, 2018.</p>
5	<p>PSC 18-001 – 215 College Ave W</p> <p>Meeting called to order at 8:00 pm</p> <p>Introductions of the Committee, City Staff and the appellant of PSC-18-001 were made</p> <p>Chair (K. Lammer) asked City to present its case.</p> <p><u>Background:</u></p> <p>S. Jamieson – Attended unit 105 On January 2, 2018 and noted the following concerns:</p> <ul style="list-style-type: none"> ▪ Tenants were using two electric heaters for heat ▪ The radiator in the dining room were lukewarm ▪ No heat coming for the other radiator. <p>As the result of those inspections an Order notice was issued to:</p> <ol style="list-style-type: none"> 1. You must repair the hot water heating system so that it is capable of maintaining 21 degrees Celsius in all occupied areas, specifically; common hallways, and units #105, #201, #305 and #603. 2. This heating system shall be operated and maintained in good working order and free from unsafe conditions; You must have a qualified HVAC contractor certified in hot water heating (Boiler systems) attend and inspect this system to provide an evaluation and detailed report of this buildings heating systems. This report should indicate any deficiencies or repair items required, and or that it has been inspected and it is safe and in good repair. Specifically the above report must also specifically address the units outlined in item #1 (above).You must then provide this report to this office for review. 3. No Portable heating Equipment shall be used as the primary source of heat in any room, specifically Apartment #105 <p>This was issued on January 3, 2018 with a compliance date of January 24, 2018.</p>

While at the location the main floor laundry room was inspected as well. There was a complaint sheet there that indicated heating problems in apartments #201, 105, 603 and 305 that would suggest more systemic issues with heating system.

I spoke with the owner who indicated he would like to deal with the system wide issue in the spring, however there was a contractor in to look at unit 105 and fix the seized gear in the radiator to allow for heat to be provided.

The chair (K. Lammer) asked the committee for questions for the City:

D. Smith – When did the concern start?

S. Jamieson – I attended the location on January 2, 2018

D. Smith – Is the system still not working?

S. Jamieson – To my **knowledge it's in the same condition**

J. Hebden – Who was the HVAC company you spoke with?

S. Jamieson - Wellington Plumbing & Heating

J. Hebden – And they indicated the repair would only take one day to complete?

S. Jamieson – They indicated there was other steps, and timing would depend on the scope of work

D. Smith – Would the repair effect all units?

S. Jamieson – I do not have an indication of what zones the valves control

D. Smith – Was there no heat at all in the unit?

S. Jamieson – There were electric heaters on, but the radiators were not working and it was cool in the halls.

K. Lammer – Could the extension cords hold the capacity of the electric heaters?

S. Jamieson – Initially no, Fire attended and indicted they requested heavier cords, also the portable heating is not to be on during the night.

D. Wiedrick – The City does not want portable heaters as they can cause accidental death.

D. Smith – And the bylaw stated no space heaters.

Chair (K. Lammer) asked the appellants to present their case:

M. Powell – This is a 40 unit building that has a hot water system to heat the location. In late November there were concerns from unit 201 that the unit was cold. An air bled was preformed to the system to bring the heating back up. In December units 305 and 603 experienced the same problems and the lines at these locations were bled. We had not heard concerns from unit 105 in the past. In late December unit 105 reported their

unit being cold. The problem was more intense than the other units, the mechanic indicated there was a blockage and it could take longer to repair. We did not want to do this in winter and potentially affect the other residents in the building. Another contractor confirmed the potential blockage. The tenant has space heater and fire came to approve on a temporary basis.

K. Thompson – Mr. Powell has gone above and beyond compared to other landlords. There is a letter from Wellington Plumbing & Heating that the work could wait until spring to complete as the boiler is working fine and we do not want to disrupt the 39 other units. For item #1 on the order we would like an extension until May 15, 2019. For item #2 a qualified company has been in and indicated where and what the problem was and that the system is fine other than in the one unit. For that reason we would like item #2 of the order rescinded. For item #3 that the primary heat cannot be portable. We are supplementing the heating with the portable heaters, we were requested by the Fire Prevention Officers to get heavier extension cords and that was completed.

We would either like the whole order rescinded or items #1 and 3 extended to May 15, 2019 and item #2 approved based on the letter from the plumber stating the system as a whole is okay.

The chair (K. Lammer) asked the committee for questions for the Appellants:

D. Smith – Do you know what the temperature in the unit is currently at?

M. Powell – I have not, although the tenant has indicated it is fine.

D. Smith – And we can confirm that the portable heat is only supplemental?

K. Thompson – the lines for that unit have been bled since Mr. Jamieson was there and it is somewhat better

K. Lammer – How many radiators are in the unit?

M. Powell – There is one in each bedroom and 2 in the dining and living area

K. Lammer – Are they all blocked?

M. Powell – They are warm to the touch, but not as hot as they should be.

K. Lammer – When was the bled of the radiators completed vs when Mr. Jamieson attended?

M. Powell – Maintenance bled after Mr. Jamieson was there, the plumber bled after that as well. Two heaters are working and two are cold, but better after the second bleed was completed

K. Lammer – Does that follow along your timeline Mr. Jamieson?

S. Jamieson – On the first inspection the radiator were not working at all. During the second visit the ambient temperature as in the mid teens. The fact that electric heating is being used is still the main concern.

	<p>K. Lammer - Even after Fire indicated it was okay?</p> <p>S. Jamieson – Yes, it was added to the bylaw to prevent portable heating as a primary source of heat. The report was requested so that we can get a better understanding of the system as a whole as we are not experts</p> <p>D. Smith – Are you willing to accept the letter from Wellington Plumbing & Heating?</p> <p>S. Jamieson - We were looking form something more comprehensive for the unit</p> <p>M. Powell – This is not a problem with the whole building. We understand that the lines need to be bled on a regular basis. We understand that work needs to be done for the unit, we are just looking at the best timing to do it so not to affect the other units.</p> <p>K. Thompson – We do have a letter stating all the other units are working properly except for this unit.</p> <p>S. Jamieson – We don't dispute that the systems needs to be bled, Our concern is with the safety of the tenant over convenience for the other 39 units.</p> <p>K. Lammer – Do you know when the system was put in?</p> <p>M. Powell – I bought the building in 2011 with the system in place, it would probably tell the age of the system on the boilers.</p> <p>S. Jamieson – A report would be able to outline the heating system type, age, inspections and preventative maintenance.</p> <p>D. Smith – Did you follow-up on the portable heaters for safety?</p> <p>S. Jamieson – The cords were crossing the hall in the unit and were a trip hazard.</p> <p>K. Lammer – Does May 15 give you enough time to have someone come in to make repairs</p> <p>K. Thompson – If item #2 was removed fro the order them yes. The report may take longer to get</p> <p>D. Smith – What other forms of heating would be acceptable for long term?</p> <p>S. Jamieson – If they changed to electric heating, they would not need to repair the boiler system</p> <p>D. Smith – Would that be an option in this case?</p> <p>M. Powell – I don't think at this time it would, we would like to repair the boiler system.</p> <p>The chair (K. Lammer) asked for any more questions from the committee to any of the parties:</p> <p>None</p> <p>The chair (K. Lammer) closed the meeting and let the attendees know they</p>
--	--

	were welcome to stay while the committee deliberated and reached a decision.
6	DECISION PSC 18-001 Motion by K. Lammer carried unanimously. In the matter of the Appeal of the Order of the Property Standards Officer issued on January 3, 2018 regarding 215 College Ave W, being PLAN 616 BLK C, it is the decision of the Committee that items one and three of the Order 18-000013 CM are confirmed and the compliance date extended to May 15, 2018. Item two of the Order is rescinded.
7	Approval of Minutes: Motion by K. Lammer and seconded by J. Hebden to approve minutes from February 7, 2018
8	Meeting adjourned at 9:00 pm by motion of K. Lammer and seconded by D. Smith