

THE CORPORATION OF THE TOWNSHIP OF NIPISSING

BY-LAW NUMBER 2020-43

Being a By-Law to appoint an Inspector to investigate complaints under the Residential Tenancies Act for the Corporation of the Township of Nipissing.

WHEREAS authority is given pursuant to Section 226.1 of the Residential Tenancies Act, c.25, Sched. 5, 2.6 which provides that a local municipality may appoint inspectors for the purposes of investigating complaints for the purpose of issuing Work Orders;

AND WHEREAS Section 226.2 of the Residential Tenancies Act provides that a local municipality shall monitor compliance with the prescribed maintenance standards, and investigate alleged offences including failure to comply with a Work Order and, if circumstances warrant, to commence prosecution;

AND WHEREAS Section 230(1) of the Residential Tenancies Act provides that an inspector appointed by a local municipality under Section 226.1 may, at all reasonable times, and upon producing proper identification, enter any property for the purposes of carrying out the requirements under the Residential Tenancies Act (RTA), 2006;

AND WHEREAS the Township of Nipissing does not have a municipal property standards by-law and therefore is required to enforce Ontario Regulation 517/06 "Maintenance Standards" which apply to residential rental properties;

AND WHEREAS the Council of the Corporation of the Township of Nipissing deems it expedient to enact such a by-law;

NOW THEREFORE the Council of the Township of Nipissing enacts as follows:

1. That Cameron Karpenko be hereby appointed as Inspector for the purposes of the Residential Tenancies Act, 2006 for the Corporation of the Township of Nipissing, and;
2. That all Forms Pertaining to the Enforcement of the RTA be and are hereto attached as Schedules "A" and "B", and;
3. That this by-law shall come into full force and effect on September 16, 2020.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 15TH DAY OF SEPTEMBER, 2020.

THE CORPORATION OF THE TOWNSHIP
OF NIPISSING



Tom Piper, Mayor



Charles Barton, CAO-Clerk-Deputy Treasurer

Tenant Complaint about Maintenance of Rental Units Within the Township of Nipissing

Use this form if you have requested repairs for your rental unit and/or building to your landlord and the repairs have not been addressed in reasonable amount of time. Before filling out the form, please read the following instructions carefully. Providing insufficient or inaccurate information may result in delays in processing your complaint.

Part 1: Instructions

To fill out this form:

1. You must currently reside in the rental unit which is the subject of this form.
2. You need to provide a valid property address, your contact information, and the contact information of your landlord.
3. You should have informed the landlord, property manager or superintendent of the issue in writing and given them a reasonable amount of time to correct the problem. You may be asked to provide proof of such communication.
4. You may also seek recourse for a residential rental property maintenance issue by filing an Application about Maintenance with the Landlord and Tenant Board. Filing a complaint with your local municipality and filing an application with the Board are separate processes.

Please confirm the following:

- ☐ I have informed the landlord, property owner or superintendent of the maintenance issue in writing and given them a reasonable amount of time to resolve the issue before submitting this complaint.
- ☐ I have included a copy of the documentation used to inform the landlord of the maintenance issue with this form.

Name of contact person at the municipality:

Position title of contact person: _____

Phone number of contact person: _____

Date of contact: _____

Part II: General Information (please type or print clearly)

Property Information	Property address (e.g. street, lot number, etc.)		Postal code
	Unit #	City or Town	Province
Tenant(s) Information	Name of Tenant(s)		Postal Code
	Mailing address if different from above		Province
	Unit #	City or Town	
	Daytime phone number		Evening phone number
	Email address		
Landlord(s) Information	Name of Landlord(s)		
	Mailing address		Postal code
	Unit #	City or Town	Province
	Daytime phone number		Evening phone number

Part III: Background Information

What type of building do you live in? (Check an appropriate box.)

House ☐ Basement Apartment ☐ Apartment Unit within a house (not basement) ☐

Where are your maintenance problems located? (Check all appropriate boxes.)

☐	Structural Elements	☐	Plumbing/drainage	☐	Electrical	☐	Heating	☐	Ventilation
☐	Mechanical	☐	Lighting	☐	Safety/security	☐	General Maintenance	☐	Other

You may elaborate on the maintenance problem you are having using this space. You may attach additional pages, if required.

Part V: Authorization (please ensure that your complaint is dated and signed.)

Signature of Tenant or the Tenant's Agent:

Date:

Print on Letterhead

LETTER TO TENANT: ACKNOWLEDGMENT – RECEIPT OF COMPLAINT

Date

Name

Street

City, Province, Postal Code

Re: Address of Tenant

File No.:

We have received your written complaint concerning maintenance issues at your rental premises on {Date complaint was received}.

An Inspector from the Township of Nipissing will contact you to arrange a suitable date and time for the Inspector to inspect your premises. If a Work Order is issued following the inspection, a copy will be mailed to you.

If you have any questions about this letter, please contact me at (705) 724-2144 and refer to the above noted file number.

Yours truly,

Name

Clerk

PRELIMINARY INSPECTION REPORT/DRAFT WORK ORDER

As an Inspector for the Township of Nipissing, I carried out an inspection of the rental property listed below under the authority of the *Residential Tenancies Act, 2006*.

PART I: PROPERTY INFORMATION		
Address inspected (i.e. Street/Lot, Concession & Township/Emergency Number)		Unit or apartment No.
City/Town/Township/Village		Postal Code
Date of inspection (MM/DD/YY)	Work order to be issued against: Unit ☐ Complex ☐ Both ☐	
Summary Description of property:		
Parties in Attendance:		
PART II: STRUCTURAL ELEMENTS		
	Joists; beams; piers; foundation wall; basement/cellar or crawlspace; floor/slab; posts; exterior wall cladding; roof; shingles; eaves troughs; downspouts; fascia; soffit; fences; retaining walls; grading; drainage; other	
PART III: UTILITIES AND SERVICES		
PLUMBING	Septic tanks; holding tank; weeping tile; plumbing; kitchen sink; toilet; bathtub; shower stall; taps; faucets; shower head; hot/cold water system; lock on door; floor, walls, ceiling around bathtub or shower; other	
ELECTRICAL	Electrical panel; overfusing; wiring; switches; outlets; junction box; extension cords; hydro meter; other	
HEATING	Heating appliance; portable heater as primary source; fuel supply; fuel storage; chimney; fan; pump; filtration equipment; adequate ventilation; other	
LIGHTING AND VENTILATION	Artificial/natural lighting; fixtures; exterior common area; natural or mechanical ventilation; chimney; smoke pipes; flues; gas vents; windows; other	
PART IV: SAFETY AND SECURITY		
	Guards; handrails; exterior common areas; driveways; ramps; parking garages; walkways; landings; exterior stairs; exterior door/window lock; safety devices on windows; intercom systems; security devices for parking and storage areas; mailbox delivery slot; other	
PART V: GENERAL MAINTENANCE		
	Floors, stairs; porch; deck; balcony; cabinets; cupboards; shelves; counter tops; interior walls; ceilings; appliances; locker room; storage areas; garbage containers; pests; openings permitting entry of pests; interior doors; screens; other	

PART VII: REFERRALS		
HEALTH UNIT		
FIRE DEPARTMENT		
MUNICIPAL		
ELECTRICAL SAFETY AUTHORITY		
TECHNICAL STANDARDS & SAFETY AUTHORITY		
OTHER		
PART VIII: AUTHORIZATION		
Inspector's Name (Print or type)	Inspector's Signature	Date (MM/DD/YY)

REFERRAL					
Electrical Safety Authority	Health Unit	Technical Standards & Safety Authority	Fire Department	Municipal	Another Agency

PART I: REFERRAL TO

REFERRAL AGENCY INFORMATION	CONTACT PERSON		EMAIL
	AGENCY NAME		
	MAILING ADDRESS		
	CITY/TOWN/TOWNSHIP/VILLAGE		POSTAL CODE
	TELEPHONE	FAX NO.	

PART II: GENERAL INFORMATION ON PROPERTY REFERRED

PROPERTY INFORMATION	ADDRESS INSPECTED (I.E. STREET/LOT, CONCESSION & TOWNSHIP/EMERGENCY NUMBER)	UNIT OR APARTMENT NO.
	CITY/TOWN/TOWNSHIP/VILLAGE	POSTAL CODE

LANDLORD/OWNER INFORMATION

	NAME OF LANDLORD		E-MAIL
	MAILING ADDRESS		UNIT OR APARTMENT NO.
	CITY/TOWN/TOWNSHIP/VILLAGE		POSTAL CODE
	PROVINCE/STATE		COUNTRY
	DAYTIME PHONE	EVENING PHONE	FAX NO.

TENANT INFORMATION

	NAME OF TENANT		EMAIL
	MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		UNIT OR APARTMENT NO.
	CITY/TOWN/TOWNSHIP/VILLAGE		POSTAL CODE
	DAYTIME PHONE	EVENING PHONE	FAX NO.

PART III: REASON FOR REFERRAL

This is to inform you that the Township of Nipissing has received notice that there is a maintenance problem at the above-noted address. As an Inspector for the Township of Nipissing, I carried out an inspection of this rental property on (MM/DD/YY) _____ under the authority of the *Residential Tenancies Act, 2006*.

The item(s) listed on this form relate to this complaint and may be within your area of jurisdiction.

We are asking that you consider investigating the problem(s). Please advise the Township of Nipissing as to what action you have taken with respect to this complaint.

ELECTRICAL SAFETY AUTHORITY		
PART IV: DETAILS OF REFERRAL		
DEFECT		LOCATION
	Branch circuit panel defective	
	Main fuses/switch box in poor condition	
	Switch defective	
	Unprotected junction boxes/switches	
	Defective junction boxes	
	Overfusing or bypassing	
	Fixture defective	
	Switch/receptacle arching	
	Unapproved electrical equipment (Type:)	
	Equipment wearing out in service (Type:)	
	Deteriorated or bare insulation	
	Poor or improper ground connection	
	Improper joints and splices	
	Unprotected joints and splices	
	Improperly secured permanent wiring	
	Improperly secured or loose fixtures	
	Insufficient outlets	
	Improper extensions to permanent wiring	
	Extension cord wiring	
	Octopus wiring	
	Duplex outlet defective	
	Improper use of flexible cord	
	No duplex outlet	
	Duplex outlet improperly located	
	Flexible cord run through partition walls/floors	
	Excessive cord run under rugs, etc.	
	Frayed lamp or extension cord	
	Outdoor wiring fixtures not approved for exterior use	
	Exterior overhead wiring bare or deteriorated	
	Exterior overhead wiring improperly secured to building	
	Other – Specify:	
	Other – Specify:	
	Other – Specify:	

PART V: AUTHORIZATION		
Inspector's Name:	Inspector's Signature:	Date of Referral (MM/DD/YY)

FIRE DEPARTMENT		
PART IV: DETAILS OF REFERRAL		
COMBUSTIBLES & GASES		
☐ Oil rags not stored in a covered metal container ☐ Propane tanks inside buildings		
FIRE SEPARATIONS		
☐ Fire separation damaged ☐ Closures damaged, not latching, blocked		
☐ Door hardware damaged, inoperable/missing ☐ Fire separation missing		
FLAMMABLE LIQUIDS		
☐ Gasoline inside dwelling ☐ Gasoline used for cleaning		
☐ Excessive amount of flammable liquids inside home		
☐ Fuel storage too close to appliance		
RUBBISH & STORAGE		
☐ Refuse stored inside home ☐ Refuse stored inside garage or shed		
☐ Refuse or storage blocking exterior doors		
FIRE PROTECTION		
☐ Fire alarm and detection systems ☐ Standpipe systems		
☐ Portable extinguishers ☐ Hydrants and water supplies		
☐ Sprinkler systems ☐ Voice communication system		
MEANS OF EGRESS		
☐ Self-closing door hardware ☐ Stairwell doors damaged, no latching, blocked		
☐ Stairwell fire separation damaged ☐ Obstructed corridors, passageways		
☐ Exit doors ☐ Exit signs and lighting		
☐ Emergency lighting inoperable ☐ Secondary means of egress required		
ELECTRICAL FIRE HAZARDS		
<u>Fuses</u>		
☐ Overfusing or by-passing		
<u>Extensions or Appliance Cords</u>		
☐ Splices in extension or appliance cords ☐ Extension cords under rugs/carpets		
☐ Extension cords fastened to walls/other surfaces ☐ Extension cords used for permanent wiring		
<u>Electrical Equipment & Appliances</u>		
☐ Drop cords used to operate appliances ☐ Electric heaters or lamps too close to combustibles		
☐ Unapproved or home-made appliances		
<u>Arching or Overheating Electrical Equipment</u>		
☐ Motors ☐ Switches ☐ Receptacles ☐ Fixtures ☐ Wiring		
HEATING EQUIPMENT		
<u>Chimneys, Flues & Fluepipes</u>		
☐ Chimneys ☐ Loose bricks		
☐ Open mortar joints ☐ Unapproved prefabricated chimneys		
☐ Corroded or loose fluepipe ☐ Combustible material on or near smokepipe		
☐ Flue clean-out openings ☐ Creosote build-up		
☐ Chimney liners damaged ☐ Duct require cleaning		
<u>Space Heaters & Furnaces</u>		
☐ Combustible material too close to heating unit ☐ Fire box defective		
☐ Furnace not accessible		
<u>Fireplaces</u>		
☐ No spark screen across fireplace opening ☐ Inadequate clearance from wall/floor (wood stove)		
OTHER COMMENTS		

PART V: AUTHORIZATION		
Inspector's Name	Inspector's Signature	Date of Referral (MM/DD/YY)

OTHER

PART IV: DETAILS OF REFERRAL

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PART V: AUTHORIZATION

Inspector's Name	Inspector's Signature	Date of Referral (MM/DD/YY)

IN THE MATTER OF

Municipal Address:

Property Assessment Roll No.:

Landlord:

Date of Inspection:

Work Order Issued Against:

Description of Property:

File Number:

PARTICULARS OF WORK ORDER TO BE PERFORMED

Inspection of the residential complex located at the above-noted municipal address indicates areas of non-compliance with the prescribed provincial Maintenance Standards as set out in the Ontario Regulation 517/06 made under the *Residential Tenancies Act, 2006*. The following work order is required in order to achieve compliance with the prescribed maintenance standards:

STRUCTURAL ELEMENTS		
Item No.	Required Work	Compliance Period
1.		30 days (example)

UTILITIES AND SERVICES (PLUMBING)		
Item No.	Required Work	Compliance Period
2.		

UTILITIES AND SERVICES (ELECTRICAL)		
Item No.	Required Work	Compliance Period
3.		

UTILITIES AND SERVICES (HEATING)		
Item No.	Required Work	Compliance Period
4.		

UTILITIES AND SERVICES (LIGHTING AND VENTILATION)		
Item No.	Required Work	Compliance Period
5.		

SAFETY AND SECURITY		
Item No.	Required Work	Compliance Period
6.		

GENERAL MAINTENANCE		
Item No.	Required Work	Compliance Period
7.		

COMPLIANCE PERIOD START DATE

The compliance period(s) noted in the work order begin on:_____

REVIEW OF WORK ORDER

If you do not agree with the terms set out in the work order, you may apply to the Landlord and Tenant Board by filing an L6 application (Application to Review a Provincial Work Order). You can contact the Landlord and Tenant Board at 1-888-332-3234 or visit their website at www.ltb.gov.on.ca. This application must be made no later than 20 days after the work order was issued.

INSPECTOR

First and Last Name, Inspector

Date Order Issued

REFERRALS

Fire:	
Electrical:	
Health:	
Building:	
Other:	

Print on Letterhead

Letter to Landlord – Issuance of Work Order

Date

Name of Landlord
Address
City, Province Postal Code

Re: Address of Complaint
File No.

The Township of Nipissing received a written complaint about maintenance at the above-noted property. This property was subsequently inspected and our Inspector {name of Inspector} found that it did not meet the maintenance standards required by Ontario Regulation 517/06, made under the *Residential Tenancies Act, 2006* (the Act). As a result, a Work Order has been issued, which sets out the repair work that must be completed at the property and the time frame(s) for completing the work. A copy of the Work Order is attached.

If you do not agree with the terms of the Work Order, you may appeal the Work Order by filing an L6 application "Application for Review of a Provincial Work Order", with the Landlord and Tenant Board (the Board). This application must be filed by {Date 20-days from the date Work Order issued}. To obtain the proper forms and further information on the process, contact the Board at 1-888-332-3234.

The property will be re-inspected on or shortly after the compliance period noted in the Work Order to determine if the defects have been corrected.

Please note that it is an offence under the Act not to comply with the terms of a Provincial Work Order. If a landlord is found guilty of an offence, the penalty upon conviction is a fine of not more than \$25,000 for an individual and not more than \$100,000 for a corporation.

When all the items on the Work Order have been completed, please advise us in writing so that we may arrange for a re-inspection of the property. If the Inspector confirms that the terms of the Work Order have been satisfied, we will close the Work Order file.

If you have any questions about this letter, please contact our office at 705-724-2144 and refer to the above-noted file number.

Yours truly,

Clerk

Enclosure

CC: {Inspector's name}
{Tenant}
{Any referrals}

RE-INSPECTION REPORT

As an Inspector for the Township of Nipissing, I carried out a re-inspection of the rental property listed below under the authority of the Residential Tenancies Act, 2006.

PART 1: PROPERTY INFORMATION	
Address Inspected (i.e. Street/Lot, Concession & Township/Emergency Number)	Unit or Apartment No.
City/Town/Township/Village	Postal Code
Date of Inspection (MM/DD/YY)	Work order to be issued against: Unit Complex Both

Summary Description of Property	
Parties In Attendance	
PART II: STRUCTURAL ELEMENTS	
Work Order Item #	Joists; beams; piers; foundation wall; basement/cellar or crawlspace; floor/slab; posts; exterior wall cladding; roof; shingles; eaves troughs; downspouts; fascia; soffit; fences; retaining walls; grading; drainage; other ☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:

PART III: UTILITIES AND SERVICES

PLUMBING

Septic tanks; holding tank; weeping tile, plumbing; kitchen sink; toilet; bathtub; shower stall; taps; faucets; shower head; hot/cold water system; lock on door; floor, walls, ceiling around bathtub or shower; other

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

ELECTRICAL

Electrical panel; overfusing; wiring; switches; outlets; junction box; extension cords; hydro meter; other

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

Work Order
Item #

- ☐ Full Compliance
- ☐ Partial Compliance
- ☐ Non-Compliance

Comments:

HEATING	Heating appliance; portable heater as primary source; fuel supply; fuel storage; chimney; fan; pump; filtration equipment; adequate ventilation; other
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
LIGHTING AND VENTILATION	Artificial/natural lighting; fixtures; exterior common area; natural or mechanical ventilation; chimney; smoke pipes; flues; gas vents; windows; other
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:

PART IV: SAFETY AND SECURITY	
Work Order Item #	Guards; handrails; exterior common areas; driveways; ramps; parking garages; walkways; landings; exterior stairs; exterior door/window lock; safety devices on windows; intercom systems; security devices for parking and storage areas; mailbox delivery slot; other ☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
PART V: GENERAL MAINTENANCE	
Work Order Item #	Floors; stairs; porch; deck; balcony; cabinets; cupboards; shelves; counter tops; interior walls; ceilings; appliances; locker room; storage areas; garbage containers; pests; openings permitting entry of pests; interior doors; screens; other ☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:

Work Order Item #	☐ Full Compliance ☐ Partial Compliance ☐ Non-Compliance Comments:
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PART VII: AUTHORIZATION		
Inspector's Name (Print or type)	Inspector's Signature	Date (MM/DD/YY)

Print on Letterhead

Letter to Landlord – Compliance with Work Order

Date

Name

Address

Re: Address of Complaint
File No.

In response to a written complaint about maintenance from the tenant at the above-noted address, The Township of Nipissing conducted an inspection and Work Order {File Number} was issued on {Date Work Order Issued}.

Our Inspector, {Inspector Name}, conducted a re-inspection of the property on {Date of re-inspection} and has confirmed that you have complied with the terms of the Work Order.

Please be advised that the Work Order {File Number} is now closed.

If you have any questions about this letter, please call us at 705-724-2144 and refer to the above-noted file number.

Yours truly,

Clerk

Cc: {Inspector's Name}
{Tenant}
{Any referrals}

Print on Letterhead

Letter to Landlord – Non-Compliance with Work Order

Date

Name

Address

Re: Address of Complaint

File No.:

The Township of Nipissing received a written complaint about maintenance at the above-noted property. The property was subsequently inspected and our Inspector {name of Inspector} found that it did not meet the maintenance standards required by Ontario Regulation 517/06 under the *Residential Tenancies Act, 2006* (the Act). As a result, our letter dated {date} together with Work Order {File #} were mailed to you on {date}.

We have now been informed by our Inspector {name} who conducted a re-inspection of the property on {date}, that this Work Order {File #} has to-date, not been {fully} complied with.

We have been told that the following items on this work order have yet to be completed:

Items: {List of Items}

Please note that failure to comply with any or all of the items contained in a Work Order issued under s.225 of the *Residential Tenancies Act, 2006* (the Act) constitutes an offence under clause 234(t) of the Act. If a landlord is found guilty of an offence, the penalty upon conviction is a fine of not more than \$25,000 for an individual and not more than \$100,000 for a corporation.

If you have any questions about this letter, please call us at 705-724-2144 and refer to the above-noted file number.

Yours truly,

Clerk

Cc: {Inspector's name}

{Tenant}

{Any referrals}