



August 6, 2008

City Clerk  
City of Regina  
P.O. Box 1790  
2476 Victoria Avenue  
Regina, Saskatchewan  
S4P 3C8

Dear Sir/Madame;

The North Central Community Association would like to present the attached report on inner city housing conditions to council at their next executive meeting.

Sincerely

Rob Deglau  
Community Coordinator

August 5, 2008

To: His Worship the Mayor  
and Members of City Council

Re: Enforcement of Housing Standards

North Central Community Association at its regular board meeting on April 28, 2008 made a motion that a presentation be made to City Council to address the continued substandard housing situation in the inner city.

Background

For over two decades inner city communities have struggled to reverse the housing decline in their neighbourhoods. From absentee ownership, transient rental population to perpetuating a housing stock that has reached the end of their economic life span and is now functionally obsolete.

Regina's inner city community associations and community based organizations continue to advocate for effective changes to policies for dealing with these substandard conditions.

In December 1994 the community association held the first of many symposiums as a means to obtain feedback from the residents as to what their concerns for the neighbourhood are. The first issue that came to the surface was the Quality of housing<sup>1</sup>.

In January 1997 a community action plan was developed to once again address inner city issues. Facilitated by Haskins & Associates Ltd, the first item on creating positive change within the community was "improve housing<sup>2</sup>".

By the late 90's city council acknowledged the growing concerns regarding housing issues, this time not just from the inner city but from all sectors. As a result a community consultation process began to discuss social, inner city, downtown, student and suburban housing. By July 2000 the task force produced the report on housing titled "The Future of Housing - Laying the Groundwork". The report had 81 recommendations focused on housing.

In and around 1999/2000 the North Central Community Association (NCCA) concerned that rental housing issues had not been adequately addressed started the Rental Registry Task Force. The goal of the group was to bring many rental units up to minimum housing

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<sup>1</sup> Community Action – Working Together to Improve Our Community, Results from the North Central Inner City Symposium December 5, 1994

<sup>2</sup> Towards 2000 – A Community Action Plan for the North Central Community Society, Haskins & Associates (Management Directions 2000 Ltd)

code standards. The group was comprised of Police, Fire, Bylaw, Social Services, Regina Health District, Welfare Rights, Regina Community Clinic and the United Way.

By July 17, 2000 the NCCA began a physical mapping of the quality of housing in the neighbourhood. Constrained by legislation, each member of the task force was unable to move forward due to limitations by their governing bodies. In April of 2004 the group opted to bring in a consultant to review rental housing legislation as a means to once again build consensus as to what the next steps should be. The following terms of reference were agreed upon in the research.

1. Review the history of rental property within the City of Regina assessing what practices and standards have been established to assure reasonable standards of rental property at reasonable rates based on accepted practices across the country and locally. Specifically citing examples of successful and unsuccessful practices.
2. Assess the present situation within the City of Regina with regards to current practices and areas where conditions are not acceptable according to local and national standards.

Where standards are not acceptable:

- Explore the feasibility of licensing landlords in order to provide a revenue stream and method to improve, maintain and control housing standards in areas of the city adversely effected. Cite examples and case studies of areas in Canada where licensing landlords has or is being utilised and the result. Include consideration of whether licensing will in fact provide a viable solution, is enforceable, what are the benefits and what are the shortcomings.
- Offer alternative solutions that have been or could be employed to achieve the desired effect of sustained acceptable standards of rental housing. Include existing examples and their result. Illustrate how these options would be viable, enforceable and beneficial.
- Explore how The Department of Community Resources and Employment, The Fire Department, The Regina Police Service, The City of Regina Bye-law Enforcement, The Health Region, community residents, landlords and tenants impact and are impacted by the current situation, the licensing of landlords and alternative solutions offered in 2. above.

Statistically the inner city was not doing any better; crime, incivility, and slum housing continued to plaque Regina's inner city communities. On November 12, 2002 Mayor Pat Fiacco along with community partners came together to form the RICCP (Regina Inner City Community Partnership) and by May 2003 the Regina North Central Community Vision and Action Plan Report was released. The report laid our 6 community pillars that were to be addressed.

- Housing and Infrastructure

- Crime Prevention and Safety
- Business and Economic Development
- Healthy and Human Services
- Education
- Community Development

Ironically the first pillar was Housing and Infrastructure which once again reinforced the communities concern that housing was still the main issue in the community.

From the good work of the RICCP, a group of front line agencies met at the Regina Police Service in January 2004 to discuss co-ordinating regulatory efforts to address problem locations/crime sites in North Central. By February an operational plan was put in place and by the end of April the HSET (Housing Standards Enforcement Team) was created to deal with substandard housing. The HSET team consisted of a member of the Regina Police Service, a Bylaw Enforcement Officer, a Health Inspector, a Fire Marshall and a member from the community association. The HSET began to receive referrals from front line agencies and as a task force planned a strategy to inspect homes every Wednesday. The team would use the community liaison, usually a first nation's resident to make contact with the tenant and negotiate entry for the team on the understanding that they were only there to look at the physical structure. Since inception, the team has inspected 459 houses. In 2006, 284 actions where started and 107 of those were repaired while in 2007, 245 houses were inspected with 96 actions started and 64 units being repaired. These house inspected were not just in North Central but also included Core and other neighbourhoods.

During this period the Rental Registry was completing the study on Rental Housing Regulations and by July 2005 <sup>3</sup>released the first version of the report. The study was a comprehensive look at how rental property is managed by municipal governments throughout North America with examples as far away as Scotland.

The research was meant to help groups that were advocating for housing standards to obtain a better understanding of what best practices were being used in other jurisdictions. The results were varied and included a wide spectrum of techniques to achieve code compliance for rental housing standards. The report studied 6 strategies used in regulating housing conditions and related housing issues;

#### 1. Rental Unit Licensing

- Focuses on the conditions of the individual properties being offered for rent.
- RUL program would differ from the complaint driven system currently in force in Regina as among other things, such a program would mandate periodic inspections of rental units rather than

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<sup>3</sup> Research Report On Rental Housing Regulations July 2005- On behalf of the Rental Registry Steering Committee, Researched by Bob Patton  
[http://www.nccaregina.ca/store/files/Rental\\_Housing\\_Regulations\\_Report.pdf](http://www.nccaregina.ca/store/files/Rental_Housing_Regulations_Report.pdf)

inspections being conducted in response to complaints of specific properties.

2. Landlord Licensing
  - Focuses upon the conduct of landlords rather than the condition of rental properties alone.
  - The licensing of individual landlords rather than their properties per se.
  - Landlords are licensed based on their record and management standards rather than on the condition of individual properties alone.
3. Rental Registries and Public Disclosure
  - A mandatory rental-recording program would charge landlords a one-time registration fee per each rental unit, and allow the City to maintain contact information for all rental units.
  - Such a program would allow the City to keep track of individuals or businesses that rent out properties, and also provide a mechanism for the City to contact landlords in response to code violations.
4. Complaint Systems and Rent Withholding
  - Tenant can register a complaint with civic authorities that his /her landlord has not resolved a legitimate complaint about the rental property.
  - The civic authorities then contact the landlord and try to have the situation remedied.
  - If the problem persists, an inspection will be ordered and a work order may be issued.
  - If the work order is not complied with within the specified time, the landlord will be charged for each re-inspection that may be necessary at an escalating rate.
5. Landlord Training Programs and Certifications
  - Landlord training programs train landlords to manage their property properly, deal with tenants effectively, and minimize illegal activity on the rental property.
  - Such programs purportedly create better landlords and neighbourhoods by educating landlords about tenant screening, increasing the need for unit maintenance, and the legal rights of both landlords and tenants.
  - Such programs provide tips to landlords on how to more easily comply with code requirements.
  - Certification that the landlord has successfully undergone the training program gives a "stamp of approval" to the landlord.

6. Public Disclosure of Code Offenders

- This option utilizes the power of public disclosure and publicity concerning the names of code offenders, their affiliations, and documents the nature of their offences.

The findings of the study and the reaction were varied and the one that seemed to get the greatest response was the RUL (Rental Unit Licensing). Landlords believed there were greater issues regarding tenants not being held responsible for damage to houses and that no sooner was a house repaired than a tenant would destroy the property. Many landlords believed that they had superior properties and encouraged such a regime to verify that their units were code compliant. Residents of the inner city, both tenants and home owners believed that the only way to enforce housing was through rental unit licensing.

NCCA began a process of participatory research as a means to create a dialogue with stakeholders and obtain feedback to determine what the next steps of action were to be. The NCCA Board of Directors agreed on a set of principles that recognized the following:

1. A significant number of rental housing units in Regina are below acceptable standards.
2. Renters have a responsibility to maintain the standard of housing that is provided to them.
3. An acceptable standard of housing is essential to build a respectful, healthy and safe community.
4. Working together, action is needed now to address the barriers to improving substandard rental housing.

These four principles represent the foundation of future discussions in resolving rental-housing issues in Regina.

The process was slow and due to the lack of resources did not receive momentum until the fall of 2006, when the University of Regina supplied practicum students to develop a communications strategy<sup>4</sup> to distribute the data to a larger audience. At the same time, funding through the ANC (Action for Neighbourhood Change<sup>5</sup>) brought the needed resources to survey inner city tenants and to confirm the data from the previous studies. The survey became a chilling reality of the housing conditions that people were forced to live in and confirmed that slum housing continued to fall off the radar from HSET inspectors.

NCCA through the RICCP Housing Education Subcommittee<sup>6</sup> presented their findings to over 60 landlords at a community breakfast in March 2007. The association realized that

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<sup>4</sup> Improving Rental Housing in Regina – A summary document on the findings of the Research on Rental Housing Regulations. [http://www.nccaregina.ca/store/files/Rental\\_Registry\\_Info\\_Package.pdf](http://www.nccaregina.ca/store/files/Rental_Registry_Info_Package.pdf)

<sup>5</sup> Inner City Tenants Survey March 2007 on behalf of the Rental Housing Regulations Task Force – Funded by the Government of Canada's Action for Neighbourhood Change Initiative. [http://www.nccaregina.ca/store/files/Inner\\_City\\_Tenants\\_Survey\\_March\\_2007.pdf](http://www.nccaregina.ca/store/files/Inner_City_Tenants_Survey_March_2007.pdf)

<sup>6</sup> Power point - Presentation to Landlords on Rental Housing Issues March 2007 [http://www.nccaregina.ca/store/files/Rental\\_Legislation\\_Presentation\\_March\\_2007.pdf](http://www.nccaregina.ca/store/files/Rental_Legislation_Presentation_March_2007.pdf)

to gain support for a proactive model, landlords must be included as stakeholders in moving forward as part of the solution to eliminating slum housing in the inner city. Landlords along with inner city residents attended a community forum on housing in August 2007<sup>7</sup>. The consensus from the forum again confirmed that Rental Unit Licensing was still a viable option. The association met once again with the newly formed Regina Landlords Association, where by agreeing that there was enough common ground on housing issues that further dialogue was needed in developing a Rental Unit Licensing program.

Since the release of the report cities throughout North America continue to research and implement proactive legislation regulating housing standards. NCCA has had dialogue with the City of Minneapolis regarding its long standing program on Rental Unit Licensing and just recently has shared information with councillors from the City of Toronto as they too struggle with slum housing issues.

### Discussion

Since its incorporation in 1976 the NCCA has always has been a proactive partner in providing government with constructive feedback on legislative issues and its effectiveness at the grass roots level.

The current practises involved in controlling rental housing standards and the partnerships that have been developed through the RICCP have been commendable. Unfortunately systemic issues and the inability to adequately address slum housing has left the community in a role to once again advocate for best practise models that have been successful throughout North America.

HSET works on a model where information on substandard housing is passed on by front line agencies, such as police, fire, and ambulance. HSET relies on the cooperation of multiple agencies for its information, yet to date many organizations including most crowns corporation, who have access to housing on an ongoing basis, have refused to participate. The fundamental principles that form HSET have not been met which compromises the effectiveness of the initiative.

HSET at one time could count on referrals from the general public to report housing conditions. Since the boom in the housing market, referrals from the general public have almost ceased. The Inner City Tenants Survey by NCCA have confirmed that marginalized residents within the current housing shortage are scared of loosing a place to live, or of being evicted by their landlord when informing authorities of slum housing conditions. Even if their homes are infested with rats or overflowing sewers, tenants are in fear that they may be displaced as their homes reach the end of their life span, thus they remain living in dilapidated houses. The current reactive inspection practise relies on tenants coming forward and thus puts them in harms way in participating as an average

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<sup>7</sup> Community Meeting on Housing Issues – November 2007  
[http://www.nccaregina.ca/store/files/Community\\_Meeting\\_on\\_Housing\\_Issues\\_\\_\\_November\\_2007.pdf](http://www.nccaregina.ca/store/files/Community_Meeting_on_Housing_Issues___November_2007.pdf)

citizen. NCCA sees that a Rental Unit Licensing model moves the responsibility for inspection to government and away from people that are already marginalised and exploited.

Rental housing is one of the largest single business entities in the city of Regina and one-third of all dwellings in the city are absentee owned. A large portion of these are apartments and fall under a unique set of business regulations and legislative requirements. Apartment blocks must handle their own garbage disposal and are subject to regular inspections from governing agencies such as fire on a yearly basis. The anomaly here is that we find rental housing is a multi billion dollar industry that is not regulated as a business nor taxed accordingly. Rental housing is taxed at the same mill rate as home ownership yet the burden on the community's resources and municipal tax base are profound.

The deterioration of rental housing and the costs to communities from garbage removal to police and fire service are significant and are reflective in each agencies and departments budgets. The Future of Housing report strongly suggests that the cost of inaction will have a detrimental affect on the inner city Regina. The city of Vancouver sees rental property as a business and taxes it accordingly and recently the City of Toronto is looking at alternatives for its regulation of rental housing.

Bylaw enforcement has been an integral part of the HSET initiative. NCCA commends their efforts and have worked to help them overcome their funding deficiencies by engaging the community to be the front line agents for HSET. The Future of Housing<sup>8</sup> report states that there are over 3,000 houses that are below minimum standards and must be repaired or torn down. Since the inception of the report no substantial increases in bylaw funding has been provided to the department to adequately address the sub standard numbers.

NCCA believes that there needs to be a set of performance indicators in addressing the increasing numbers of substandard houses. How are we able to address the situation when we can not adequately know the numbers of substandard houses that are in the market? Rental Unit Licensing is a proactive concept that deals in exact numbers and would be a model to effectively gage housing standards. Rental Unit Licensing like any other licensing program is a means of cost recovery for the municipality. With the reluctance of municipal government to double or to even triple the bylaw budget to effectively deal with slum housing, incivility and graffiti; licensing becomes an effective tool to obtain the required resources to deal with this unregulated business and takes the burden of regulation away from the general tax payer and moves to a user pay system.

Rental Unit Licensing in most jurisdictions is an insignificant fee of anywhere from \$25 to \$75.00 per year per single unit house. Multiple units and apartment blocks are on a sliding scale and usually cost significantly less. The current HSET model uses an inspection formula that utilizes a policeofficer, fire marshall, health inspector, bylaw

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<sup>8</sup> The Future of Housing in Regina – Laying the Groundwork  
<http://www.regina.ca/AssetFactory.aspx?did=619>



officer and a community member to jointly inspect houses together. Each is responsible for their own legislation and together plan and inspect properties on a weekly basis. HSET is a wonderful model of cooperation but we can only guess the cost of four departments and their staff to inspect one property. The Rental Unit Licensing practise is that one inspector has the authority to inspect the property and issue an occupancy license once the property meets all standards.

HSET is responsible for bringing increased focus on housing regulatory issues. The concern is that some landlords have been very efficient in working around and through the current system. HSET in its' dedication works every legal angle to obtain access to houses so that they can perform their inspection duties. Rental Unit Licensing puts the onus on the landlord to have the rental unit inspected before an occupancy ticket is issued, a process that is extremely efficient in time and money.

The current bylaw and legislative regime for housing is a reactive model. HSET is only aware of substandard housing when information is passed on to them. Many agencies and departments from the Regina Qu'Appelle Health Region to the Regina Police Service are using proactive models in health care and crime prevention and the results of a healthier community and reduced crime are evident in their efforts. Rental Unit Licensing is a proactive model that in all cases has seen housing standards in their prospective jurisdictions increase exponentially.

Social Services have always struggled to give their clients affordable, safe and secure housing. The Saskatchewan Rental Housing Supplement<sup>9</sup> was implemented to provide extra money for lower-income families with children and people with disabilities to help with their rental costs in Saskatchewan. The supplement is conditional on the housing meeting minimum quality standards. The program although well intentioned has not seen the uptake by the general public or landlords as intended.

The Family Rental Housing Supplement is intended to improve access to quality shelter for lower-income families with children. Families living in rental accommodations receive a supplement based on family size, income and the community they live in.

The rental supplement has not had the impact that it was designed for. Almost all landlords that had better properties used this as a mechanism to immediately increase rents. The idea that landlords would use this as an incentive to improve their properties did not materialize. Too many landlords with properties below any minimum standard, refused to upgrade their units since there would be no positive return on their investment. In many cases the properties were at such a deficient it would not be financially viable to do any type of renovations or upgrades.

NCCA in its studies looked at the concept of Licensing Landlords. The concept is not foreign as many industries and trades are regulated and licensed. Many occupations self regulate as a means to legitimize their industry and to bring a set of universal standards to

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<sup>9</sup> Saskatchewan Rental Housing Supplement, <http://www.socialservices.gov.sk.ca/srhs>

their profession. Where self regulation is deficient, government then has the option to regulate the industry and impose a set of standards.

Being a Realtor at one time was regarded as a shady and unscrupulous occupation and is an example of an industry that self imposed its own regulations and licensing requirements and today is a highly regarded occupation with accredited courses. The Saskatchewan Real Estate Association was formed to develop high standards of conduct through the enforcement of a strict code of ethics, standards of business practice and bylaws and today is a leader in the industry. In the real estate industry, most of the large rental property players and agencies have mandatory programs and courses in property management as a means to bring a sense of responsibility to the industry. The Institute of Real Estate Management sets a standard of accreditation that many professional real estate management companies adhere to. The commercial rental industry has its own accreditation and many of its members are a part of BOMA (Building Owners and Management Association). NCCA would like to see this business at standard reflective of BOMA or IREM, but compliance in the industry would be hard to regulate. In all meetings with landlords, regulation of their industry was frowned upon and every time the concession by landlords was to license the property and not the individual.

Rental Unit Licensing to many landlords seems to be a extreme reaction to a common problem. In all cases RUL was not welcomed by landlords, but in all cases, 3 to 5 years after implementation landlords involved in RUL have seen their property values rise and tenants behaviours improve.

In other jurisdictions, RUL for landlords became a time stamp that proved to officials that their property met all codes and that any changes within the oncoming year was due to the vandalism of the tenant. NCCA is strongly in favour of working with landlords in exploring alternatives to deal with irresponsible tenants. Landlords and the community agree that tenants must be held responsible for damage to property. Although the landlords and community have different views on the next steps, they both agree that outside assistance is needed to help train and educate people on how a home should be cared for and that those damaging property must be held accountable. The community has went as far to say that with RUL, support agencies would have better resources at their disposal to identify tenants in needs of support services. Currently we see tenants playing musical chairs, constantly moving and looking for better housing. RUL would stop this movement, thus strengthening the community and allowing support services to work with those tenants in need.

### Conclusion

In the report The Future of Housing in Regina – Laying the Groundwork, recommendation #25 stated: “That no further action to explore the licensing of landlords/properties be taken at this time pending an evaluation of the effectiveness of enhanced City enforcement of Maintenance Bylaw provisions and more vigorous

placarding by the Regina Health District.” The report was completed in 2000 and to date no formal evaluation has taken place since its inception 8 years ago.

City of Regina’s own figures report that over 3000 houses in the inner city are below minimum standard and are in need of repair or demolition. A key organizational goal would be to alleviate slum housing and increase home ownership, but to date the municipality has not produced or implemented any key performance indicators as a means to measure progress of their efforts. In a means to fill that information void, NCCA have continually monitored the progress of the various housing initiatives and to date see the numbers of slum housing the same or in even greater than first reported in 2000. NCCA believes that due to the absence of quantitative and actionable indicators that a proactive model must be adopted in order to overcome the lack of progress in the elimination of slum housing.

Rental housing is one of the largest industries in Regina and taxpayers continue to carry the financial burden and its impact to municipal infrastructure, from policing to waste removal.

Inner City residents are marginalized and are the most vulnerable and are unable to live in safe and clean housing under the current legislative regime without being exploited.

RUL is a cost recovery process and reduces the burden of regulation from the tax payer to the business.

NCCA supports the community’s view that slum housing should be made illegal.

RUL is a proven proactive model and the emphasis is placed on the landlord.

#### Recommendation

NCCA through their consultation process with community and stakeholders see that slum housing continues to be the number one issue and agree that there needs to be some significant changes to the regulatory process to make housing inspection more effective.


1. The association recommends that all rental housing/accommodations be subject to yearly inspection and issued an occupancy permit upon an inspection and compliance of minimum housing, health and safety standards.
2. That the City of Regina in conjunction with stakeholders develop a series of key performance indicators to gauge the health of the inner city housing
3. That the City of Regina hire a facilitator to work with landlords, community groups and other stakeholders regarding irresponsible tenants and identify supports that are needed.

4. The City of Regina reclassify Rental Housing as Business and be taxed accordingly
5. Review waste management strategy that assess residential rentals in conjunction with apartments and commercial property.

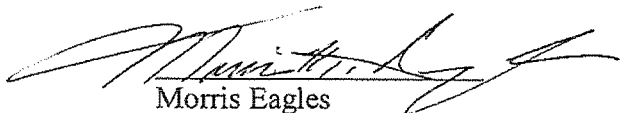
Respectfully Submitted  
North Central Community Association



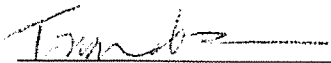
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