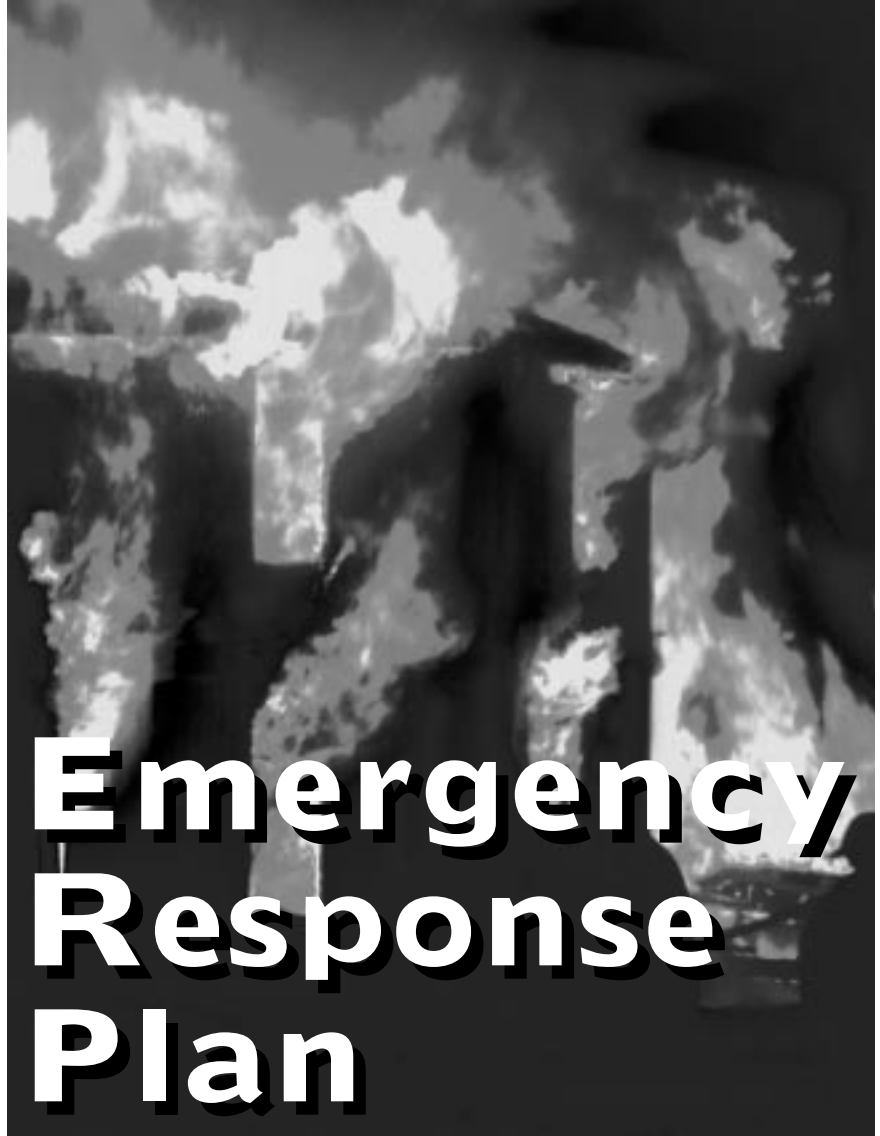
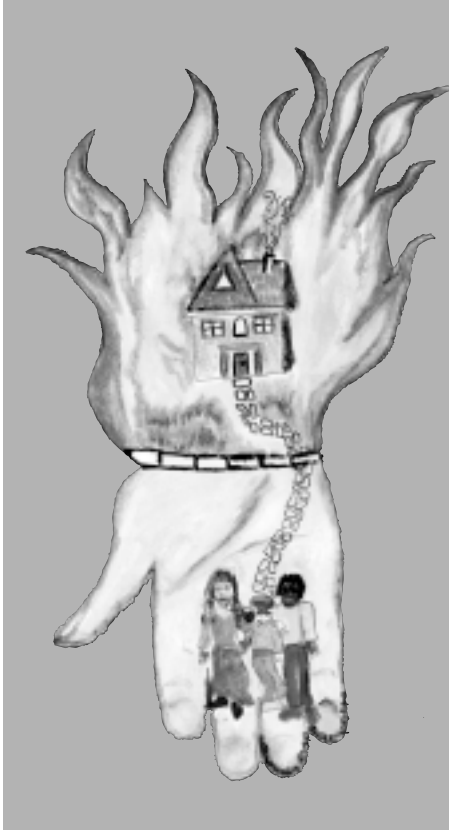


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# The Rooming House



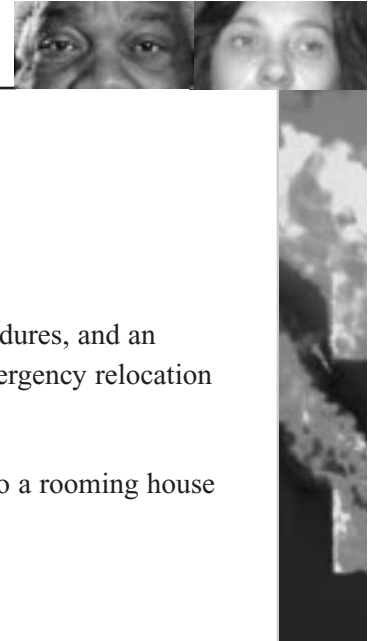
Revised January 2005





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# 1. Introduction

## 1.1 Purpose

The Rooming House Emergency Response Plan (the plan) sets out policies, procedures, and an organizational hierarchy to respond to sudden or imminent closures where the emergency relocation of residents living in rooming houses may be required.

The plan describes the co-ordinated roles and operations of agencies responding to a rooming house emergency, including:

- Lead response agency
- Lead follow-up agency
- The City of Toronto's Works and Emergency Services (WES), Urban Development Services (UDS) and Community and Neighbourhood Services (CNS) departments.

The plan is modeled after standard operating procedures in the "Incident Management System" (IMS)<sup>1</sup> used by the City of Toronto.

## 1.2 Background

The plan was developed by the Critical Incident Working Group (CIWG). The CIWG is a resource to the participating agencies and is responsible for reviewing the plan in action and making recommendations to enhance it. The CIWG follows the Rooming House Tenants' Bill of Rights as principles for its activities.<sup>2</sup> Membership is open to all community agencies across the City of Toronto, tenants, landlords, service providers and City of Toronto staff.

## 1.3 Scope

The plan is the response guide for appropriate agency personnel and their resources during a sudden or imminent closure of a rooming house.

## 1.4 Authority

The plan operates with the co-operation of the City of Toronto, WoodGreen Community Services, Canadian Red Cross, and the CIWG.

## 1.5 Mandate

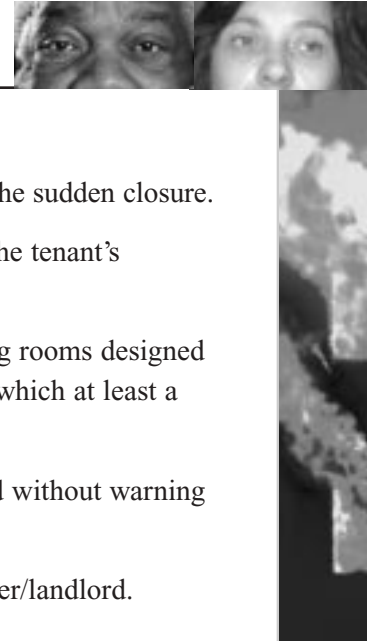
The Emergency Response Team responds to sudden or imminent closures in a co-ordinated, safe and timely manner.

<sup>1</sup>*Incident Management System, Incident Command System, Toronto Emergency Medical Services, Workshop Manual, 2000.*

<sup>2</sup>*See Appendix A.*

## 2. Definitions

- 2.1 The *Co-ordinator of Disaster Services* co-ordinates the lead response agency in the overall response to a rooming house sudden closure.
- 2.2 A *Dwelling Room* is a room used or designed for human habitation and may include either, but not both, culinary or sanitary conveniences.
- 2.3 The *Emergency Response Team* is a team of community agencies that respond to sudden closures and imminent closures of rooming houses in a co-ordinated fashion. The team includes the lead response agency and the lead follow-up agency.
- 2.4 *Emergency Service Responders* are the City of Toronto departments that routinely attend to emergencies, including Toronto Fire Services, Toronto Police Service and Toronto Emergency Medical Services.
- 2.5 The *Follow-up Relocation and Support Worker* co-ordinates the lead follow-up agency's post-sudden closure work. This includes meeting the ongoing needs of displaced residents and co-ordinating the lead follow-up agency's response to imminent closures.
- 2.6 An *Imminent Closure* happens when residents vacate their dwelling rooms for any period of time, and where less than the legal notice of eviction was given.
- 2.7 The *Incident Fan-out Structure* is a specific process for initiating a response to sudden and imminent closures, including responsibilities for communication and reporting as well as agency duties.
- 2.8 The *Lead Follow-up Agency* (WoodGreen Community Services) assists the lead response agency with on-site response to sudden closures and is responsible for meeting the ongoing needs of displaced residents. The lead follow-up agency assumes full responsibility for imminent closures.
- 2.9 The *Lead Response Agency* (Red Cross) co-ordinates the initial on-site response to a sudden closure.
- 2.10 The *Lead Response Agency Team Leader* co-ordinates the lead response agency's on-site response to a sudden closure.
- 2.11 *Owner/Landlord* is:
  - a. The person for the time being managing or receiving the rent from rooming house tenants, whether on his or her own account or as agent or trustee of any other person, or
  - b. The definition of owner/landlord that is currently in force in the Toronto Municipal Code.
- 2.12 *Participating Agencies* are committed to support the work of the Emergency Response Team. Support could range from providing immediate emergency services to long-term support in meeting the ongoing needs of displaced residents.
- 2.13 The *Reception Centre* functions as a staging centre where emergency supplies are distributed, and displaced residents can seek shelter while registering for ongoing assistance.



- 2.14 The *Relocation Leader* represents the lead follow-up agency at the scene of the sudden closure.
- 2.15 A *Resident* is an individual who lives in a rooming house and may include the tenant's dependents, roommates or long-term guests.
- 2.16 A *Rooming House* is a licensed or unlicensed building that contains dwelling rooms designed or intended for use as living accommodation by more than three tenants, in which at least a bathroom or a kitchen is shared.
- 2.17 A *Sudden Closure* happens when residents of a rooming house are displaced without warning from their dwelling rooms for any period of time.
- 2.18 A *Tenant* is a resident of a rooming house who pays rent directly to the owner/landlord.

### 3. Activating the Rooming House Emergency Response Plan

The Rooming House Emergency Response Plan is activated when there is a sudden or imminent closure of a rooming house.

### 4. Service priorities: services provided

There are three service priorities when the plan is activated: immediate resident safety, resident assessment and support, and owner/landlord support.

- 4.1 *Immediate resident safety* involves ensuring the resident's physical safety from risks resulting from the sudden or imminent closure.
- 4.2 Assessment and support of residents means evaluating each individual's situation, making alternative plans and carrying them out. Supports include help in gaining access to:
  - ◆ Emergency food
  - ◆ Emergency clothing
  - ◆ Emergency financial assistance
  - ◆ Housing assistance such as
    - emergency shelter arrangements
    - transportation to an emergency shelter
    - assistance in securing long-term housing
    - help with moving and storage
  - ◆ Referrals to community legal services
  - ◆ Personal services and supports.
- 4.3 *Owner/landlord support* means that the lead follow-up agency, along with City departments, will support the owner/landlord's efforts to complete any repairs needed for the affected rooming house, in a timely and professional manner.

## 5. Rooming House Emergency Response Plan management

Rooming House Emergency Response Plan Management consists of fan-out and support.

### 5.1 Incident fan-out structure

In the event of a sudden or imminent closure, the incident fan-out structure is activated. The incident fan-out structure depends on the nature of the sudden or imminent closure. See Appendices for detailed descriptions of specific sudden and imminent closure protocols.

### 5.2 Plan support

The plan is supported by the Emergency Response Team, which carries out defined responsibilities. This team consists of:

- ◆ Lead response agency
- ◆ Lead follow-up agency.

The lead response agency is responsible for:

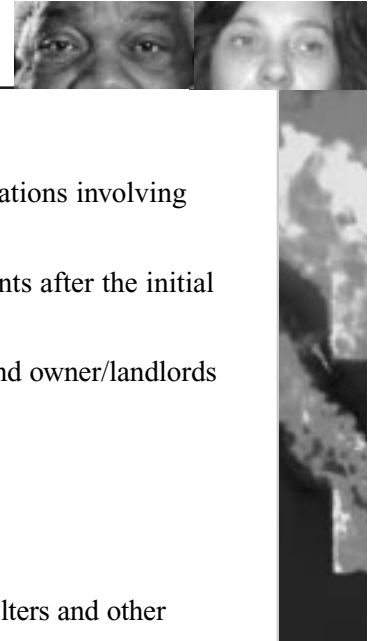
- ◆ Deploying the lead response agency team leader to the scene of the sudden closure
- ◆ Conducting the initial assessment of residents and providing supports to address their immediate needs, including deploying a lead response agency emergency response team, as required
- ◆ Registering displaced residents using standard Registration & Inquiry practices
- ◆ Contacting the lead follow-up agency
- ◆ Determining advocacy, referral and personal support requirements for residents for up to 72 hours following the sudden closure in cooperation with the lead follow-up agency
- ◆ Providing advocacy, referral and personal support requirements for residents
- ◆ Setting up a reception centre if needed.

If more than 30 residents require shelter, the lead response agency team leader pages the Emergency Planning Coordinator of Toronto Hostel Services<sup>3</sup> at 416-714-2760.

The lead follow-up agency is responsible for:

- ◆ Designating a staff person (relocation leader) to represent the lead follow-up agency at the scene of the sudden closure
- ◆ Designating a staff person (follow-up emergency relocation and support worker) to co-ordinate the lead follow-up agency's response to imminent closures
- ◆ Designating a staff person (follow-up emergency relocation and support worker) to co-ordinate the lead follow-up agency's ongoing work following a sudden closure
- ◆ Working with the lead response agency during the implementation of the plan
- ◆ Identifying and facilitating access to available emergency services for residents
- ◆ Identifying available emergency housing alternatives for residents

<sup>3</sup>In relocations involving more than 30 residents, the City has made prior arrangements with City hostels in the event that hostel space is required.



- ◆ Securing arrangements with hostels that can accommodate residents in relocations involving less than 30 residents
- ◆ Determining advocacy, referral and personal support requirements for residents after the initial 72 hours which follow the sudden closure
- ◆ Liaising with appropriate City departments to ensure the needs of residents and owner/landlords are being met after the emergency
- ◆ Facilitating contact between residents and legal services
- ◆ Ensuring that residents are linked to appropriate support services
- ◆ Facilitating long-term resident relocation, including:
  - securing housing for residents by contacting enlisted housing providers, shelters and other related agencies
  - coordinating relocation, ensuring that a resident tracking system is put in place
  - contacting movers to ensure they are available when relocation is initiated.

## 6. Deactivating the Rooming House Emergency Response Plan

The Rooming House Emergency Response Plan is de-activated by the lead follow-up agency.

### 6.1. Deactivating the sudden closure response

In emergencies resulting from sudden closures, the Rooming House Emergency Response Plan is deactivated when:

- ◆ Displaced residents have secured emergency food, clothing and personal supplies
- ◆ Displaced residents have secured long-term housing
- ◆ The follow-up relocation and support worker has developed follow-up plans to assist displaced residents with all immediate and long-term identified needs, including co-ordinating all appropriate referrals
- ◆ Resident and relocation leader's concerns related to health, safety and standards issues in the affected rooming house are documented. This information is forwarded to the owner/landlord, affected residents, the follow-up relocation and support worker and to all relevant City departments
- ◆ Residents are informed that the Rooming House Emergency Response Plan has been deactivated. Residents are also told how this deactivation affects the way ongoing services are provided
- ◆ A resident requests that the emergency response be deactivated.

The Rooming House Emergency Response Plan can also be deactivated by WoodGreen Community Services at its discretion.

## 6.2 Deactivating imminent closure response

In emergencies resulting from imminent closures, the Rooming House Emergency Response Plan is deactivated when:

- ◆ The closure has been averted
- ◆ A resident requests that the emergency response be deactivated.

When the closure was not averted, the plan is deactivated when:

- ◆ Residents have secured alternate long-term housing
- ◆ The relocation leader has developed follow-up plans to assist residents with all immediate and long-term identified needs, including co-ordinating all appropriate referrals
- ◆ Resident and relocation leader's concerns related to health, safety and standards issues in the affected rooming house are documented. This information is forwarded to the owner/landlord, affected residents and to all relevant City departments
- ◆ Residents are informed that the Rooming House Emergency Response Plan has been deactivated. Residents are also told how this deactivation affects the way ongoing services are provided.

The Rooming House Emergency Response Plan can also be deactivated by WoodGreen Community Services at its discretion.

## 7. Agency duties and responsibilities

### 7.1 Toronto Fire Services

1. Dispatches fire crew to the scene
2. Determines support requirements at the scene
3. Contacts support services required at the site, including:
  - ▶ lead response agency
  - ▶ Toronto Transit Commission
  - ▶ Building Division of Toronto Urban Development Services
4. Controls fire, evacuates residents from building and performs search and rescue as required
5. Delivers displaced residents to the appropriate emergency personnel, such as other emergency service responders or members of the Emergency Response Team
6. Surveys neighbours and displaced residents to determine number of occupants in the building and how fire started
7. Determines whether displaced residents can re-enter building to collect personal belongings
8. Determines whether displaced residents can re-occupy the building
9. Notifies City of Toronto 24-hour emergency line if there is major structural damage (416-392-7149)
10. Notifies the owner/landlord of the status of the building
11. Leaves the scene once the building is secured
12. Determines the cause of the fire.





## 7.2 Toronto Police Service

Toronto Police Service works with Toronto Fire Services and Emergency Medical Services to ensure the safety of residents and the community until the danger is over. Toronto Police Service:

1. Dispatches necessary personnel to the scene
2. Moves residents to safety
3. Supports residents and ensures that medical treatment is made available to residents
4. May contact friends and relatives or social services on behalf of residents
5. May find places for residents to stay until it has been determined whether they can re-enter the building
6. May record names of residents and the location residents are being relocated to
7. Documents the incident if criminal activity is suspected or if a street is closed off. This includes documenting residents' names.

## 7.3 Toronto Transit Commission

1. Dispatches bus(es) to provide emergency shelter at site
2. Bus driver assists emergency service responders in helping residents gain access to the bus
3. Accommodates residents for up to 10 hours while building status is being determined and emergency lodging arrangements are being made
4. May transport residents to emergency lodging.

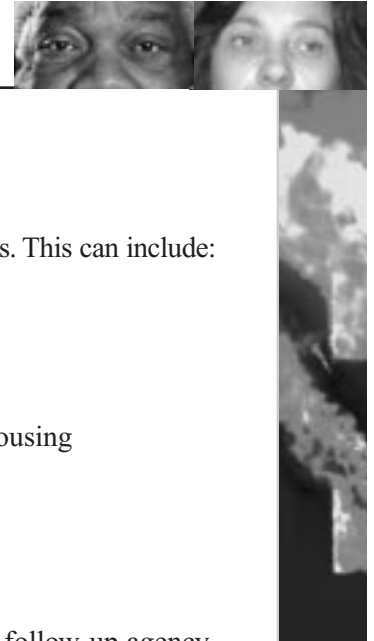
## 7.4 Urban Development Services (Building Division and Municipal Licensing & Standards)

1. Building Division dispatches an inspector to the scene if the building is deemed to be unsafe
2. Inspector assesses structural condition of the building
3. If the building is deemed to be unsafe, a building inspector may issue an order to the owner/landlord to rectify the condition. The order may include instructions to barricade and/or fence off the site
4. Municipal Licensing and Standards will ensure that the building is secure
5. If the owner/landlord does not comply with the order, the work can be done by the City and the costs applied to the owner/landlord's property taxes
6. Building Division, with Toronto Fire Services, will call the local City Councillor if the fire is serious
7. When an investigation occurs, a building inspector and/or Toronto Fire Services may make a decision that residents are not permitted in the building
8. If basic utilities, such as power, have been cut off to parts of the building, Building Division will declare these parts inhabitable
9. If gas, power and/or water have been shut off, Building Division will normally give the owner/landlord a 24-hour notice to restore the utilities
10. Building Division will advise the owner/landlord of the status of the building
11. Where non-structural repairs are required, Building Division may refer to the Municipal Licensing & Standards Division
12. Municipal Licensing & Standards dispatches officer to the scene.

## 7.5 Canadian Red Cross

- ◆ Red Cross fulfills all the responsibilities of the lead response agency outlined in this document<sup>4</sup>
- ◆ Red Cross Disaster Services deploys trained personnel to the emergency scene and provides support for residents
- ◆ The Red Cross Team Leader is responsible for:
  - ▶ liaising with Toronto Fire Services and Toronto Police Service
  - ▶ identifying if the site is a rooming house and communicating this to Red Cross *Co-ordinator of Disaster Services*, who then contacts the relocation leader of the lead follow-up agency
  - ▶ assigning duties and deciding on a strategic plan of action
- ◆ The remaining personnel provide additional supports, including ensuring all supplies and materials are in place
- ◆ If required, the Canadian Red Cross will establish a reception centre.
- ◆ The Canadian Red Cross, collaborating with other agencies, will provide the following reception centre services:
  - ▶ Lodging  
Toronto Region Red Cross will automatically provide lodging to displaced residents if their number does not exceed 30 persons. Lodging supplies may include cots/mattresses, blankets, pillows, pillow cases, chairs, tables, paper plates, cups and plastic utensils.
  - ▶ Clothing  
Red Cross is mandated to distribute only new clothing. Alternate service agencies can provide clothing in disaster situations; the Red Cross will respond to a clothing need only if required.
  - ▶ Food  
At a reception centre operation, Red Cross provides displaced residents with coffee, tea, hot chocolate, juice and snacks. If the evacuation exceeds eight hours, Red Cross will provide a hot, nutritious meal that is cooked and catered by an outside supplier.
  - ▶ Personal Services  
Toothpaste, toothbrushes, deodorant, face cloths, razors, shaving cream, diapers, toys, writing/drawing utensils, games, etc., are available for displaced residents. These items alleviate stress and may make a displaced resident's stay more comfortable.
  - ▶ Registration and Inquiry (R&I)  
Displaced residents and inquiring parties are registered with the lead response agency through the R&I process. With the consent of a displaced resident, the lead response agency will inform inquiring parties of a displaced resident's location. The lead follow-up agency works closely with the R&I team leader to ensure effective follow-up with all residents.

<sup>4</sup>See Section 5.



## 7.6 Salvation Army

The Salvation Army provides volunteers to support residents and Toronto Fire Services. This can include:

- ◆ Providing canteen service (food and beverages)
- ◆ Distributing emergency clothing and clothing vouchers (maximum \$30)
- ◆ Assisting in relocating residents to emergency lodgings
- ◆ Assisting the lead follow-up agency with relocating residents to long-term housing
- ◆ Providing counselling services at the emergency scene.

## 7.7 WoodGreen Community Services

WoodGreen Community Services is responsible for all the responsibilities of lead follow-up agency as outlined in this document.<sup>5</sup> These responsibilities include providing services for displaced rooming house residents, and developing and implementing the Rooming House Emergency Response Plan. WoodGreen's ability to meet these responsibilities is contingent on available funding.

### 7.7.1 Providing direct services

WoodGreen Community Services provides direct services to rooming house residents. They include:

- ◆ Supporting the work of the lead response agency by:
  - ▶ gathering information on the status and needs of residents
  - ▶ securing and safely storing displaced residents' personal belongings when funding is available
  - ▶ completing a follow-up form for each resident
- ◆ Co-ordinating community legal supports for residents. In every instance<sup>6</sup>, the relocation leader will do so by:
  - ▶ seeking out the assistance of a legal clinic
  - ▶ providing residents with information on the services, location and qualification criteria of legal clinics
  - ▶ pro-actively organizing a legal information session for residents, as soon as possible, with the legal clinic in the area of the affected rooming house (in the event of a sudden closure, the information session should be scheduled no sooner than three days after the sudden closure. In the event of an imminent closure residents should be connected with a legal clinic immediately)

<sup>5</sup>See Section 5.

<sup>6</sup>In every situation, legal issues will arise which will affect residents. See appendix E for a review of some of these issues.

- ◆ Undertaking all follow-up activities deemed necessary, including:
  - ▶ providing appropriate referrals to community legal supports
  - ▶ advocating on income maintenance issues
  - ▶ assisting displaced residents in obtaining new accommodations
  - ▶ arranging follow up visits from outreach teams if tenants require specific services after the emergency
  - ▶ working with the landlord to ensure that repairs are completed in a timely fashion
  - ▶ liaising with Municipal Licensing & Standards and the Building Division
- ◆ Assisting displaced residents in securing alternate lodgings. The follow-up relocation and support worker will do so by:
  - ▶ assisting displaced residents in contacting friends or family
  - ▶ contacting pre-registered housing providers to ask for assistance
  - ▶ contacting non-registered housing providers (private and public) to ask for assistance
  - ▶ contacting Street Helpline to find out if space is available in the shelter system
  - ▶ continuing to help secure long-term housing
  - ▶ assisting in replacing household furnishings and other belongings
- ◆ Collecting information about resident re-occupancy or temporary access to the building. This is done by communicating with the relocation leader and/or the follow-up relocation and support worker, City emergency responders, the landlord and displaced residents
- ◆ If there are concerns about timing, or quality of repairs being done, the follow-up relocation and support worker will work with appropriate City departments and the owner to address these concerns in a timely fashion
- ◆ If requested, the lead follow-up agency will file resident and incident follow-up reports with appropriate agencies and City departments
- ◆ If deemed necessary, WoodGreen Community Services will arrange a debriefing for individuals and agencies who responded to the sudden closure:
  - ▶ debriefing sessions will be scheduled 24 – 72 hours after the critical incident
  - ▶ arrangements for debriefing will be made by contacting Toronto Health Connection's Critical Incident Team, 416-338-7600, Monday to Friday, 8:30 a.m. – 4:30 p.m.
  - ▶ WoodGreen Community Services will arrange for the debriefing to be held in a safe location with available supports.



### 7.7.2. Overseeing development and implementation of the Rooming House Emergency Response Plan

Duties and responsibilities related to overseeing and implementing the Rooming House Emergency Response Plan include:

- ◆ Maintaining the plan by:
  - ▶ collecting information on the nature and scope of sudden closures and imminent closures
  - ▶ documenting the Emergency Response Team's response to sudden and imminent closures
  - ▶ evaluating collected information
  - ▶ presenting recommendations for future development of the plan to the CIWG
  - ▶ overseeing revisions to the Rooming House Emergency Response Plan, in consultation with the CIWG
- ◆ Developing and implementing the Rooming House Emergency Response Intervention Kit to be used by the Emergency Response Team. This kit will:
  - ▶ summarize the plan in a shortened form
  - ▶ identify key persons/agencies and their responsibilities
  - ▶ provide ward-by-ward listing of partnering community supports
- ◆ Designing and organizing training sessions for volunteers and other Emergency Response Team members
- ◆ Following up on the use of Rooming House Emergency Response Plan funds to ensure that they meet all funding requirements
- ◆ Promoting the plan by:
  - ▶ designing and organizing educational opportunities to tell relevant stakeholders what services are offered
  - ▶ enlisting the support of community agencies/City departments in key areas prior to the occurrence of sudden closures and imminent closures. Key areas include securing commitments to provide/secure:
    - = emergency lodgings
    - = emergency food
    - = emergency clothing
    - = debriefing services and counselling services
    - = long-term housing
    - = protecting of displaced residents' rights
    - = access to legal services
    - = initiatives to ensure that the dwelling remains habitable and meets required health, safety and building code standards.

## 7.8 Community and Neighborhood Services (CNS)

- ◆ When CNS receives notification of an emergency involving a rooming house closure, the CNS Emergency Planning Coordinator or designate will:
  - ▶ notify the appropriate emergency response team members (Canadian Red Cross, or WoodGreen Community Services)
- ◆ Where more than 30 rooming house residents are displaced due to a sudden closure, CNS would lead the response, including:
  - ▶ dispatching the CNS Emergency Planning Coordinator or designate to the scene of the sudden closure to manage the response
  - ▶ co-ordinating with other emergency response team members and community partners as required
  - ▶ liaising with other City staff and departments
  - ▶ co-ordinating resource allocation to meet displaced residents' needs.



## Appendix A: Rooming House Tenants' Bill of Rights

### All roomers and boarders have the right to:

- ◆ A co-ordinated municipal response to rooming house emergencies involving fire, other safety problems, non-compliance with property standards and zoning infractions
- ◆ An advocate appointed by the City of Toronto to coordinate support services and make appropriate referrals for individual needs
- ◆ Immediate and ongoing access to medical and counselling services to deal with physical health concerns and trauma associated with emergencies
- ◆ Clothing, shelter and food within hours of a rooming house fire
- ◆ Emergency funds for basic personal needs where the tenant cannot return to his/her home
- ◆ Assistance in providing temporary accommodation when dislocation from their home is unavoidable
- ◆ Seamless delivery of benefits and, where appropriate, extra community start-up benefits from Ontario Works and the Ontario Disability Support Program
- ◆ Timely access to free legal services to help them evaluate their situation and protect and enforce their rights
- ◆ Be recognized as equal stakeholders to the property owner, mortgagees and insurer with respect to access to municipal inspections files and reports
- ◆ Clean, safe accommodation which is in compliance with municipal and provincial standards
- ◆ An efficient and responsive regulatory licensing system with ongoing monitoring of their rooming house to ensure its quality and safety.

## Appendix B: Fire response protocol

### A. Fire incident fan-out structure

In the event of a rooming house sudden closure due to fire, it is expected that:

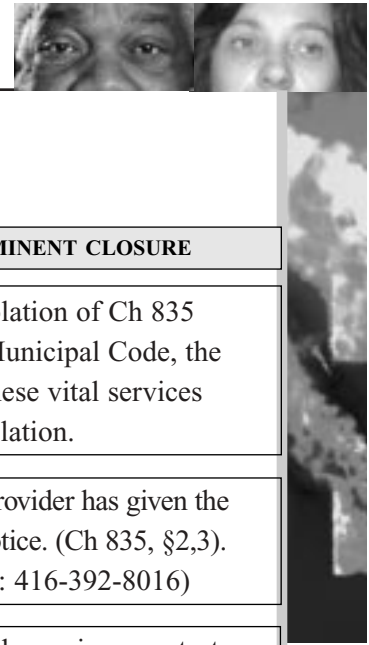
1. The first arriving emergency responders — police, fire, ambulance — will contact the lead response agency.
2. Upon receiving that call, the lead response agency will proceed to contact the lead follow-up agency.



### B. Emergency services and emergency notification

1. Phone 911 and ask for Toronto Fire Services. The call will be transferred to their Communications Centre, which will dispatch the necessary apparatus.
2. Fire crews and trucks arrive on scene.
3. Fire Services or 911 dispatcher will call TTC if it is determined that emergency shelter is required at the scene.
4. TTC dispatches bus(es) which arrive on scene.
5. Initial responders (fire, police, ambulance) call lead response agency.  
(Canadian Red Cross Disaster Services emergency pager 416-374-3875)
6. Lead response agency calls lead follow-up agency  
(WoodGreen Community Services Rooming House emergency pager 416-692-1078).





## Appendix C: Vital services response protocol

VITAL SERVICES IMMINENT CLOSURE	ACTIONS TO AVERT IMMINENT CLOSURE
<p>Imminent closure occurs</p> <p><i>if</i></p> <p>Vital services (utilities including hydro, heat, water) are due to be cut off because the landlord has failed to pay the service provider or breached the contract with the provider in some other manner</p> <p><i>and</i></p> <p>Relocation worker has become aware that vital services are about to be cut off.</p>	<p>Inform Landlord of violation of Ch 835 (§5,6) of the Toronto Municipal Code, the obligation to provide these vital services and of penalties for violation.</p> <p>↓</p> <p>Verify that the service provider has given the City Clerk the proper notice. (Ch 835, §2,3). (City Clerk's telephone: 416-392-8016)</p> <p>↓</p> <p>If proper notice <b>has not</b> been given, contact Municipal Licensing &amp; Standards Inspector and:</p> <ul style="list-style-type: none"><li>◆ advise of the street address</li><li>◆ advise that this is a property occupied by tenants where the landlord is responsible for providing service (Ch 835, §5,6)</li><li>◆ request that ML&amp;S direct the service provider not to cut off service</li><li>◆ request that ML&amp;S direct the service provider to follow the Toronto Municipal Code</li><li>◆ Confirm the contact in a follow-up e-mail to the inspector, supervisor and district manager.</li></ul> <p>↓</p> <p>If proper notice <b>has not</b> been given, contact service provider to:</p> <ul style="list-style-type: none"><li>◆ advise of the street address</li><li>◆ advise that this is a property occupied by tenants where the landlord is responsible for providing service</li><li>◆ advise that the service provider is required to provide notice under Chapter 835 of the Toronto Municipal Code and obliged to follow the procedure in the Municipal Code if vital services are to be cut off. (Ch 835, §2, 3).</li></ul>



**VITAL SERVICES IMMINENT CLOSURE**

**ACTIONS TO AVERT IMMINENT CLOSURE**

◆ advise that Municipal Licensing & Standards (leave the name of the inspector) has been advised of this situation. Ensure that all Tenants are aware of the situation.



If proper notice **has** been given, support negotiations to remedy breach of contract (e.g., orderly payment of arrears).



If negotiations **are** successful, the issue is resolved.



If negotiations **are not** successful, utility will be shut off at the time specified in the presence of the City.



City to inspect the premises to determine if the building is safe.

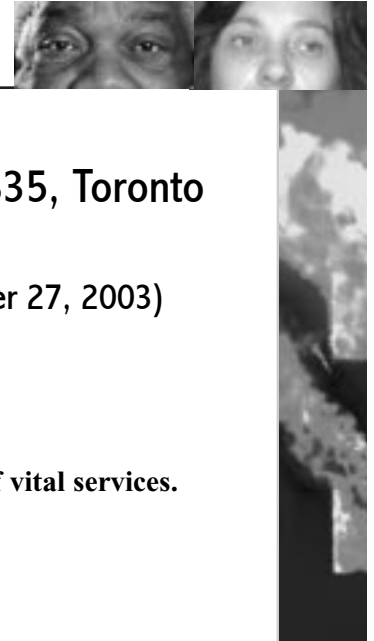


If the building **is** safe, the City can order that the vital service be restored (Building Code Act, §15.10 (3) and charge the owner, Ch 835 (§7, 10).



If the building **is not** safe, or the vital service is not restored, relocation worker to:

- ◆ ensure all tenants are aware of the situation
- ◆ ensure safe practices are used by residents should power outages occur
- ◆ provide alternative supplies on a temporary basis
- ◆ follow protocol for imminent closure of unsafe building.



## Appendix D: Discontinuance of Vital Services (Chapter 835, Toronto Municipal Code)

(Excerpts from City's website, [www.toronto.ca](http://www.toronto.ca), November 27, 2003)

### VITAL SERVICES, DISCONTINUANCE OF

§ 835-1. **Definitions.**

§ 835-2. **Advance written notice to Clerk required prior to discontinuance of vital services.**

§ 835-3. **Breach of contract with supplier by landlord.**

§ 835-4. **Restoration of service.**

§ 835-5. **Responsibility of landlord to provide vital services.**

§ 835-6. **Cessation of vital services by landlord prohibited.**

§ 835-7. **Failure of landlord to pay suppliers.**

§ 835-8. **Discontinuance of services for alterations and repairs.**

§ 835-9. **Maintenance of services by tenants.**

§ 835-10. **Offences.**

As used in this chapter, the following terms shall have the meanings indicated:

COMMISSIONER — The Commissioner of Urban Development Services.

LANDLORD — Includes:

- A. The owner or other person permitting occupancy of a rental unit.
- B. The heirs, assigns, personal representatives and successors in title of a person referred to in Subsection A of this definition.
- C. A person, other than a tenant occupying a rental unit in a residential complex, who is entitled to possession of the residential complex and who attempts to enforce any of the rights of a landlord under the tenancy agreement or the Tenant Protection Act, 1997, including the right to collect rent.

RENTAL UNIT — Any living accommodation used or intended for use as rented residential premises, and includes:

- A. A room in a boarding house, rooming house or lodging house and a unit in a care home.
- B. A site for a mobile home or a site on which there is a land lease home used or intended for use as rented residential premises.

TENANT — Includes a person who pays rent in return for the right to occupy a rental unit and includes a tenant's heirs, assigns and personal representatives, but "tenant" does not include a person who has the right to occupy a rental unit by virtue of being:

- A. A co-owner of the residential complex in which the rental unit is located; or
- B. A shareholder of a corporation that owns the residential complex.

VITAL SERVICE — Fuel, hydro, gas or hot or cold water.

**§ 835-2. Advance written notice to Clerk required prior to discontinuance of vital services.**

No supplier of a vital service shall cease to provide the vital service to a rental unit unless notice of the intended discontinuance of the vital service has been given in writing to the City Clerk at least 30 days before the supplier ceases to provide the vital service.

**§ 835-3. Breach of contract with supplier by landlord.**

Despite § 835-2, the notice of intended discontinuance shall be given only if the vital service is to be discontinued for a rental unit because the landlord has breached a contract with the supplier for the supply of the vital service.

**§ 835-4. Restoration of service.**

The supplier of a vital service shall immediately restore the vital service when directed to do so by the Commissioner. The Commissioner shall issue such a direction when the vital service has been discontinued in a manner that is contrary to § 835-2.

**§ 835-5. Responsibility of landlord to provide vital services.**

Every landlord shall provide adequate and suitable vital services to each of the landlord's rental units.

**§ 835-6. Cessation of vital services by landlord prohibited.**

No landlord shall cease to provide a vital service for any rental unit.

**§ 835-7. Failure of landlord to pay suppliers.**

A landlord shall be deemed to have caused the cessation of a vital service for a rental unit if the landlord is obligated to pay the supplier for the vital service and fails to do so and, as a result of the non-payment, the vital service is no longer provided for the rental unit.

**§ 835-8. Discontinuance of services for alterations and repairs.**

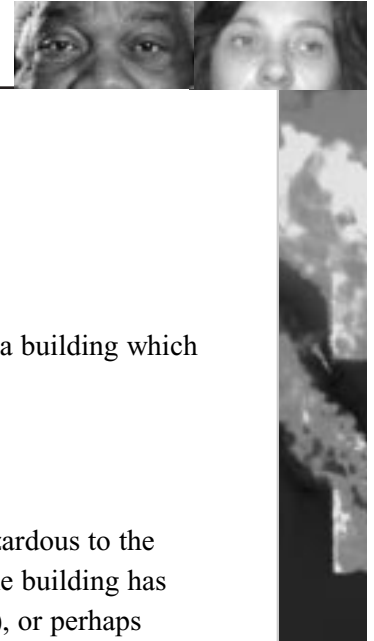
A landlord may cease to provide a vital service only when such cessation is necessary to alter or repair the rental unit and only for the minimum period necessary to effect the alteration or repair.

**§ 835-9. Maintenance of services by tenants.**

This chapter does not apply to a landlord with respect to a rental unit to the extent that a tenant has expressly agreed to obtain and maintain the vital services.

**§ 835-10. Offences.**

- A. Every person who contravenes or fails to comply with § 835-2, 835-4, 835-5, 835-6 or 835-8 is guilty of an offence for each day or part of a day on which the offence occurs or continues.
- B. Every director or officer of a corporation that is convicted of an offence who knowingly concurs in the commission of the offence is guilty of an offence.



## Appendix E: Urgent hazards protocol

### When to use this protocol:

This protocol will apply to a City-initiated declaration of a hazardous situation in a building which may result in an order to vacate being issued.

### Presenting situation:

A rooming house is either structurally unsound or in a condition that could be hazardous to the health and safety of persons in the normal use of the building. The condition of the building has become known to the City's Municipal Licensing & Standards Department (MLS), or perhaps Public Health, because one of the following has happened:

1. tenants complain to the City about problems in building
2. neighbours complain to the City about appearance of building or actions of tenants
3. social workers report problems to the City because of concern for their clients
4. the City enters the property on its own initiative because of problems with owner.

Tenants are told by Inspector that a) they have to leave the building immediately, or b) they may have to leave the building soon because it is unsafe. The tenants may or may not have been told what conditions render their building unsafe for habitation. They probably have not been given a copy of a written work order and none may yet have been issued. You may be contacted by a tenant, a social worker or an MLS inspector.

### Important information on the City's authority:

Most people believe only a landlord can evict tenants and only if the rules of the *Tenant Protection Act* are followed. But municipalities can also order occupants to vacate a building at any time, without notice if an urgent hazards situation exists at the building. This Order to Vacate can be issued orally, cannot be appealed and can be enforced by the police upon the request of the municipality if the tenants do not leave when ordered. This authority comes from the *Building Code Act, 1992 (BCA)*.

Section 15 of the *BCA* gives a municipality the power to inspect a property to determine if a hazardous situation exists, to protect the safety of the occupants and to issue work orders to repair buildings which are unsafe or pose a hazard to their occupants. If there is an immediate danger to the occupants, the inspector may use emergency powers to terminate the danger until the hazard is corrected. The inspector can issue an immediate order to all occupants to vacate the premises and this may occur before the work order detailing the problem is served on the landlord and the tenants. Alternatively, the municipality may issue an order that the building be vacated if the work is not carried out by the landlord by a specific date. In this situation, the tenants may have received a copy of the work order issued against their landlord. The *BCA* also authorizes municipalities to carry out necessary repairs and recover the costs through a property tax charge or lien on the property; however, this course of action is rarely taken.

**First steps: Quickly find out as much as you can, visit and document the site, contact all the players and determine which of the four possible situations exists so you can take appropriate follow-up action.**

First, contact MLS and try to find out:

- a) what specifically is wrong with the building
- b) if an order to vacate will be issued and when
- c) what repairs must be done before the tenants can move back in
- d) if the landlord is cooperating with the City to get repairs done
- e) if rooming house is licensed and if any work orders have been issued.

**Next**, contact all the residents (door knocking, flyers, posters, advertising, meeting, etc.) and try to find out how many units it contains, the names of all residents, their length of tenure and if they are paying rent, how many occupied units are affected by the hazard and what supports are needed by occupants.

**Next**, contact landlord and let them know you're involved. Offer to liaise between landlord, tenants and MLS to address any concerns that might arise and keep lines of communication open.

After these steps have been taken, proceed with the appropriate follow-up response for the situation encountered.

**Follow-up responses vary with each hazardous situation. There are four main possible situations:**

- ◆ the hazard is easily fixed and the landlord agrees to do the work
- ◆ the hazard is easily fixed but the landlord refuses to do the work
- ◆ the hazard is difficult to fix but the landlord is willing to do the work
- ◆ the hazard is difficult to fix and the landlord refuses to do the work.

With each situation, tenant relocation — either temporary or permanent — may be necessary or requested by the tenant. Here are the steps to take in each possible situation.

### **Situation A:**

The conditions, while hazardous, can be easily fixed (for example, broken furnace in winter, sewer backup in basement). Landlord agrees to do work.

**Goals:** Get work done as quickly and hassle free as possible and help tenants with any temporary relocation issues.



**Your response:**

*If tenants need to move temporarily,*

- a) see if landlord has alternative accommodation available to house tenants, if he will help tenants to move and has storage available for their possessions, if required
- b) see if tenants have friends/family that can house them temporarily
- c) refer others to housing help centres and shelters
- d) organize a tenants' meeting with a legal clinic to discuss issues like abatements of rent for disrepair and compensation for relocation
- e) assist tenants with storage of possessions, if required and if funding or space is available
- f) monitor progress of repairs and notify tenants when the building becomes habitable again.

**OR**

*If tenants do not need to move,*

- a) keep in regular contact
- b) monitor status of work orders and progress of repairs
- c) liaise between landlord, tenants and MLS re: minor inconvenience and disruptions
- d) refer tenants to legal clinic if repairs interfere with their day-to-day activities.

**Situation B**

The conditions, while hazardous, can be easily remedied (for example, broken furnace in winter, sewer backup in basement). Landlord refuses to do work.

**Goals:** Get repairs done so that tenants do not lose their housing. Work with City and legal clinics to a) force landlord to do work, or b) have City do work and put cost on landlord's tax bill.

**Your response:**

*If tenants need to move temporarily,*

- a) see if landlord has alternative accommodation available to house tenants
- b) see if tenants have friends/family that can house them temporarily
- c) refer others to housing help centres and shelters
- d) organize a tenants' meeting with a legal clinic to discuss issues like abatements of rent, obtaining Tribunal order requiring repairs, compensation for relocation, requesting the City to make the necessary repairs, pros and cons of moving out permanently
- e) assist tenants with storage of possessions, if required and if funds or space are available
- f) if landlord or City agrees to make repairs, monitor progress of repairs and notify tenants when the building become habitable again.

**OR**

*If tenants do not need to move,*

- a) organize a tenants' meeting with a legal clinic to discuss issues like abatements of rent, obtaining Tribunal order requiring repairs, requesting the City to make the necessary repairs, pros and cons of moving out permanently
- b) if landlord or City agrees to make repairs, monitor progress of repairs.

**Situation C**

The hazardous conditions are not easily remedied (extensive mould, serious structural damage). Landlord agrees to do work but work may take a long time.

**Goals:** Minimize time tenants are dislocated and help them find shelter. Work with legal clinic to help tenants make an informed choice as to whether they should look for temporary housing or relocate permanently.

**Your response:**

- a) contact MLS to determine repairs necessary and estimated length of time for repairs
- b) see if landlord has alternative accommodation available to house tenants and can assist with moving or storage of possessions
- c) see if tenants have friends/family that can house them temporarily
- d) refer others to housing help centres
- e) assist those tenants who decide to relocate to move
- f) assist those who relocate on a temporary basis to find storage if required and if funding or space is available
- g) organize a tenants' meeting with a legal clinic to discuss issues like abatements of rent, compensation for relocation, pros and cons of moving out permanently.

**Situation D**

The conditions are not easily remedied and landlord refuses to do work.

**Goals:** Work with legal clinic to help tenants make an informed choice as to whether they should look for temporary housing or relocate permanently. Help in relocation as required. If the building is salvageable and tenants wish to move back in, support them in a request to the City to carry out the repairs required to bring the building up to a habitable standard.





**Your response:**

- a) refer to housing help centres
- b) determine whether building will be demolished and, if not, what repairs are needed and the estimated time required to carry out repairs
- c) organize a tenants' meeting with a legal clinic to discuss issues like abatements of rent, compensation for relocation, requesting the City to carry out repairs and the pros and cons of moving out permanently
- d) assist with storage as necessary and if funding or space is available.

## Appendix F: Legal issues

### Legal issues for residents as a result of sudden closures

Clinic services are free to those who qualify.

Clinics are geographically based. Phone first to find out intake hours and boundaries.

<b>Issue</b>	<b>Remedy</b>	<b>Referral</b>
Lost/damaged possessions	insurance (LL or T) OR abatement of rent application	Legal Clinic
Loss of identification	apply for new, affidavits	Legal Clinic Health Centre
Forced relocation by landlord or City	abatement of rent, return of deposit	Legal Clinic
Harassment by landlord to move	tenants' rights application	Legal Clinic
Eviction application if Resident implicated in sudden closure	Dispute and Representation	Legal Clinic
Arson charges	Defense representation*	Legal Aid Lawyer
Tenant desire to terminate tenancy	abatement of rent	Legal Clinic

\*Process for resident to get representation: No referrals. Resident must apply for services in person. Clinic will refer to legal aid if necessary.



## Appendix G: Financial assistance

In the event that a tenant requires financial assistance, the following steps should be taken.

### Ontario Works

- ◆ If the tenant is not in receipt of Ontario Works, the relocation leader or tenant should contact the local office servicing the address where the tenant is currently staying.\*
- ◆ If the tenant is in receipt of Ontario Works, his/her caseworker should be contacted.\*
- ◆ If unable to establish timely contact with the local office, the manager at the Client Service and Information Unit can be contacted at 416-392-3465. The Client Service and Information Unit staff will review the circumstances and coordinate contact and response at the local office level.
- ◆ All efforts will be made to determine what funds or services (Ontario Works Assistance, Shelter Fund, Shelter Fund Enhancement, Community Start Up Benefits, etc.) are available to assist the individual.
- ◆ If further follow-up or information is required, the Program Support Manager, Homelessness Initiatives for Ontario Works can be contacted at 416-397-5544.

\*If the relocation leader or designate contacts the local office on behalf of a tenant applying for or in receipt of Ontario Works, a consent to release information is required for Ontario Works staff to discuss specific details of a case.

### After Hours Emergency Service (AHES)

The After Hours Emergency Service (AHES) program is intended to respond to emergencies within the City of Toronto that cannot wait until the next business day. This includes issues related to food, accommodation (hostels) and medication that arise outside normal business hours. This service is available to City of Toronto residents only.

Assessment for assistance is completed and if eligible, the caller may be issued:

- ◆ Minimal funds for food. Amounts are determined by family size and number of days assistance required subject to maximums.
- ◆ Callers requiring accommodation are referred to hostels.
- ◆ Callers requiring medication must have a current prescription (same date as call) and require the medication immediately. A drug card valid for one day only will be issued.

If determined not to be an emergency, callers are directed to contact their local OW/ODSP office the next business day, or may be referred to 211 for information on other community-based services.

**Hours of operation:**

Monday to Friday 6:00 p.m. to 9:30 p.m.

Saturday, Sunday and Holidays: 1:00 p.m. to 7:00 p.m.

**Application process:**

- ◆ Call the AHES number at 416-392-8600.
- ◆ Eligibility will be assessed based on an application.
- ◆ If eligible to receive assistance, the caller will be directed to a hostel depot.
- ◆ One piece of valid identification for all family members must be presented at the time of issuance. This includes birth certificates, SIN, Health Card, Immigration documents.
- ◆ If a drug card is being issued, person must provide their Health Card number and prescription.

**Ontario Disability Support Program (ODSP)**

In the event that a resident requires financial assistance, the following steps should be taken:

- ◆ The resident and/or helping agency should contact the local Ontario Disability Support Office.
- ◆ If unable to establish timely contact with the local office using the main number, contact any manager directly.
- ◆ Income Support Manager will arrange with the staff at the office to assist the client.
- ◆ All efforts will be made to determine what funds or services (Community Start Up Benefits, etc.) are available to assist the individual.
- ◆ If further information or follow-up is required, Vickie Lowery, Program Co-ordinator for ODSP can be contacted at 416-212-7777.
- ◆ If the relocation leader or the follow-up relocation and support worker is making contact with the ODSP office on behalf of the client, a written consent from the client will be required for the ODSP staff to share information about the client.

# Ontario Disability Support Program – Toronto Region

## TORONTO EAST

5422

## CENTRAL

5441

Unit 30 - 770 Birchmount Road Toronto, Ontario M1K 5H3

Office number (local): 416-325-0123

TTY: 416-326-7290

Fax: 416-325-0175

M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M3A, M3B, M3C, M3V, M4A, M4B, M4C, M4E

Taska Bennett, Admin. Officer

325-1626

Yvonne Aguilera, Admin. Secretary

325-0522

Carmencita DeCastro, Admin. Clerk

325-0083

Admin. Fax

325-0953

Georgeana Liu, ISM – Intake

325-0143

Cherril Baker, ISM – CVP (A-K)

325-1158

Eudine Francois, ISM – CVP (L-Z) / ORFUS

325-0088

Sherry Burns, ISM – Case Management (A-L)

325-0101

Heather Lucas, ISM – Case Management (M-Z) 325-0099

47 Sheppard Avenue E., 6th Floor Toronto, Ontario M2N 5X5

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Fax: 416-314-6769

M2H, M2J, M2K, M2L, M2M, M2N, M2P, M2R, M2S, M2T, M2U, M2V, M2W, M2X, M2Y, M2Z, M3A, M3B, M3C, M3D, M3E, M3F, M3G, M3H, M3I, M3J, M3K, M3L, M3M, M3N, M3O, M3P, M3Q, M3R, M3S, M3T, M3U, M3V, M3W, M3X, M3Y, M3Z, M4A, M4B, M4C, M4D, M4E, M4F, M4G, M4H, M4I, M4J, M4K, M4L, M4M, M4N, M4O, M4P, M4Q, M4R, M4S, M4T, M4U, M4V, M4W, M4X, M4Y, M4Z, M5A, M5B, M5C, M5D, M5E, M5F, M5G, M5H, M5I, M5J, M5K, M5L, M5M, M5N, M5O, M5P, M5Q, M5R, M5S, M5T, M5U, M5V, M5W, M5X, M5Y, M5Z, M6A, M6B, M6C, M6D, M6E, M6F, M6G, M6H, M6I, M6J, M6K, M6L, M6M, M6N, M6O, M6P, M6Q, M6R, M6S, M6T, M6U, M6V, M6W, M6X, M6Y, M6Z

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Cheryl Athaide, Admin. Secretary

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Anna Cheung, Admin. Clerk

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Admin. Fax

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Delia Soares, ISM – Intake

325-4304

Bill Nolin, ISM – CVP

314-6619

Inga Melnikova, ISM – Case Management (A-K)

314-3645

Lucie Dufault, ISM – Case Management (L-Z)

314-6763

## TORONTO WEST

5421

## DOWNTOWN

5444

1870 Wilson Avenue Toronto, Ontario M9M 1A5

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Vickie Lowery, Toronto Region Program Coordinator

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