

**LATE DISTRIBUTION**  
**For P&E Committee - March 26, 2009**

**Supports Item No. 4**  
**P&E Committee Agenda**  
**March 26, 2009**



**ADMINISTRATIVE REPORT**

Report Date: March 12, 2009  
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Meeting Date: March 26, 2009

TO: Standing Committee on Planning and Environment

FROM: Assistant Director of Coordinated By-law Compliance/ Chief License Inspector

SUBJECT: Report back on the Enforcement of the Standards of Maintenance By-law in the Downtown East Side

***RECOMENDATION***

THAT Council receive this report for information.

***GENERAL MANAGER'S COMMENTS***

The General Manager of Community Services RECOMMENDS that Council receive this report for information.

***CITY MANAGER'S COMMENTS***

In order to mitigate the risk of tenant displacement, the City's current approach to enforcement of single room occupancy (SRO) buildings in the downtown east side (DTES) is both proactive and responsive. Staff monitor SRO buildings closely in order to prevent the occurrence of costly repairs that have a high risk of tenant displacement. The overall goal of the current approach is to improve living standards for tenants by working with building operators and owners to promote compliance without displacing tenants. As a pilot, Council may consider increasing enforcement by testing the injunction option discussed in this report on a case by case basis.

***COUNCIL POLICY***

The Vancouver Charter gives Council power to pass by-laws fixing standards of fitness for human habitation to which all dwellings, whether single or multiple, must conform (s. 306(1)(i)) and for requiring owners or occupants of real property to maintain said property in a neat and tidy condition in keeping with a reasonable standard of maintenance (s. 323(u)).

The City has exercised those powers by enacting the Standards of Maintenance By-law (the By-law).

Section 334 of the Vancouver Charter allows the City to seek injunctive relief for any by-law contravention.

The Vancouver Charter and the By-law allow the City to carry out such work as may be necessary to make buildings conform with the provisions of the By-law at the cost of the owner provided that the City does not undertake such work until after the expiration of 60 days from the date of service of a notice on the owner.

In addition, Council's priorities for social housing are to maintain and expand housing opportunities in Vancouver for low and modest income households with priority being given to SRO residents; the mentally ill, physically disabled and others at risk of homelessness; and families with children; seniors on fixed income or in need of support.

### ***PURPOSE***

The purpose of this report is to respond to Council's motion of December 18, 2008 by providing:

- I. Information with respect to the current enforcement approaches for the Standards of Maintenance By-law for single room occupancy buildings in the Downtown East Side,
- II. Options for increasing the enforcement of the Standards of Maintenance By-law for single room occupancy buildings beyond the current collaborative approach including associated risks, advantages and disadvantages, and required resources, and
- III. Statistical information related to Standards of Maintenance enforcement activities for single room occupancy buildings in the Downtown East Side.

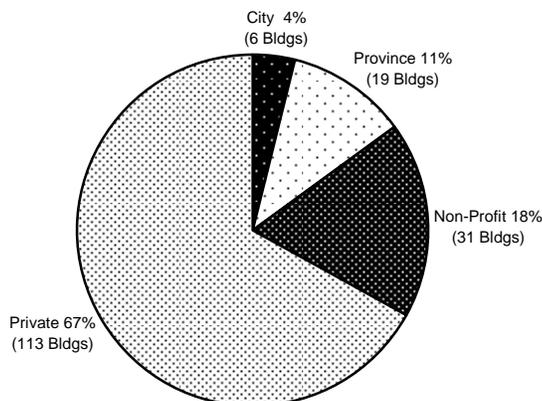
### ***BACKGROUND***

#### Downtown East Side Demographics

The Downtown East Side (DTES) is a unique district in the City of Vancouver with a highest concentration of low income tenants in the City living in single room occupancy (SRO) buildings. The 2008 DTES Demographic Study prepared under the Vancouver Agreement (VA) portrays most SRO residents as low-income, with more than three quarters living on less than \$15,000.00 a year. The typical shelter allowance for individuals on income assistance is just \$375.00 per month. The DTES population is overwhelmingly male and middle aged. Residents reported financial reasons as the most common reason why they moved to the DTES. The study indicated that most residents have physical limitations, drug addiction and/or mental health issues. Nearly half of these individuals reported dealing with multiple concerns. Almost 3 in 4 residents indicated that there is at least one issue requiring immediate assistance. This report describes a vulnerable population with a myriad of challenges many of whom have been dealing with housing instability for extended periods of time often as a result of these challenges. Many tenants in the DTES require varying levels of support to stabilize their lives. This fact points to a continued need to provide additional mental health and addictions services in the DTES.

### Single Room Occupancy Buildings

The majority of the buildings in the DTES are old and in many cases they no longer comply with the City by-laws. The style of housing in this area differs from housing in other areas in that 37% of the residential units in the DTES consist of single room accommodations with shared bathroom and bathing facilities. There are 169 single room occupancy buildings (SRO) in the DTES which are managed by government bodies, non profit agencies and private organizations. These 169 buildings contain approximately 5000 single room occupancy rooms. Figure 1 illustrates the organizations which manage these buildings. This data was obtained from the Housing Department, Licences and Inspection Department as well as the Ministry of Housing and Social Development.



*Figure 1- Management of Single Room Occupancies in the Downtown East Side*

A typical SRO buildings in the DTES is over 90 years old with rooms having a floor area of approximately 10 m<sup>2</sup> (100 ft<sup>2</sup>). It is important to note that these buildings were not originally designed for long term housing. Originally these buildings were designed as temporary housing for loggers and trades people working in the City. The plumbing and heating systems and elevators in these buildings are often antiquated and in many cases do not meet the minimum requirements prescribed in City by-laws. Ultimately, these buildings need to be replaced with better quality social and supportive housing.

The current SRO stock in the DTES is one of the only options available to individuals on income assistance. Rooming houses in other parts of the City have all but disappeared and the low-end rentals in the conventional housing market leave an individual with little to nothing left over to cover the cost of other basic needs. The DTES SRO hotels are the last concentration of housing stock in the City available to the low-income single population. Without the availability of this stock, many would be on the street.

### Typical Standards of Maintenance Violations in SRO's in the DTES

In 2007 and 2008 under half of the SRO buildings (64 buildings) in the DTES had violations that required the issuance of letters or orders by the Chief Building Official. Most often the nature of these letters/orders relates to smaller and repetitive type violations such as holes in walls, damaged or soiled flooring, broken fixtures, disconnected smoke alarms etc.

Rents are often insufficient to make major repairs economically viable in these buildings. A recent example of this is the cost of retrofitting an elevator in one of the SRO's in the DTES. The cost to retrofit the elevator was estimated to be over \$150,000. Not only was the cost of repairs prohibitive, the building owner struggled to find qualified workers to carry out the

work. It is not uncommon for some building owners to hire tenants to carry out repairs as they are unable to attract qualified trades people.

Figure 2 illustrates the typical location of Standards of Maintenance violations in SRO buildings in the DTES. This data was obtained from the Property Use Inspection Branch. The data indicates that the majority of violations in SRO buildings in the DTES are located in tenant's rooms. Typically the violations within rooms include items such as holes in walls, pests, clutter and debris, disconnected smoke alarms and plugged toilets and sinks. Ten percent of the violations in these buildings relate to the building structure, i.e. roof, elevator, and plumbing, heating and electrical issues. Twenty percent of the violations relate to issues in common areas such as public corridors, kitchens, exit stairs etc.

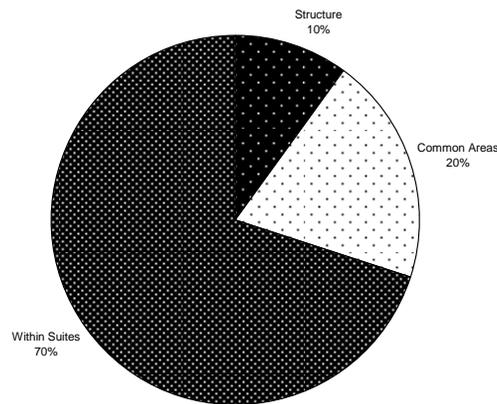


Figure 2 - Location of Violations in Single Room Occupancy Buildings in the Downtown East Side

It should be noted that there is a shared responsibility under the Residential Tenancy Act for both the landlord and the tenants to maintain their living accommodation in compliance with regulations. This principle is equally applicable to certain obligations under the Standards of Maintenance By-law. According to the 2008 DTES Demographic Study prepared under the Vancouver Agreement, a significant number of the residents living in SRO buildings have physical limitations, drug addiction and/or mental health issues. These issues impact their capacity to maintain their accommodations to the standard required by City by-laws. City Inspectors spend a great deal of their time working with the tenants and landlords to address this ongoing cycle of damage and repair and often bring in other agencies to lend support to the tenants.

## DISCUSSION

Through a motion of Council on December 18, 2008, Staff was directed to provide information with respect to the current enforcement approach for SRO buildings in the DTES and options for increased enforcement. In addition, Council directed Staff to provide statistical information with respect to Standards of Maintenance enforcement activities for SRO buildings in the DTES.

This section of the report discusses the following:

- A. The Current Cross Sector and Interdepartmental Enforcement Approach
- B. Options for Increased Enforcement Approaches Using the:
  - 1. Injunction Process (Owner Carries Out Work)
  - 2. Resolution Process (City Carries Out Work)
- C. Advantages and Disadvantages of Enforcement Approaches
- D. Risks Associated with Increased Enforcement Approaches
- E. Staff Resources to Address Increased Enforcement Options
- F. Statistical Information Related to Letters and Orders for SRO's in the DTES
- G. Support Needs for People Living in SRO Buildings in the DTES

#### **A. Current Cross Sector and Interdepartmental Enforcement Approach**

In areas outside the DTES, the City uses a responsive approach to enforcement - an approach based solely on complaints. However in the DTES, the City has had a longstanding policy of both a responsive and proactive approach. In the DTES Staff carry out enforcement through regular routine inspections in addition to responding to complaints. City Inspectors respond quickly to complaints from tenants and/or advocates. On average, City Inspectors respond to a complaint in less than 24 hours. In order to facilitate this approach a dedicated phone line has been set up so that tenants can call the Inspector's Office to register their complaints. In addition, complaints are often identified on site through ongoing discussions with tenants.

Enforcement in the DTES is handled on a continuum which ranges from prevention to intervention. For the most part, the City focuses its efforts in the DTES on prevention and early intervention. By following this approach, staff are able to keep on top of the small building maintenance issues in order to prevent larger and more expensive issues from emerging. These issues often relate to smaller and recurring violations such as holes in walls, unclean and cluttered rooms, leaky faucets, pest control, damaged or soiled flooring, heat and hot water.

There are two components to the current cross sector and interdepartmental enforcement approach. (*The current cross sector and interdepartmental enforcement approach is illustrated in Appendix A - Flowchart#1 Standards of Maintenance By-law (Current Process - Typical).*) The first component involves Property Use Inspectors within the Licences and Inspections Department working directly with tenants and property owners in collaboration with cross sector and interdepartmental teams (See Table A - Coordinated Enforcement Teams in the Downtown Eastside) to find creative ways to improve and address living standards for tenants in the DTES. Currently the City has committed the equivalent of 8 full time staff to the DTES. The goal of the coordinated enforcement teams is to improve living standards for tenants by working with SRO landlords/operators to promote compliance through creative means. The enforcement teams work hard to keep buildings open and bring them up to basic standards - not to close them. The few closures of SROs by the City in recent years were due to serious life safety concerns under the Vancouver Building and/or Fire By-law.

*Table A - Coordinated Enforcement Teams in the Downtown East Side*

Enforcement Teams	Representation	Mandate
Coordinated Enforcement Team	<ul style="list-style-type: none"> <li>- Licences &amp; Inspection</li> <li>- Police Department</li> <li>- Fire Services</li> </ul>	- Enforcement of City By-laws
Housing Integrated Task Team (HITT)	<ul style="list-style-type: none"> <li>- Licences &amp; Inspection</li> <li>- Police Department</li> <li>- Fire Services</li> <li>- Vancouver Coastal Health</li> <li>- Province of BC (Welfare)</li> </ul>	<ul style="list-style-type: none"> <li>- Enforcement of City By-laws</li> <li>- Enforcement of Provincial Regulations</li> </ul>
Dedicated DTES Team	<ul style="list-style-type: none"> <li>- 5 Property Use Inspectors</li> </ul>	- Enforcement of City By-laws

The second component of the current approach is initiated when the coordinated enforcement teams are unable to gain compliance. At this stage the City issues formal letters and/or orders to achieve compliance.

Enhancements to the Current Cross Sector and Interdepartmental Enforcement Approach

The current enforcement approach is working in balancing the objectives of minimizing tenant displacement while maintaining standards of liveability. However, to build on the current cross sector and interdepartmental enforcement approach, various initiatives have been developed through partnerships with other agencies. These enhancements include the following:

1. SRO Training for Building Operators - An SRO training program has been developed and is being delivered collaboratively with the City Resources, the Vancouver Agreement (VA) and the Provincial Government. Some of the partners contributing to this training include the Residential Tenancy Branch (RTB), Ministry of Housing and Social Development (Welfare), Tenants Rights Advocates Coalition (TRAC) in partnership with City Resources (Police and Licence & Inspection Departments). It should be noted that over 90 SRO building managers have participated in the training sessions since 2006.
2. SRO Pilot Project - A private SRO Pilot Project was established under the VA. This project provides support to privately owned hotels to upgrade their hotels with Residential Rehabilitation Assistance Program (RRAP) funding from CMHC, enhance living conditions for tenants through a monthly hotel supplement, provide support to tenants through partnership with a non-profit agency, and provide training to staff through the SRO management course. Initially this pilot project started with one hotel and it has now been expanded to include two additional hotels. This success is an indication of the need for continued expansion of existing services to provide necessary supports to a vulnerable population dealing with mental health and addiction issues.
3. City Partnerships with Residential Tenancy Branch (RTB) - The City has worked with the Provincial RTB to establish a stronger presence in the DTES by providing funding for office space in the DTES. The goal of this initiative is to provide increased access for residents in the DTES to the RTB.

## B. Options for Increased Enforcement Approaches

Enforcement of the Standards of Maintenance By-law beyond the current cross sector and interdepartmental enforcement approach may be increased for SRO Buildings in the Downtown East Side by one of the following two methods:

1. Injunction Process (Owner Does Work)
2. Resolution Process (City to do Work)

Each method of enforcement has advantages and disadvantages. The process for each of the increased enforcement approaches is discussed below.

### 1. Injunction (Owner Does Work):

This method involves the City seeking a court order (injunction) whereby the Court will order the owner to carry out repairs to the building to bring the building into compliance with City by-laws.

In order to seek injunctive relief to bring a building into compliance with the Standards of Maintenance By-law, the following process must be followed:

- i. The building must fail to meet a specific provision in the By-law;
- ii. Staff must bring a report to Council requesting approval to seek injunctive relief;
- iii. Council must authorize the Director of Legal Services to commence legal proceedings to seek relief to have the building brought into compliance with the by-law;
- iv. The Director of Legal Services commences legal proceedings in accordance with the applicable court rules;
- v. The Court decides whether to grant the order and whether to impose any conditions on the order;
- vi. If the injunction is granted, the owner must carry out the necessary work to comply with the terms of the court order.

*Steps iv to vi are illustrated in Appendix A - Flowchart#2 Standards of Maintenance By-law (Injunction Process - Typical)*

### 2. Resolution Process (City to do work):

This method involves the City ordering repairs to a building under the Standards of Maintenance By-law and should the owner fail to carry out the repairs, the City will carry out the repairs at the owner's expense.

Before the City can carry out work to bring a building into conformity with the By-law, a number of conditions have to be satisfied:

- i. The building must fail to meet a specific provision in the By-law;
- ii. Notice of the alleged default must be given to the owner of the building and any one with interest in the building (e.g., mortgagees);
- iii. After hearing from Staff, the building owner, and all other interested parties (tenants, mortgagees, etc) Council must be satisfied that the building does in fact fail to meet a specific provision of the By-law;

- iv. Council must pass a resolution declaring that the building fails to meet the standards in the By-law and specifying the nature of the defaults, and must order the owner to carry out the work necessary to remedy those defaults;
- v. Council must direct that the owner's failure to carry out the necessary work will result in the work being carried out by the City at the expense of the owner;
- vi. Council's declaration and order must be served on the owner together with the notice that in the event of the owner's failure to carry out the work, the work will be carried out by the City at the owner's expense;
- vii. Sixty days must expire from the date the owner was served; and
- viii. The defaults specified in Council's declaration must not have been remedied.

*Steps ii to vii are illustrated in Appendix A - Flowchart#3 Standards of Maintenance By-law (Resolution by Council Process - Typical)*

### C. Advantages and Disadvantages of Enforcement Approaches

Table B, Advantages and Disadvantages of Enforcement Approaches, provides a brief summary of the advantages and disadvantages of the three types enforcement approaches discussed in this report. It should be noted that the process for seeking Injunctive Relief is shorter, more flexible and results in the owner being required to do the work rather than the City.

*Table B - Advantages and Disadvantages of Enforcement Approaches*

Enforcement Approach	Advantages	Disadvantages
Current Cross Sector and Interdepartmental Enforcement	<ul style="list-style-type: none"> <li>• Quick response</li> <li>• Suitable for minor work</li> <li>• High rate of compliance</li> <li>• Least resource intensive</li> <li>• Flexible</li> <li>• Low risk of tenant displacement</li> <li>• Little financial risk to City</li> </ul>	<ul style="list-style-type: none"> <li>• Not appropriate for major renovations</li> <li>• Prosecution (in case of non-compliance) takes a very long time</li> </ul>
Injunction (Owner Does Work)	<ul style="list-style-type: none"> <li>• Flexible process</li> <li>• Suitable for major work</li> <li>• High rate of voluntary compliance (consent injunctions)</li> <li>• High rate of compliance with court orders</li> <li>• Owner carries out work and makes all decisions about work</li> <li>• Owner responsible for the cost of the work</li> <li>• Uses court order enforcement powers and any on-going disputes can be resolved in court</li> <li>• Owner responsible for all risks of work, including ongoing liability</li> <li>• Little Financial Risk to City</li> </ul>	<ul style="list-style-type: none"> <li>• Slower than the collaborative approach</li> <li>• Increased risk of tenant displacement</li> <li>• Not appropriate for minor work</li> <li>• More resource intensive (Law)</li> </ul>
Resolution (City Does Work)	<ul style="list-style-type: none"> <li>• Work is carried out to the satisfaction of the City</li> <li>• Only Suitable for major work</li> </ul>	<ul style="list-style-type: none"> <li>• Procedurally cumbersome</li> <li>• Increased risk of tenant displacement</li> <li>• City assumes costs of repairs with only a possibility of recovery from the owner</li> <li>• City responsible for the work and has to make all decisions about the work</li> <li>• No mechanism for resolving any on-going disputes</li> <li>• Inflexible - new resolution required if new problems uncovered</li> <li>• City assumes all risks of work, including ongoing liability</li> <li>• High financial risk to the City</li> <li>• Not appropriate for minor work</li> <li>• More resource intensive (Law)</li> </ul>

#### **D. Risks Associated with Increased Enforcement Options**

Stepping up enforcement of the Standards of Maintenance By-law has associated risks of tenant displacement. A recent example of this is a SRO building where the owner was ordered to carry out repairs to several rooms and common areas in a building and as a result, the owner opted to close an entire floor rather than incur the costs of those repairs.

To date, the City's approach in the DTES has been to balance enforcement with the risk of tenant displacement, thus recognizing the economic realities associated with operating a SRO. Inspection staff report that most of the owners/operators comply when the expectations are reasonable and affordable. Enforcement by letters and/or orders is a last resort. The current cross sector and interdepartmental enforcement approach minimizes the risk of tenant displacement.

#### **E. Staff Resources to Address Increased Enforcement Options**

Council's motion requested information on resources required to utilize our powers under the Standards of Maintenance By-law to carry out repair work to SRO's in the DTES.

Should Council direct Staff to increase enforcement beyond the current cross sector and interdepartmental enforcement approach, additional resources such as project managers, legal counsel and support services will be required. In this case, Staff will work with the City Manager to develop a resource plan for this initiative.

#### **F. Statistical Information Related to Letters and Orders for SRO's in the DTES**

As requested by Council, Appendix B of this report provides a summary of all formal letters and orders issued pursuant to the Standards of Maintenance By-law in the DTES for 2007 and 2008. The summary also indicates the status of the enforcement action as well as the location of the violations.

It should be noted that this data only represents a fraction of the work carried out by the Property Use Inspection Branch within the Licences and Inspections Department. Typically Inspectors only enter inspection information into the department's electronic permit and inspection system for activities that result in enforcement letters and/or orders. The modest number of letters and orders is indicative that the inspectors are achieving compliance through their current cross sector and interdepartmental enforcement approach.

The results of enforcement activities carried out by the Property Use Inspection Branch are illustrated in figures 3 and 4 for 2007 and 2008 respectively. The results indicate an 84 to 90 percent compliance rate with the current enforcement approach with the issuance of approximately 79 formal letters and orders.

For the purposes of these figures “resolved enforcement” means that the violations have been rectified and no further action is required. “Ongoing” enforcement means that a letter or order has not expired, or an extension of time to rectify the violation(s) has been granted or the case has been referred for further legal action. “Partially resolved” enforcement means that the violation(s) have been substantially rectified and the few remaining violations will be re-inspected at a later date.

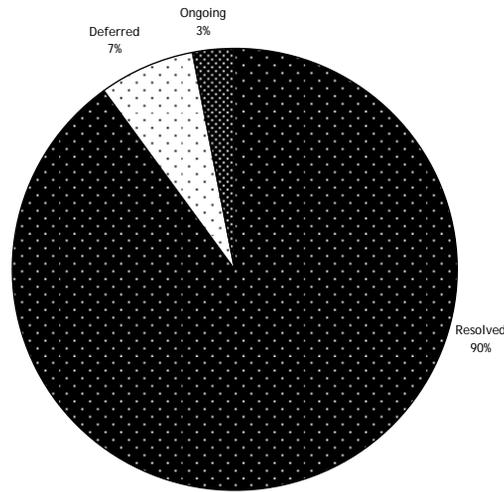


Figure 3 - Single Room Occupancy Enforcement Results in the Downtown East Side for 2007

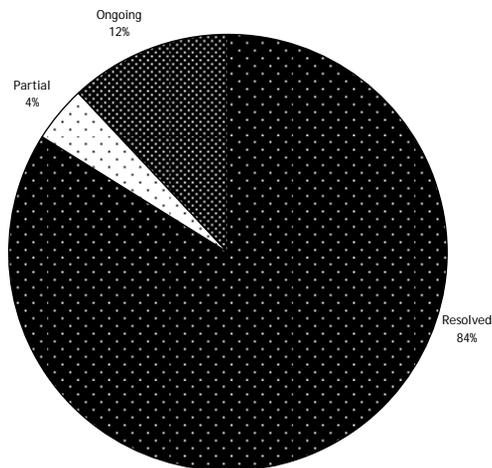


Figure 4 - Single Room Occupancy Enforcement Results in the Downtown East Side for 2008

In 2007 and 2008 the City has carried out enforcement activities on 64 of the 169 SRO buildings in the DTES. Figures 5 and 6 illustrate the number of buildings that the City carried out enforcement action on over the past two years (2007 and 2008) based on the type of operator and owner respectively. The data illustrates that the most of the City's enforcement actions have been aimed at buildings that are operated or owned by the private sector.

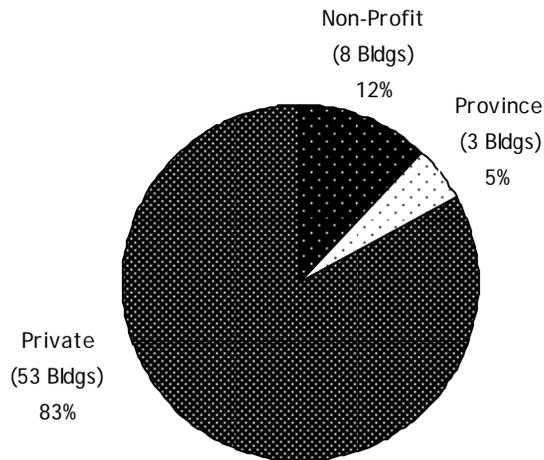


Figure 5 - Enforcement Actions based on type of Operator for 2007 and 2008

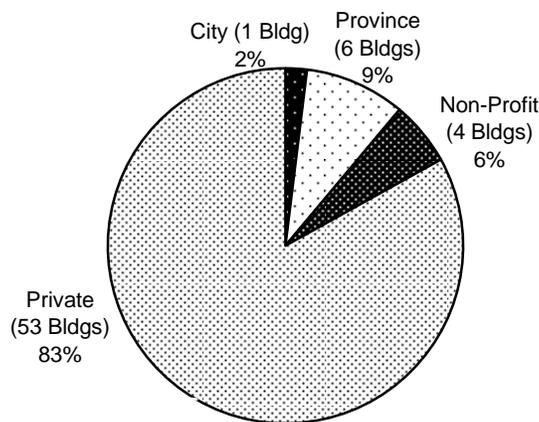


Figure 6 - Enforcement Actions based on type of Owner for 2007 and 2008

### G. Support Needs for People Living in SRO Buildings in the DTES

The City as a partner in the VA plays a role in beginning to address the supports needed to help stabilize this population. The VA is a partnership between the municipal, provincial and federal government to support sustainable economic, social and community development. VA work in the DTES has the objective of improving the living conditions in the DTES by enhancing the quality of accommodation and supporting the long-term tenure of SRO hotel residents many of whom are dealing with mental health and addiction issues.

The City's work in the DTES clearly indicates there is a continuous cycle of damage, enforcement and repair in the SRO buildings in the DTES. Figure 2 clearly illustrates that a large number of the standards of maintenance violations (70%) occur within tenant's rooms. Considering that many of these violations within tenant's rooms relate to unclean and cluttered rooms, pest control, damaged or soiled flooring, disconnected smoke alarms and plugged toilets and sinks, Staff believe that supports are needed for tenants in SRO buildings. Enforcement alone cannot solve the standards of maintenance issues. Support is needed to achieve the City's goals in the DTES. The City is dependent on BC Housing and Vancouver Coastal Health to address these support issues. Therefore, cuts to the Provincial budget are a concern.

### *FINANCIAL IMPLICATIONS*

No funding is being sought at this time however should Council increase enforcement beyond the current approach, there will be financial impacts. If Council was to consider establishment of a special program to carry out repairs to buildings under the Standards of Maintenance By-law there would be significant financial impacts for the City. In addition to the cost of additional staff, if the City chooses to carry out the work itself, and the owner fails to pay them, the costs of the repairs would be borne by the City. Although the Vancouver Charter and the By-law allow the City to recover those costs from the owner, there is no guarantee that the City will actually be able to recover any or all of the expenses incurred. Finally, by carrying out the work, the City would be exposed to all the risks and ongoing liabilities associated with the work.

As a consequence, the full financial implications of the City doing the repairs are difficult to estimate at this time and would have to be evaluated on a case by case basis. It should be noted that the cost of additional staff could be in the range of \$120,000.00 to \$200,000.00 per year. Furthermore, the cost of minor repairs to SRO buildings such as damage to walls and doors is typically in the range of \$500.00 to \$1,500.00 per unit. Major damage to a building such as a new roof or repairs to an elevator could be in the range of \$150,000.00 to \$250,000.00 per incident, with the possibility of a building having more than one area requiring these types of repairs. Further, while carrying out repairs of a minor or major nature, other major defects such as structural repairs could be identified, adding to the costs. As noted above, these costs would be charged to the owner and there is concern that the City may not be able to fully recover these costs.

### *CONCLUSION*

This report is in response to Council's motion on December 18, 2008 whereby Council requested information with respect to the current enforcement approaches for the Standards of Maintenance By-law for SRO buildings in the DTES as well as options for increasing enforcement. In addition, Council directed Staff to provide a list of all enforcement activities in the DTES over the past two years.

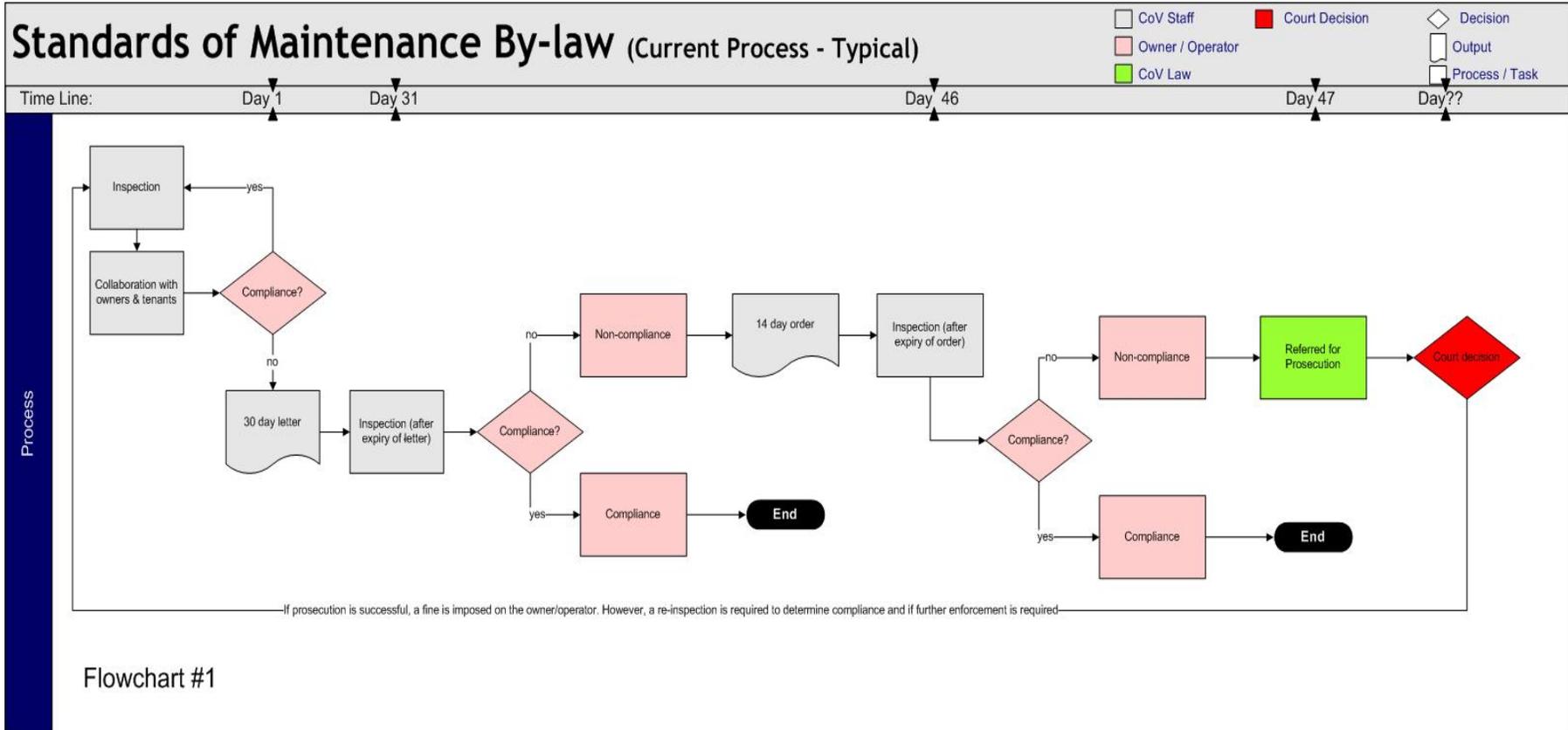
There are many reasons why SRO buildings in the Downtown East Side are repeatedly in violation of the City by-laws. Some violations are due to the age and construction of the buildings, some are a result of neglect by owners and some are due to damage in the rooms. Overall the majority of Standards of Maintenance violations in SRO buildings in the DTES are located within individual tenant rooms. A smaller number of violations are within the common areas and an even smaller number relate to the building's structure (elevators, mechanical and electrical systems etc.). Supports are needed for tenants suffering from

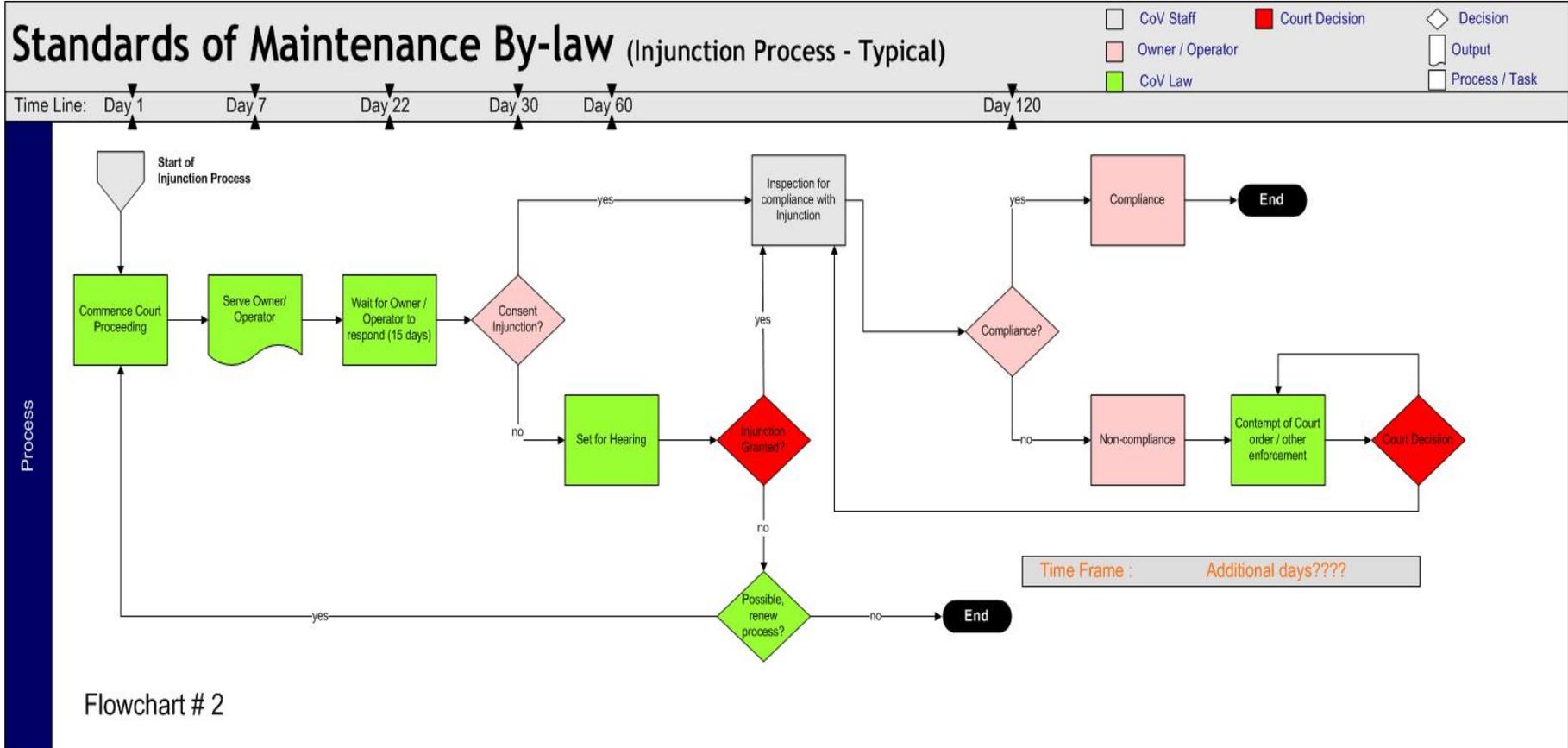
mental health and/or addiction issues. Provincial budget cuts are a concern as the City is dependent on both the Province and Vancouver Coastal Health for addressing these issues.

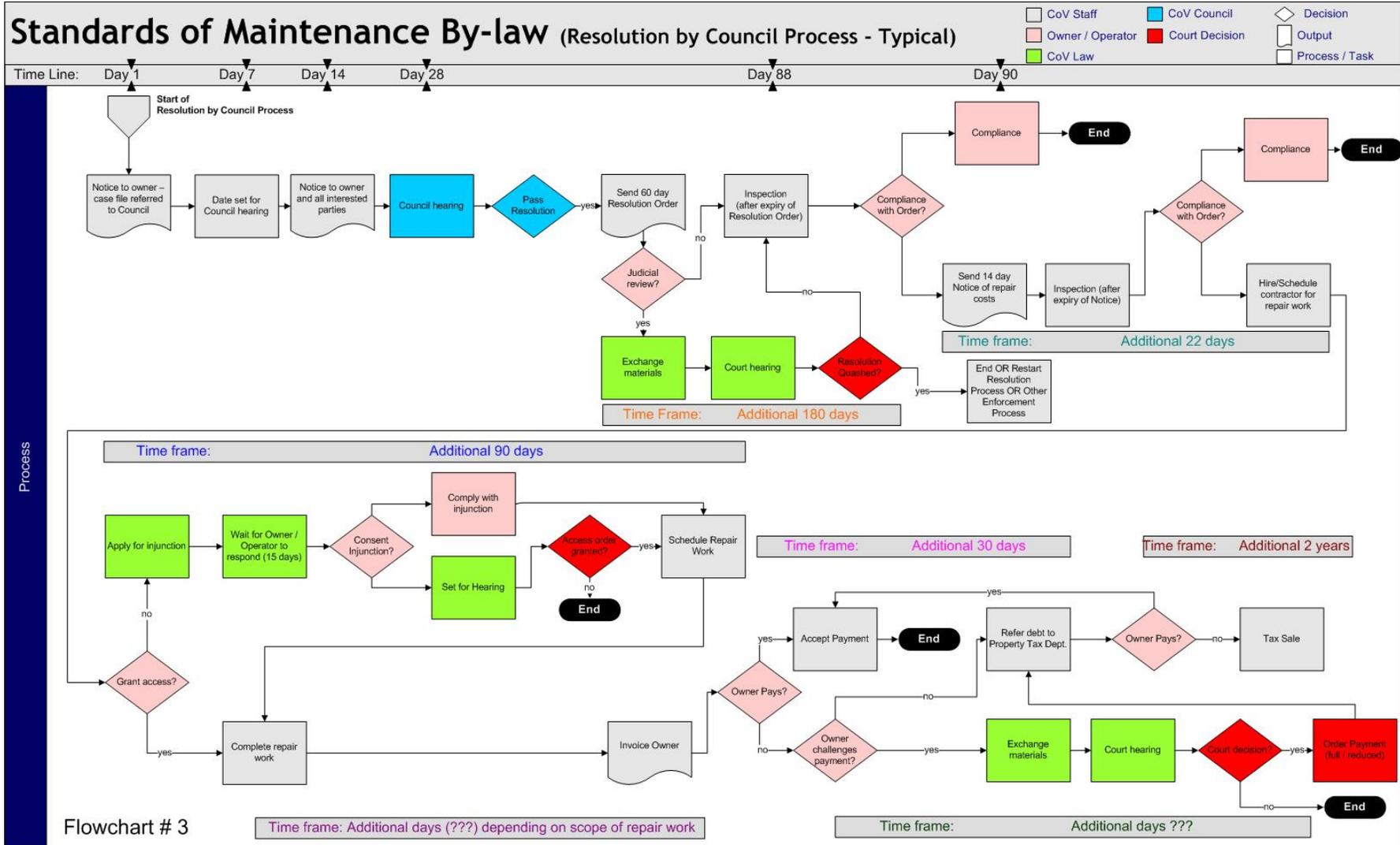
The overall objective of enforcement of the Standards of Maintenance By-law is to improve the standards of living for the tenants in the SROs without displacement of tenants. The current cross sector and interdepartmental enforcement approach that is shared with various enforcement teams comprised of interdepartmental staff (Fire, Licences & Inspections, and Police), Vancouver Coastal Health and the Province of British Columbia is responsive to the special circumstances in the DTES. The current approach to enforcement regularly deals with small ongoing repairs in an attempt to prevent buildings from falling into major disrepair where larger scale more costly repair work is needed and where there is a greater likelihood of tenant displacement. Over the past two years this current approach has resulted in an 84 to 90 percent compliance rate. In addition, approximately 83 percent of the City's enforcement actions have been directed towards SRO buildings that are either operated by or owned by the private sector in the DTES.

Increased enforcement approaches beyond that of the current enforcement approach may be considered. There are two options to increased enforcement. The first option (Injunction Process) involves the City seeking a court order (injunction) whereby the Court orders the owner to carry out repairs to the building to bring the building into compliance with the City By-laws. The second option (Resolution Process) involves the City ordering repairs to the building under the Standards of Maintenance By-law and should the owner fail to carry out the repairs, the City will carry out the repairs at the owner's expense. Both of these options are slower than the current approach and have greater risk of displacement of tenants. In addition, these options for increased enforcement are more resource intensive and the resolution process carries higher liability and financial risks for the City.

\* \* \* \* \*







Summary of Enforcement Activities for SRO Buildings in the DTES - 2007

Building/Operator/Owner	Number of Units	Number of Inspections	Type of Enforcement			Status			Location of Violations		
			Collaboration	Letter	Order	R	O	D	Room	Common	Structure
A1 / PR / PR	19	2	•		•		•		•	•	•
A2 / NP / C	103	2	•		•	•			•	•	
A3 / PR / PR	20	14	•			•			•	•	
A4 / PR / PR	41	2	•			•			•	•	
A5 / PR / PR	92	4	•	•				•	•	•	
A6 / PR / PR	79	4	•		•	•			•	•	
A7 / PR / PR	39	5	•	•	•	•			•	•	
A8 / PR / PR	35	2	•	•		•			•	•	
A9 / PR / PR	46	3	•		•	•			•	•	
A10 / PR / PR	136	3	•		•	•			•	•	
A11 / PR / PR	54	2	•	•		•			•	•	
A12 / PR / PR	10	10	•		•	•			•	•	•
A13 / PR / PR	102	1	•		•	•			•	•	•
A14 / PR / PR	171	5	•		•	•			•	•	•
A15 / PR / PR	148	5	•			•			•	•	□
A16 / NP / BC	85	1	•	•				•	•	•	
A17 / BC / BC	52	1	•			•			•		
A18 / PR / PR	32	28	•			•			•	•	
A19 / PR / PR	30	13	•			•			•	•	
A20 / PR / PR	40	4	•			•			•	•	
A21 / PR / PR	29	4	•		•	•			•	•	□
A22 / PR / PR	32	3	•	•		•			•	•	
A23 / PR / PR	36	2	•		•	•			•	•	□
A24 / PR / PR	25	2	•		•	•			•	•	
A25 / PR / PR	22	7	•			•			•	•	
A26 / PR / PR	31	10	•			•			•	•	
A27 / PR / PR	104	10	•			•			•	•	
A28 / PR / PR	45	2	•	•				•	•		
A29 / PR / PR	20	2	•			•			•	•	
A30 / PR / PR	85	2	•			•			•	•	
A31 / PR / PR	54	5	•		•	•			•	•	□

Building/Operator/Owner	Number of Units	Number of Inspections	Type of Enforcement			Status			Location of Violations		
			Collaboration	Letter	Order	R	O	D	Room	Common	Structure
A32 / PR / PR	147	3	●	●				●	●		
B1 / PR / PR	70	8	●		●	●		●	●	□	
B2 / PR / PR	4	3	●			●		●	●		
B3 / BC / BC	45	2	●	●		●		●	●	□	
B4 / PR / PR	74	1	●			●		●	●		
B5 / PR / PR	7	2	●			●		●	●		
B6 / PR / PR	8	7	●	●		●			●		
B7 / NP / NP	76	2	●			●		●			
B8 / PR / PR	63	6	●	●	●	●		●	●	●	
B9 / PR / PR	92	5	●		●	●		●	●		

Notes:

Buildings A1 to A32 had violations in both 2007 and 2008

Buildings B1 to B9 only had violations in 2007

Legend

Operator/Owner:

PR denotes a building operated or owned by the Private Sector

BC denotes a building operated or owned by the Province of BC

C denotes a building operated or owned by the City of Vancouver

NP denotes a building operated or owned by a non profit organization

Status:

R denotes that the violation has been resolved

O denotes that the violation is outstanding and ongoing

D denotes that the violations was deferred to 2008 due to civic strike

Location of Violations:

Room includes violations that are located within an individual tenant's room such as unclean & cluttered rooms, disconnected or missing smoke alarms, broken windows, damaged doors & hardware, damaged walls or floors, ceiling, pest infestation, soiled mattress etc.

Common includes violations that are located in common areas (kitchens, washrooms, corridors, lobbies, stairs etc.). These violations include items such as defective faucets and plumbing fixtures, leaks, damaged walls, floors, debris etc.

Structure includes violations that are related to the building's structure and services. These include the building's plumbing, heating and electrical system, roof leaks etc.

□ denotes violations which may or may not be related to the building's structure

Summary of Enforcement Activities for SRO Buildings in the DTES - 2008

Building/Operator/Owner	Number of Units	Number of Inspections	Type of Enforcement			Status			Location of Violations		
			Collaboration	Letter	Order	R	P	O	Room	Common	Structure
A1 / PR / PR	19	5	•		•			•	•	•	•
A2 / NP / C	103	1	•			•			•	•	•
A3 / PR / PR	20	12	•			•			•	•	
A4 / PR / PR	41	2	•		•	•			•		
A5 / PR / PR	92	4	•	•	•	•			•	•	□
A6 / PR / PR	79	4	•		•	•			•	•	
A7 / PR / PR	39	6	•		•	•			•	•	□
A8 / PR / PR	35	5	•		•	•			•	•	
A9 / PR / PR	46	2	•	•		•			•	•	
A10 / PR / PR	136	3	•	•		•			•	•	
A11 / PR / PR	54	4	•		•	•			•	•	
A12 / PR / PR	10	7	•	•		•			•		□
A13 / PR / PR	102	6	•		•			•	•		
A14 / PR / PR	171	9	•	•	•	•			•	•	
A15 / PR / PR	148	18	•	•		•			•	•	□
A16 / NP / BC	85	4	•	•	•	•			•	•	
A17 / BC / BC	52	2	•	•		•			•		
A18 / PR / PR	32	4	•			•			•		
A19 / PR / PR	30	7	•	•		•			•	•	
A20 / PR / PR	40	4	•		•	•			•		
A21 / PR / PR	29	2	•		•	•			•	•	
A22 / PR / PR	32	5	•		•			•	•		
A23 / PR / PR	36	4	•	•		•			•	•	
A24 / PR / PR	25	2	•	•		•			•	•	
A25 / PR / PR	22	10	•	•		•			•		
A26 / PR / PR	31	4	•	•			•		•		
A27 / PR / PR	104	8	•	•			•		•		
A28 / PR / PR	45	4	•	•		•			•	•	□
A29 / PR / PR	20	4	•			•			•	•	
A30 / PR / PR	85	2	•			•			•	•	
A31 / PR / PR	54	6	•	•		•			•		□

Building/Operator/Owner	Number of Units	Number of Inspections	Type of Enforcement			Status			Location of Violations		
			Collaboration	Letter	Order	R	P	O	Room	Common	Structure
A32 / PR / PR	147	4	•	•		•			•	•	
C1 / PR / PR	79	8	•	•	•	•			•	•	
C2 / PR / PR	60	1	•			•			•		
C3 / NP / NP	71	2	•			•			•		
C4 / PR / PR	58	4	•	•		•			•	•	
C5 / PR / PR	44	2	•			•			•	•	
C6 / PR / PR	9	2	•			•			•		
C7 / PR / PR	44	1	•			•					•
C8 / PR / PR	64	13	•	•	•	•		•	•	•	
C9 / PR / PR	55	2	•	•		•			•	•	
C10 / NP/ BC	55	3	•	•		•			•	•	
C11 / PR / PR	19	1	•					•	•	•	
C12 / NP / NP	42	3	•	•	•	•			•		
C13 / PR / PR	35	6	•	•		•		•	•	•	
C14 / PR / PR	28	4	•		•	•			•	•	
C15 / BC / BC	37	3	•			•			•		
C16 / PR / PR	80	8	•	•		•		•	•	•	
C17 / PR / PR	30	2	•			•			•	•	
C18 / PR / PR	34	2	•	•		•			•	•	
C19 / NP / BC	114	2	•			•				•	
C20 / PR / PR	25	4	•	•		•			•	•	□
C21 / NP / NP	85	6	•				•		•		
C22 / PR / PR	79	3	•			•			•	•	
C23 / PR / PR	15	2	•		•			•	•	•	•

Notes:  
Buildings A1 to A32 had violations in both 2007 and 2008  
Buildings C1 to C23 only had violations in 2008

Legend

Operator/Owner:

PR denotes a building operated or owned by the Private Sector

BC denotes a building operated or owned by the Province of BC

C denotes a building operated or owned by the City of Vancouver

NP denotes a building operated or owned by a non profit organization

Status:

R denotes that the violation has been resolved

O denotes that the violation is outstanding and ongoing

P denotes that the violation is partially resolved

Nature of Violations:

Room includes violations that are located within an individual tenant's room such as unclean & cluttered rooms, disconnected or missing smoke alarms, broken windows, damaged doors & hardware, damaged walls or floors, ceiling, pest infestation, soiled mattress etc.

Common includes violations that are located in common areas (kitchens, washrooms, corridors, lobbies, stairs etc.). These violations include items such as defective faucets and plumbing fixtures, leaks, damaged walls, floors, debris etc.

Structure includes violations that are related to the building's structure and services. These include the building's plumbing, heating and electrical system, roof leaks etc.

□ denotes violations which may or may not be related to the building's structure