



ADMINISTRATIVE REPORT

Report Date: July 7, 2009  
Contact: B. Windsor  
Contact No.: 604.873.7533  
RTS No.: 08206  
VanRIMS No.: 08-2000-20  
Meeting Date: July 23, 2009

TO: Standing Committee on Planning and Environment

FROM: Chief Building Official and Assistant Director Coordinated By-law Compliance

SUBJECT: Request for Injunctive Relief - Keefer Rooms at 222 Keefer Street

***RECOMMENDATION***

THAT Council authorizes the Director of Legal Services, in her discretion, to commence a legal action or proceeding in relation to the premises at 222 Keefer Street (Keefer Rooms), and to seek injunctive relief in that action or proceeding, in order to bring this building into compliance with City By-laws.

***GENERAL MANAGER'S COMMENTS***

The General Manager of Community Services RECOMMENDS that Council approve the foregoing.

***CITY MANAGER'S COMMENTS***

The City Manager RECOMMENDS approval of the foregoing.

**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 its powers by enacting the Standards of Maintenance By-law.

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

In March of 2009, Council directed that in appropriate cases, staff request Council approval to seek injunctive relief to bring Single Room Occupancy (SRO) buildings in the Downtown East Side (DTES) into compliance with City By-laws.

### ***PURPOSE***

The purpose of this report is to request Council approval to seek injunctive relief to have the Keefer Rooms @ 222 Keefer Street brought into compliance with the Standards of Maintenance By-law.

### ***BACKGROUND***

The Keefer Rooms is an SRO building containing 45 SRO rooms. The building was constructed in 1918 and is listed on the Heritage Inventory.

As part of a routine inspection in the DTES, the District Property Use Inspector reported that the Keefer Rooms located at 222 Keefer Street, was in contravention of the Standards of Maintenance By-law for the following reasons:

1. exterior fire doors have been replaced with improper doors and locking devices- violation of Section 21.10 of the Standards of Maintenance By-law;
2. fire doors serving the exit stairs on all floors do not close and latch and glazing has been damaged - violation of Section 21.10 of the Standards of Maintenance By-law;
3. room doors and frames serving tenant's rooms are in very poor condition and beyond repair - violation of Section 21.10 of the Standards of Maintenance By-law;
4. common area bathing units are regularly out of service or have leaks from floors above - violation of 21.3 and 21.10 of the Standards of Maintenance By-law;

Accordingly, the owners were issued an order on May 6, 2009 to bring this building into compliance with the Standards of Maintenance Bylaw. The owners were also advised that the City may seek injunctive relief should they fail to bring the building into compliance with the by-law.

### ***DISCUSSION***

The following is a status report with respect to the order issued:

- The inspector reports that good progress has been made with respect to the City's order. All exterior fire doors have been replaced with approved doors and work is underway to repair the shower room on the first floor;
- Required room doors have started to arrive on site and are being installed.

### ***FINANCIAL IMPLICATIONS***

There are no financial implications for the City.

### ***SOCIAL IMPLICATIONS:***

This building currently provides 45 SRO housing units at a low rental rate. Given the shortage of such housing in the city, it is important that this housing stock be maintained and that the

basic needs of the tenants be provided and maintained. The work required in this report is not expected to require any of the existing tenants to vacate their units.

### *CONCLUSION*

Significant progress has been made in response to the order issued by the Chief Building Official, however, to date, the work has not been completed. It may or may not prove necessary for the City to seek injunctive relief to enforce its by-law. Nevertheless, given that there are still contraventions of the by-law, staff are requesting that Council authorize court action seeking injunctive relief should it prove necessary.

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