

MULTI-RES THE INS & OUTS

RICK SHELLEY, FRI, REI



THE INS & OUTS

Retro-fit certificates are mandatory for all multi-res properties.

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It is called a Certificate of Compliance.

Prior to 1993, little worry

After 1993, a permit was required

1994 – New fire code and electrical compliance

Upgrading to new fire code is called a

RETRO-FIT.

OBTAINING A CERTIFICATE

- Fire code compliance
- Building code compliance
- Electrical compliance
- **Question to ask:** Is the property registered?

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Any home in Ontario is allowed to have an accessory dwelling for rental purposes.

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Must meet the requirements of:

- Building code
- Fire code
- Electrical code

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If a property has an accessory dwelling, it does **NOT** change the home's use to a duplex.

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An accessory dwelling in a basement must have a minimum height of 6'5".



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Ceiling height – 6'5" minimum

Door entrance – 32" x 78" minimum

Bathroom – window or exhaust fan

Parking – Both units must have a parking space (check with municipality)

ACCESSORY DWELLING

Who do you talk with to make sure it is in compliance?

- Owner first
- Building, fire, electrical contractor
- Qualified home inspector

MULTI-RES VS. ACCESSORY DWELLING

Difference is:

- Duplex
- Triplex
- Four-plex

Built for permitted uses:

- Building code
- Fire code
- Electrical code

Accessory dwelling put in after the home was built.

CLIENT'S WORST FEAR



Huge expense after closing

Not able to continue to rent it out

THE INS & OUTS

A residential lease will take priority over the Residential Tenancies Act in the event of a dispute between a landlord and tenant.

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Residential Tenancies Act supersedes leases

RESIDENTIAL TENANCIES ACT

Most critical portion:

Landlord Obligations

- Tap dripping
- Fridge or stove not working
- Windows and screens need repair
- Bathroom tiling falling off

Tenant Obligations

- Pay rent

RESIDENTIAL TENANCIES ACT

Information for New Tenant document

- Document explains Landlord and Tenant obligations

STAY CURRENT

Residential Tenancies Act

www.ltb.gov.on.ca

1-888-772-9277

1-888-332-3234

THE EVICTION PROCESS

Most common reasons:

- Non-payment of rent
- Pets
- Illegal activity
- Damage to property
- Noise complaints

THE EVICTION PROCESS

The Process

- Non-payment – Issue an N-4 form
- Tenant must pay within 14 days
- If mailed – extra 5 days for a 19 day maximum

THE FORM



MAKE SURE it's ACCURATE

- Name
- Address
- Unit number
- Current amount owing

ADHERING TO TIMEFRAMES

- N-4 to tenant
- L-1 application filed with LTB
- Certificate of service
- Fee - \$201 (or \$186 if you e-file)
- 3 – 4 weeks to get a hearing (maybe)

Happens during the eviction period

Landlord & Tenant Board have no more jurisdiction

Landlord would then have to proceed to Small Claims Court

EFFECT OF A “SKIP”

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The process for a landlord to evict a tenant under the Residential Tenancies Act is quicker if an illegal act has occurred in the unit.

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10 day notice

N-6 Form

Apply to Landlord & Tenant Board

THE INS & OUTS

The main issue the building department first considers when changing a zoning from Single Family to Multi-Family is whether the property has separate entrances and that fire separations meet building code requirements.

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Does it comply with current zoning by-laws?

ZONING BENEFITS

- Controls use of land
- Building location
- Parking requirements
- Building height
- Setbacks

ABILITY TO CHANGE ZONING

6 KEY AREAS

- Conformity to Official Plan
- Suitability of the land
- Vehicular access
- Water supply
- Sewage disposal
- Chance of flooding

LEGAL
NON-CONFORMING USE

A zoning use that once was allowed, has now changed

Example:

From R2 Multi-Residential to an
R1 Single Family home

Property can continue its former use
as long as it has been continuous

THANK
YOU

MULTI-RES —
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