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Date July 07, 2022 **Report No.** 2022-502

To Chair and Members
Property Standards Appeal Committee

From Kelsey Spanik
Municipal Law Enforcement/ Property Standards Officer

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic **Appeal filed by Marcel Perras, owner of 51 Dundas Street, Brantford, Ontario regarding Property Standards Order #49-22**

3.0 Recommendation

THAT Property Standards Order #49-22 issued to Marcel Perras, owner of 51 Dundas Street, Brantford, ON, BE CONFIRMED and UPHOLD by the Property Standards Committee.

4.0 Purpose and Overview

Property Standards Order #49-22 was issued in accordance with Chapter 465 – Property Standards of the City of Brantford Municipal Code (Chapter 465) to the owner of 51 Dundas Street, Brantford, ON. An appeal was filed by the owner in accordance with Section 15.3 of the *Building Code Act, 1992*. Details of the investigation are provided herein to support the issuance and contents of the

Property Standards Order for consideration of the Property Standards Committee.

5.0 Background

Chapter 465 is primarily enforced on a reactive basis to complaints received by the Building Department. Upon receiving a complaint, staff will investigate to determine the validity of the complaint. Should violations be observed, efforts are made to contact the owner to gain compliance. When compliance does not result or efforts to comply cease, a Property Standards Order is issued to the owner requiring compliance with Chapter 465. A copy of the Order is then sent to all impacted parties with an interest on title. This procedure was followed pursuant to the issuance of Order #49-22, and presently the property remains in non-compliance.

In this particular case, on April 4, 2022 an inspection occurred at 51 Dundas Street, Brantford, Ontario. An officer attempted to make contact at the front door of the property but home owners did not answer. The officer presented their identification to the house and began the inspection which resulted in the following violations to Chapter 465:

- a. Crack in brick wall located to the left of the front door
- b. Eaves trough rotting and falling off
- c. Downpipe not attached to the eave trough
- d. Garage in rear in disrepair:
 - i. Two areas of the roof have caved in
 - ii. Shingles in disrepair
 - iii. Soffit in disrepair
 - iv. Fascia in disrepair

On April 5, 2022 a letter was sent to the owner to repair, replace or remove all defective items listed.

April 11, 2022 the officer received contact from the owner via email explaining their plans for the garage. The timeline requested for completion was August,

2022. The officer advised an order would need to be issued and the request for additional time can be made through the Appeal Committee.

May 5, 2022 an order was issued to the owner Marcel Joseph Perras for 51 Dundas Street, Brantford, ON.

6.0 Corporate Policy Context

The report was reviewed within the context of the Municipal Strategic Plan, Goal #2 – Long Term Desired Outcomes, where Brantford will be recognized as a safe, healthy community – one that promotes and enables the wellbeing of its citizens.

7.0 Input From Other Sources

The City of Brantford Legal Department assisted in establishing the ownership of the property in question.

8.0 Analysis

Due to the property remaining in its current state with no progress towards compliance, it was the decision of the Building Department to proceed to issue the applicable Property Standards Order. A request was then made to the City's Legal and Real Estate Department to undertake a title search to confirm ownership. This information was returned on April 27, 2022 which showed the subject property known municipally as 51 Dundas Street, Brantford, Ontario to be owned by Marcel Joseph Perras of 51 Dundas Street, Brantford, ON.

Accordingly, Property Standards Order #49-22 was issued May 5, 2022 to the registered owners detailing the requirement to repair the building. A Notice of Appeal was filed by the owners on May 12, 2022 requesting additional time to bring the property in to compliance. At the writing of this report, the property remains in violation of both the issued Property Standards Order and Chapter 465.

9.0 Conclusion

Property Standards Order #49-22, which is the subject of this appeal, was issued in accordance with Chapter 465. The order remains valid and the property to which the order pertains remains non-compliant with Chapter 465.

Staff recommend that Property Standards Order #49-22 be CONFIRMED and UPHELD by the Property Standards Committee.

Prepared By:

Kelsey Spanik, Municipal Law Enforcement/Property Standards Officer

Attachments:

-Property Standards Order #049-22

-Appeal Form