



**THE CORPORATION OF THE CITY OF BRANTFORD
ORDER OF THE PROPERTY STANDARDS OFFICER**

(Ontario Building Code Act, S.O. 1992, c.23, Section 15.2(2), as amended)

REGISTERED MAIL

DATE: Thursday March 10, 2022 **FILE NO.:** 22-0546/PS Order #027-22

TO: Lorne Raymond Fraser
72 Webster St
Brantford, ON N3T 5A2

MUNICIPAL ADDRESS OR LEGAL DESCRIPTION OF PROPERTY:

72 Webster St Brantford, Ontario

Assessment Roll Number: 2906010006207000000

Legal Description: PLAN 587 LOT 48

WHEREAS the property described above is owned by you, or in which you have an interest has been inspected by a Property Standards Officer.

REPAIRS/CLEARANCE

The property described above does not conform with the standards prescribed in Chapter 465 of the City of Brantford Municipal Code. **IT IS HEREBY ORDERED**, pursuant to Section 15.2 (2) of the Ontario Building Code Act, S.O. 1992, C.23, as amended, that the violations set out in the attached Schedule "A" be remedied and the property be brought into compliance with the prescribed standards.

TIME TO COMPLY

THE TERMS AND CONDITIONS OF THE ORDER MUST BE COMPLIED WITH ON OR BEFORE MARCH 29, 2022

NOTICE

Take notice that if such repair or clearance is not carried out within the time specified in this Order, the Municipality may carry out the repair or clearance at the expense of the owner and place all costs on the tax roll for the property as a priority lien, in accordance with section 1 of the Municipal Act, 2001.

APPEAL

When the Owner or Occupant upon whom an Order has been served is not satisfied with the terms or conditions of the Order, the Owner or Occupant may appeal to the Property Standards Committee by sending a Notice to Appeal by registered mail to the Secretary of the Committee within fourteen (14) days after service of the Order. The address of the Committee is: The City of Brantford, City Hall, P.O. Box 818, Brantford, Ontario, N3T 5R7.

**THE FINAL DATE FOR GIVING NOTICE OF APPEAL
FROM THIS ORDER IS MARCH 29, 2022**

AN ORDER THAT IS NOT APPEALED WITHIN THE TIME SPECIFIED SHALL BE DEEMED TO BE CONFIRMED.

FAILURE TO COMPLY

- (a) Every person who contravenes any provision of the Municipal Code, is guilty of an offence and on conviction is liable to a fine, such fine is recovered, under the Provincial Offences Act, R.S.O. 1990.
- (b) Every individual Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and to a fine of not more than \$100,000.00 for a subsequent offence.
- (c) Every corporate Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$500,000.00 for a first offence and to a fine of not more than \$1,500,000.00 for a subsequent offence.

DATED at Brantford this Thursday March 10, 2022.

Issued by:
Neely Birch
Municipal Law Enforcement/Property Standards Officer
Corporation of the City of Brantford

BUILDING DEPARTMENT City Hall, 58 Dalhousie Street, P.O. Box 818, Brantford, ON N3T 5R7

Phone: (519) 759-4150 Fax: (519) 752-1874 www.brantford.ca



Thursday March 10, 2022

REFERENCE NO.: 22-0546/PS Order #027-22

PROPERTY ADDRESS: 72 Webster St, Brantford, Ontario

Lorne Raymond Fraser
72 Webster St
Brantford, ON N3T 5A2

ORDER OF THE PROPERTY STANDARDS OFFICER

– CHAPTER 465 PROPERTY STANDARDS

This Order carries with it a \$150.00 administrative fee, which is due and must be paid by you within 30 days of the date of this Order.

If this Order is appealed, and the Order is upheld, a further administrative fee of \$150.00 will be charged.

Attendance of a Property Standards Officer at a hearing will also result in a further administrative fee of \$150.00

If this Order is not appealed and is not in compliance, a further administrative fee of \$150.00 will be assessed.

Where there has been a conviction registered for a breach of the Order a further administrative fee of \$500.00 per Property Standards Officer required to attend a hearing in court, will be charged.

If this Order is not complied with in the time specified and the City undertakes to complete the work required you will be charged 100% of the cost of the necessary work, plus a further administrative fee totalling an additional 25% of this cost.

PAYABLE

Fees are payable to:

In person: City of Brantford at City Hall, 58 Dalhousie Street
By mail: The Corporation of the City of Brantford
Attention: Tax Department
PO Box 515
Brantford, ON N3T 6L6

PLEASE MAKE REFERENCE TO THE ADDRESS AND ORDER NO. TO WHICH THE ORDER HAS BEEN APPLIED.

Encumbrances:

The Toronto Dominion Bank
4720 Tahoe Blvd, Building 1
Mississauga, ON L4W 5P2



MINIMUM STANDARD OF HOUSING

Schedule "A"

Location: 72 Webster ST, Brantford, ON
File No.: 22 000546 PU/PSO#027-22

Defects and conditions not in compliance with the City of Brantford Municipal Code:

Property is not maintained by bylaw standards.

465.3.2 Repair - maintenance - exception - demolition permit

All owners of property shall repair and maintain such property to comply with the standards prescribed by this Chapter, except where a demolition permit has been issued and remains in effect.

CORRECTION: Maintain property to Bylaw standards.

ENFORCEMENT AND PERMITS

465.29.2 Non-compliance – cleaned – repaired – owner expense

Where any person fails to comply with an order issued pursuant this chapter, the municipality may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes. By-law 60-2007, 10 April, 2007.

465.29.3 Permits – compliant with standards

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship and in accordance with the Ontario Building Code, as amended from time to time, and applicable standards, codes or legislation. It will further be the responsibility of the owner to make application for and be issued any required building permits. All new construction or extensive repairs shall conform to the provisions in the Ontario Building code, where applicable. By-law 3-2012, 23 January, 2012.

- 1) Multiple boards on the front porch are rotted or missing. Chapter 465, Article 14

465.14.1 Maintained - good repair - safe - structurally sound

Every stair, floor, landing, verandah, porch, deck, loading dock, balcony together with any guard, balustrade, railing, screen or other appurtenance attached thereto shall be maintained in good repair and in a safe and structurally sound condition.

465.14.2 Maintenance - repair - methods

Without restricting the generality of Section 465.14.1, such maintenance includes:

- (a) repairing or replacing floors, treads or risers that show excessive wear or are broken, warped, loose, depressed, protruding or otherwise defective or missing;*
- (b) repairing, replacing or supporting structural members that are decayed, damaged, weakened, loose or missing; and*
- (c) providing, repairing or replacing balustrades, guards and railings.*

465.14.3 Vacant - unoccupied building - exception

Stairs, floors, landings, verandahs, porches, decks, loading docks, balconies and every appurtenance attached thereto within the exterior walls of a vacant or unoccupied building are exempt from the provisions of Article 14 provided that Article 25 of this Chapter is complied with.

CORRECTION: Repair or replace all deteriorated parts of the front porch.

- 2) Heating System located in basement is unworkable and not capable of maintaining minimum temperature. Chapter 465, Article 20

465.20.1 Minimum temperature - health considerations

A heating system shall be provided in all buildings capable of supplying, during normal hours of occupancy, sufficient heat to maintain a minimum air temperature of 21 degrees Celsius or 70 degrees Fahrenheit at all times when heating may be reasonably necessary for the preservation of health.

465.20.2 Space - not normally heated - exception

The heating system and temperature required need not be provided for space not normally heated.

465.20.3 Maintained - operated - compliance - requirements

The heating system and hot water system required and other mechanical systems shall be provided, maintained and operated:

- (a) in accordance with the respective requirements of any applicable Act or by-law;*



MINIMUM STANDARD OF HOUSING

Schedule "A"

(b) in good working order and good repair; and
(c) in a safe condition.

CORRECTION: Repair or replace heating system to be capable of maintaining a minimum of 21°C in all rooms at all times.

- 3) Electrical panel located in the basement is unsafe and not in good working order. Chapter 465, Article 21

465.21.1 Dwelling - building - connection - wiring - required

Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

465.21.2 Capacity - adequate - compliance - requirements

The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use and intended use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained:

(a) in compliance with the respective requirements of the Electrical Safety Code and Building Code;

(b) in good working order and good repair; and

(c) in a safe condition.

CORRECTION: Electrical panel needs to be inspected, repaired and/ or replaced by a certified electrician and a report by the Electrical Safety Authority (ESA) must be provided to the City of Brantford.

- 4) Hole in the siding of the property located near the top of the building. Chapter 465, Article 12

465.12.1 Maintained - good repair - safe - structurally sound

The foundations, walls, columns, beams and other structural members of a building shall be maintained in good repair and in a safe and structurally sound condition.

465.12.2 Maintenance - repair - methods

Without restricting the generality of Section 465.12.1, such maintenance includes:

(a) repairing or replacing decayed, damaged, weakened or missing foundations, walls, columns and beams together with any components, claddings, finishes and trims forming a part thereof;

(b) extending the foundation walls below grade or re-grading to provide adequate frost cover;

(c) shoring, jacking-up or underpinning foundations where necessary;

(d) repairing or replacing decayed, damaged, weakened or missing sills, piers, posts or other supports;

(e) treating piers, posts or other wooden supports which are repaired or replaced at or in the ground, with appropriate insecticide;

and

(f) grouting, caulking or waterproofing of cracks and joints in foundations and walls.

CORRECTION: Repair or replace all defective exterior siding, and ensure the hole is covered.

- 5) Shower faucet in the main floor bathroom is leaking. Chapter 465, Article 17

465.17.1 Maintained - safe - good repair

Interior surfaces including countertops, vanities, cabinets, cupboards, sinks, bathtubs and shower stalls, and further interior finishes of walls and ceilings shall be maintained:

(a) in a safe condition; and

(b) in good repair, free from holes, loose boards and broken, torn, damaged, decayed or missing materials.

465.17.2 Mould

Any extensive accumulation of mould shall be cleaned and removed by the owner of the building.

465.17.3 Mould - repair

Any condition in a building, including but not limited to water penetration, humidity or inadequate ventilation, which may relate to the creation and growth of mould, shall be repaired or removed by the owner of the property.

465.17.4 Mould - air quality repair

If, in the opinion of the Property Standards Officer, the mould accumulation is excessive so as to cause a health hazard, the owner will provide, at the



MINIMUM STANDARD OF HOUSING

Schedule "A"

owner's sole expense, a report prepared by a Certified Air Quality Assessment professional, trained and knowledgeable in this field, detailing mould spore samples and related air quality. The owner will undertake the appropriate remediation outlined in the report. The owner will also provide a follow-up report, at their own expense, which confirms that air quality levels consistent with a healthy environment have been attained at the premises, to the satisfaction of the Property Standards Officer.

CORRECTION: Repair shower faucet to good working condition, free from leaks.