



## **PROPERTY STANDARDS COMMITTEE MINUTES**

May 5, 2022

5:30 p.m.

Brantford City Hall, 58 Dalhousie Street

Brenda Hertog in the Chair. Prior to the Roll Call, the Chair read the rules of procedure for hybrid meetings.

### **1. ROLL CALL**

Present: Brenda Hertog, Damon Smith, Susan Kaplan

Regrets: Tamara Cupoli

Also

Present: Jill Binkley - Manager of Property Standards & By-laws, Kane Neuhauser – Senior Property Standards Officer, Jordan Tozer – Senior Property Standards Officer, Kelsey Spanik – Property Standards Officer, Kristina Caton – Property Standards Officer, Andy McMahon – Secretary of the Property Standards Committee/ Chief Building Official, Melanie Figueiredo - Committee Coordinator

### **2. DECLARATIONS OF CONFLICTS OF INTEREST**

There were no declarations of conflicts of pecuniary interest made by members present.

### **3. PRESENTATIONS/DELEGATIONS**

There were no presentations or delegations.

### **4. ITEMS FOR CONSIDERATION**

#### **4.1 Appointment of Committee Secretary**

Moved by Susan Kaplan

Seconded by Damon Smith

THAT Andy McMahon BE REMOVED as Property Standards Committee Secretary and;

THAT Kim Stoffelsen BE APPOINTED as the new Secretary for the Committee.

CARRIED

At this time, Ms. Stoffelsen assumed Mr. McMahon's seat at the meeting.

#### **4.2 Appeal Filed By Austin Edward Beal, owner of 127 Albion St., Brantford, ON regarding Property Standards Order #123-21, 2022-320**

Officer Neuhauser appeared before the Committee and provided an overview of the Order. Officer Neuhauser stated that on September 27, 2021, a Property Standards Officer attended the property municipally known as 127 Albion Street, Brantford ON and observed the following:

1. Window units were cracked / deteriorated / boarded up all around the building and same around the rear building made of cinderblock;
2. Eaves trough and down pipes on building were loose at front, and on driveway side of the rear building made of cinderblock;
3. Entire roof covering of building was deteriorated and shingles blowing off;
4. Soffit of building at the front of the building was deteriorated;
5. Fascia at the front of the building was deteriorated;
6. Exterior cladding on building had large gaps; and
7. Unsafe condition from hole at front of building near the right hand side entryway

A preliminary letter was sent September 29, 2021 to the property owners detailing the requirement to repair the building as required, which included a 14 day compliance date of October 13, 2021. The subject property includes a one (1) story residential home with an accessory building made of cinderblock at the rear.

On October 6, 2021, a Property Standards Officer spoke with the owner who advised he would like to start work on the Lot Maintenance issues first, and then work on the Property Standards issues, and requested more time.

On October 17, 2021, a Property Standards Officer attended the property and spoke with the owner. The property owner requested and was provided verbally a detailed explanation of the issues to be corrected as noted in the letter. The violations were physically pointed out to the property owner during this site-visit. The property owner requested additional time.

On December 11, 2021, a Property Standards Officer attended the property and observed that no work had begun. Numerous extensions had been given, however as of this date, no work had commenced to address any of the property standards violations nor was a time-frame provided for when work would begin.

On March 31, 2022, the appeal was scheduled to be heard but was deferred until May 5, 2022 as requested by the appellant and approved by the Property Standards Committee.

Due to the property remaining in its current state with no progress towards compliance, Property Standards Order #123-21 was issued December 20, 2021 to the registered owner detailing the requirement to repair the building. On January 10, 2022 the property owner submitted a request to appeal.

Officer Neuhauser advised that, at the time of the hearing, the property remained in non-compliance with the issued Order.

In response to questions from the Committee, Officer Neuhauser advised that he believed the building to currently be vacant.

Appellant Austin Edward Beal of 129 Albion Street, Brantford, ON appeared before the Committee. Mr. Beal stated that personal circumstances and health issues had prevented him from undertaking the necessary repairs to the property. Mr. Beal advised that he had contacted the City regarding obtaining a demolition permit.

In response to questions from the Committee, Mr. Beal advised that the work necessary to the property would be done by friends, and that he has plans to demolish the structure. Mr. Beal requested an extension until the end of July or mid-August 2022.

Moved by Damon Smith

Seconded by Susan Kaplan

That Property Standards Order #123-21 issued to Austin Edward Beal, owner of 127 Albion St., Brantford, ON, BE CONFIRMED and UPHELD by the Property Standards Committee; and

THAT the following extension of time BE GRANTED to address all outstanding Items in Property Standards Order #123-21:

EXTENSION GRANTED: to August 14, 2022

CARRIED

#### **4.3 Appeal filed by Jason Jin-Chuan Wong, owner of 106-108 Clarence Street, Brantford, Ontario regarding Property Standards Order #019-22 , 2022-315**

Officer Spanik appeared before the Committee and provided an overview of the Order.

Officer Spanik stated that on November 25, 2021 a Property Standards Officer attended the property municipally known as 106-108 Clarence Street, Brantford, ON and observed the following:

1. Broken handrail;
2. Mouse droppings located in the cupboard in the kitchen;
3. Holes in the trim along the wall and kitchen cupboard; and
4. Photos were provided from the tenant of the property that depicted mold on the insulation in the shower

A letter was sent to the owners of 106 Clarence Street, Brantford, ON on November 26, 2021.

On December 13, 2021 staff spoke with a representative from Brantford Property Management going over the property standards letter.

On December 29, 2021, Officer Spanik stated she spoke with this representative again. At this time, the representative advised the pest control had attended the property and complete work. Officer Spanik advised that the invoice for this work was provided by email. The representative also advised at this time that the contractors for the outstanding work were expected to attend the property the following week to complete the repairs to the bathroom shower and holes in the trim and walls.

Officer Spanik stated that emails were sent by Property Standards staff on January 12, 2022 and January 17, 2022 inquiring as to the status of repairs, and at the time of the meeting, a response to these emails was not provided. A further email sent on February 3, 2022 advised that an order would be issued if there was no contact made regarding the outstanding violations.

Officer Spanik stated that the tenants of the property confirmed on February 8, 2022 that violations were still present and further advised that no additional work had been completed in the unit. Photos were provided by email. At this time, Officer Spanik confirmed the following violations:

1. Mold on the insulation behind the shower walls; and
2. Cracks on the ceiling above the front door entrance

On February 17, 2022 Property Standards Order #019-22 was issued due to not receiving any further contact from Property Management and violations still existing. Officer Spanik stated that, at the time of the hearing, the property still remained in non-compliance with the order.

The appellant, or a representative of the appellant, was not present at the meeting.

Moved by Damon Smith

Seconded by Susan Kaplan

THAT the Committee continue the hearing for Property Standards Order #019-22 IN ABSENTIA.

CARRIED

Moved by Damon Smith

Seconded by Susan Kaplan

THAT Property Standards Order #019-22 issued to Jin-Chuan Wong, owner of 106-108 Clarence Street, Brantford, ON, BE CONFIRMED and UPHeld by the Property Standards Committee.

CARRIED

#### **4.4 Appeal filed by JM Market-Grey Inc., owner of 11 Grey St. Unit 9, Brantford, ON regarding Property Standards Order #30-22, 2022-314**

Officer Caton appeared before the Committee and provided an overview of the Order.

Officer Caton stated that on January 26, 2022 a Property Standards Officer received time stamped photographs of the property municipally known as 11 Grey Street, Unit 9, Brantford, ON and observed the following:

1. Walls in bathroom in disrepair;
2. Bedroom window frame in disrepair;
3. Hydro service panel in disrepair;
4. Second bedroom ceiling in disrepair;
5. Mould in bedroom;
6. Water damage on bedroom walls that leak into baseboard outlet; and
7. Water damage on bedroom walls that leak from a pipe into baseboard outlet

Officer Caton stated that preliminary letter was sent on January 27, 2022 to the property owners detailing the requirement to repair the building. The preliminary letter issued included a 14 day compliance date of February 9, 2022. The subject of the order is a two story multiuse building consisting of both commercial and residential units.

Officer Caton stated that on March 3, 2022 a Property Standards Officer spoke with the occupant of the property who confirmed that all the violations were still present. Property Standards Order #30-22 was then issued on March 10, 2022.

Officer Caton advised that on March 29, 2022 a Property Standards Officer completed an interior inspection all of the items on order #30-22 that confirmed all violations were present. Officer Caton.

Courtney Boyd of Waterous Holden Amey Hitchon Law Firm appeared before the Committee on behalf of the Appellant.

Ms. Boyd stated that her client was requesting that the order be quashed, as the tenant would be vacating June 5 and the Appellant will be seeking a demolition permit once the property was vacant. Ms. Boyd also stated that, if the Committee would not quash the order, then her client would be seeking an extension until 2023 to allow sufficient time obtain the demolition permit. Ms. Boyd also stated that the building would be boarded up and utilities would be shut off upon the tenant vacating the property.

In response questions, Ms. Boyd stated that the demolition permit process would take until 2023 due to the coordination required.

Moved by Susan Kaplan  
Seconded by Damon Smith

THAT the hearing for Property Standards Order #30-22 BE ADJOURNED until next meeting of the Property Standards Committee so as to allow time for the tenant to vacate and the property.

CARRIED

#### **4.5 Appeal filed by Jan Czurakow and Alicja Czurakow, owner of 77 Mohawk St., Brantford, ON regarding Property Standards Order #13-22., 2022-245**

Officer Caton appeared before the Committee and provided an over view of the order.

Officer Caton stated that on August 27, 2021 a Property Standards Officer attended the property municipally known as 77 Mohawk Street and observed the following:

1. Exterior fence in disrepair;
2. Exterior wiring on siding in disrepair;
3. Exterior siding in disrepair;
4. Foundation in basement in disrepair;

5. Windows and window screens in disrepair;
6. Eaves troughs in disrepair;
7. Ceiling lighting and light fixtures in disrepair;
8. Electrical outlets in disrepair;
9. Bathroom shower and bathroom tiles in disrepair; and
10. Bugs, insects, and mould in basement

Officer Caton stated that a letter was sent on September 3, 2021 to the property owners detailing the requirement to repair the building as required. The preliminary letter issued had a 14 day compliance date of September 16, 2021. The building in question is a 2-story residential home.

Officer Caton stated that between September 19, 2021 and October 24, 2021 a Property Standards Officer received photos by email confirming that the following violations had been resolved:

1. Exterior siding in good repair;
2. Bathroom shower and tiles in good repair;
3. Exterior fence missing boards replaced;
4. Exterior wiring on siding in good repair; and
5. Eaves troughs in good repair

Officer Caton stated that on January 24, 2022 a Property Standards Officer spoke with the occupants of the property who confirmed that there were violations still present. Property Standards Order #13-22 was then issued on February 3, 2022. The owners of 77 Mohawk St. were hand-delivered an appeal form and stated they needed more time to complete the work as the tenants occupying the property would not cooperate.

Officer Caton stated that on March 4, 2022 a Property Standards Officer completed an inspection that deemed all remaining items on the Order were in violation such as the following:

1. Exterior fence in disrepair;
2. Foundation in basement in disrepair;

3. Windows and window screens in disrepair;
4. Ceiling lighting and light fixtures in disrepair;
5. Electrical outlets in disrepair; and
6. Mould in basement

Officer Caton stated that on March 18, 2022 a Property Standards Officer was informed by the previous owners of 77 Mohawk Street that the property had been sold to a new owner. No further contact was received.

Officer Caton stated that on March 31, 2022 a Property Standards Officer completed an inspection with the new property owner of the outstanding order. The inspection revealed that the items that were in violation during the March 4, 2022 visit had not been rectified.

Officer Tozer then appeared before the Committee and advised that he had visited the property the day of the hearing and observed that significant renovations to the property had been undertaken, and it was anticipated that all renovations would be completed within the next 60 days.

The appellant, or a representative of the appellant, was not present at the meeting.

Moved by Susan Kaplan

Seconded by Damon Smith

THAT the Committee continue the hearing for Property Standards Order #013-22  
IN ABSENTIA.

CARRIED

Moved by Susan Kaplan

Seconded by Damon Smith

That Property Standards Order #13-22 issued to Jan Czurakow and Alicja Czurakow, owner of 77 Mohawk St., Brantford, ON BE CONFIRMED and UPHeld by the Property Standards Committee; and

THAT the following extension of time BE GRANTED to address all outstanding Items in Property Standards Order #13-22:

EXTENSION GRANTED: to July 29, 2022



## **5. CONSENT ITEMS**

### **5.1 MINUTES**

#### **5.1.1 Property Standards Committee - March 31, 2022**

Moved by Damon Smith

Seconded by Susan Kaplan

THAT the minutes of the March 31, 2022 Meeting of the Property Standards Committee BE APPROVED.

CARRIED

## **6. RESOLUTIONS**

There were no notices of motion presented.

## **7. NOTICES OF MOTION**

There were no updates were provided from the By-law and Building Department.

## **8. UPDATES**

### **8.1 Status of Previous Property Standards Appeals**

Jill Binkley advised the Committee that the hearing for Property Standards Order #65-21 for 95 Spring Street had been complied with. This update was in response to the fact that the Committee had adjourned the hearing for this Order at the meeting held on November 17, 2021.

## **9. ADJOURNMENT**

The meeting adjourned at 6:32 p.m.

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Brenda Hertog, Chair

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M. Figueiredo, Committee  
Coordinator