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Date September 29, 2022 **Report No.** 2022-650

To Chair and Members
Property Standards Committee

From Kane Neuhauser
Municipal Law Enforcement / Property Standards Officer

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic Appeal filed by Zia Khan, owner of 211 Dunsdon Street, Brantford, ON regarding Property Standards Order #102-22

3.0 Recommendation

- A. That Property Standards Order #102-22, issued to the owner of 211 Dunsdon Street, Brantford, ON, BE CONFIRMED and UPHELD by the Property Standards Committee.

4.0 Purpose and Overview

Property Standards Order #102-22 was issued in accordance with Chapter 465 – Property Standards of the City of Brantford Municipal Code (Chapter 465) to the owner of 211 Dunsdon Street, Brantford. 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

The City of Brantford Municipal Code Chapter 465 - Property Standards (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. 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 #102-22, and presently the property remains in non-compliance with Chapter 465.

In this case, on July 25, 2022, I attended the property and observed the following violations of Chapter 465:

- Roof shingles are curled and peeling.
- Front lower window frame by the driveway is damaged.
- Eaves trough is in disrepair and not in good working order – separating from fascia.
- Down pipes in disrepair and not in good working order – disconnected or broken from existing down pipes.
- Railing around rear porch in disrepair – railing is loose and insecure.

As is standard practice, a preliminary letter was sent July 26, 2022 to the property owners detailing the requirement to repair the building as required by Chapter 465. The letter included a 14 day compliance date of August 9, 2022. The building in question is a one and half (1.5) story residential dwelling.

On August 9, 2022 after having had no contact from the property owner, I re-attended the property and found additional violations:

- Bricks are damaged at front corner of house on carport side.
- Front support column to carport is in disrepair.

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 Department to undertake a title search to confirm ownership. This information was returned on August 12, 2022 which disclosed the subject property known municipally as 211 Dunsdon Street, Brantford, ON to be owned by Zia Ullah Khan of 211 Dunsdon Street, Brantford, ON.

Accordingly, Property Standards Order #102-22 was issued August 15, 2022 to the registered owner detailing the requirement to repair the building. Prior to September 3, 2022, the property owner submitted a request to appeal. At the time of 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 #102-22, 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 #102-22 issued to the owner of 211 Dunsdon Street, Brantford, ON be CONFIRMED AND UPHOLD by the Property Standards Committee.

Attachments (if applicable)

- Photos
- Property Standards Order #102-22
- Appeal Form