



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: Monday August 15, 2022

FILE NO.22-4297/PS Order # 104-22

TO: EDWARD FRANK CHRZANOWSKI
60 Lyndhurst St
BRANTFORD, ON
N3S 4M7

MUNICIPAL ADDRESS OR LEGAL DESCRIPTION OF PROPERTY:

54 Lyndhurst St Brantford, Ontario

Assessment Roll Number: 2906040013400000000

Legal Description: PLAN 368 LOT 320 TO 321

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 SEPTEMBER 3, 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 SEPTEMBER 3, 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 Monday August 15, 2022.


Issued by:
Kane Neuhauser
Municipal Law Enforcement /Property Standards Officer
Corporation of the City of Brantford
KN:cc

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



Monday August 15, 2022

REFERENCE NO. 22-4297 PS Order #104-22

PROPERTY ADDRESS: 54 Lyndhurst St, Brantford, Ontario

EDWARD FRANK CHRZANOWSKI

60 Lyndhurst St
BRANTFORD, ON
N3S 4M7

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:

Canadian Imperial Bank Of Commerce
P.O. Box 115
Commerce Court Postal Station
Toronto ON, M5L1E5



MINIMUM STANDARD OF HOUSING

Schedule "A"

Location: **54 Lyndhurst ST, Brantford, On**
File No.: **PU 22 004297 PSO#104-22**

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.

Item 1: Bathroom toilet not in good working order - does not flush correctly. Chapter 465, Article 22.

Item 2: Kitchen sink faucets not in good working order – leaking. Chapter 465, Article 22.

465.22.1 Installed - maintained - requirements

Drainage and plumbing systems on a property shall be provided, installed and maintained:

- (a) in compliance with the respective requirements of any applicable Act or by-law;*
- (b) in good working order and good repair; and*
- (c) in a safe condition. By-law 102-2003, 26 May, 2003.*

Items 1 and 2 Correction: Repair or replace all plumbing fixtures, including toilets and faucets, so as to be in good working order.

Item 3: Some electrical wiring is improper – bedroom beside bathroom missing cover on light switch. 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.*

Item 3 Correction: Repairs to be made by qualified electrician and an inspection certificate obtained from Electrical Safety Authority (1-877-372-7233) confirming electrical supply is in good working order and repair.

Item 4: Living room ceiling not in good repair – damaged; visibly cracked. Chapter 465, Article 17.

Item 5: Foyer ceiling not in good repair – damaged; visibly cracked. 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 - cleaned - removed

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



MINIMUM STANDARD OF HOUSING

Schedule "A"

465.17.3 Water penetration - related to mould - remedy

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.

Items 4 and 5 Correction: Repair all holes and cracks in all walls and ceilings. Eliminate any mould.

Item 6: Ants in house. Chapter 465, Article 11.

465.11.1 Provisions - relevant - applicable law

The relevant provisions of any applicable Act or by-law shall be applied to determine whether or not a property or any part thereof is in an unsafe condition.

465.11.2 Unsafe conditions - abated – removed

Unsafe conditions in a building or on a property shall be abated or removed. By-law 102-2003, 26 May, 2003.

465.11.3 Unsafe conditions - abatement - removal - methods

Without limiting the generality of Section 465.11.2, abatement or removal of an unsafe condition may include:

- (a) the maintenance or repair of exit and emergency lighting;
- (b) the removal of garbage and refuse;
- (c) the removal or extermination of pests such as rodents, vermin and injurious insects, but not limited to, termites, cockroaches and bedbugs; and
- (d) the elimination of any conditions which pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person in the building or on or about the property. By-law 102-2003, 26 May, 2003; By-law 3-2012, 23 January, 2012.

Item 6 Correction: Remove all ants from the house by a professional pest control company to eliminate the unsafe condition. Provide copy of invoice from professional pest control company to this officer.