

General Tenants' Association Meeting Minutes

Sunday, March 25, 2018
4:00 p.m. to approx. 6:00 p.m.
and Tuesday, March 27, 2018
7:00 p.m. to 8:15 p.m.

No. of Members present: 20 including 6 Executive members (March 25)

23 including 6 Executive members (March 27)

Recorded by Kath Armstrong

1. Introduction of current Executive members – Anne Hayes

Anne noted that the Executive committee is temporary and urged members to consider running in the AGM in May for all positions. Two positions that have not been filled are Secretary and Webmaster/tech support person.

2. Meeting with Shiplake, February 15, 2018

- RentSafeTO – Anne Hayes & Jim McCarthy

Shiplake must now provide certain information to tenants, including its Capital Plan and information on all renovations. So far Ali has declined to do so. A contact in the City, however, confirms that tenants must be given this info. according to bylaws if tenants request it.

So far all the legislation and implementation of RentSafe is in place save for the enforcement arm. Eventually inspectors' reports on properties will be posted online for public viewing. There will not be a need to submit a Freedom of Information request.

Ali and Elizabeth claim that this building passed the inspection in December "with flying colours" but they will not disclose the report.

Anne notes that we have asked Shiplake several times for copies of engineering reports that justify the renovations being done, especially the balconies. Jim observes that City bylaw requires landlord to give these to tenants.

All of these details add up to building our case for the Landlord and Tenant Board. Another example: Shiplake has promised to post schedules for the various projects under way on the bulletin board outside the laundry room. The only one there is dated March 16, a partial schedule for the balconies.

Elizabeth says Shiplake will install a second bulletin board beside the first outside the laundry room for posting this information. As of October 2017, Shiplake should be posting schedules for maintenance, cleaning, pest management, etc. as well as Shiplake's Capital Plan for the building. Elizabeth has promised to provide this information as of April 1.

- AGIs (Above Guideline rent Increases) – Anne and Jim

Shiplake will apply for an AGI for each separate renovation undertaken – garage, caulking & waterproofing exterior walls, balconies, and hallways (incl. flood damage). Tenants are entitled to apply to the Landlord & Tenant Board for compensation for all the disruption, noise, inconvenience, and loss of amenities. Shiplake has thus far refused to disclose to tenants any reports justifying these renovations. Following our FOI request, which did not produce any concrete evidence – engineering reports – justifying the work, Jim has contacted City Hall. The City co-ordinator will investigate from his end.

- *Hallway renovations* – Anne

We believe we have a strong case to apply for remediation for this reno. Because of the flood on the 17th floor, Shiplake claims they must renovate the hallways throughout the building. An AGI must be for safety, not for décor or cosmetic reasons.

Many members are complaining about how ugly and unnecessary the reno is. None of the elevator areas and the garbage chute rooms was affected by the flood. Shiplake's insurance should cover the cost of repairing the actual flood damage.

Anne has been told that renovation of the hallways will continue on weekends, and from 7 a.m. to 5 p.m. on weekdays. (NOTE: This project does not fall under the Section 37 Agreement regarding the Lillian Park development to the south.)

A tenant noted that the pipe that burst on January 1, 2018, was not part of the recent retrofitting under kitchen and bathroom sinks: it was in a wall. Shiplake has told her that the pipes on the 15th floor and up to the Penthouse were not replaced at the same time that the major plumbing retrofit was done.

It is not clear whether this is true of the 06 line in particular or the entire building above the 15th floor. She also notes that the hallway construction and racket go on well after 7 p.m. on her floor. (March 25)

- *Balcony repairs* – Jim

South-end balconies are yet to be done. Other leaks in the exterior walls will be repaired at the same time, probably sometime this fall and not at the end of this month (March) as originally intended.

Shiplake cannot request an AGI for any project until the work is completed.

Anne notes that she and other tenants have been asked to allow the balcony contractors back to replace the wrong screws on the railings and panels on their balconies after the work was supposed to be finished. The wrong panels

and railings were ordered at one point, different measurements required for different lines of balconies, and major delays as a result. Individual balconies have been closed for 6 months.

A tenant familiar with Sam, the boss of the Libros renovation company working on the balconies reported that apparently Shiplake provided Libros and the other bidding companies with the wrong measurements for the balconies so much of the work has had to be redone. (March 25)

Another tenant said that her balcony has been closed for 9.5 months so far, with no end of the work in sight. (March 27)

- Lillian Park project – Jim

The Shiplake quarterly meeting required in Section 37 agreement with the City is late this quarter: now set for Tuesday, April 10, 2018, at 7 p.m.

A new City bylaw requires that tenants be notified in advance of any construction projects planned by landlords. Tenants can ask for landlord's report on their construction plan from our concierge and must be given a copy.

Anne raises issue of Shiplake's survey to all tenants 2 months ago asking us to allow them to extend construction hours during the week and on Saturdays, to speed up completion. Shiplake refuses to give the TTA the results of the survey. The City's chief planner familiar with what is required has volunteered to come and speak with us if we invite him. Jim reminds us that the terms of the Section 37 Agreement are set so Shiplake will have to appeal to the City for approval to change the working hours. Speeding up the project works to Shiplake's advantage, not tenants', as it means they will be able to start renting out units in the new towers sooner. Tenants derive no benefit, no compensation for our allowing these longer, noisier hours.

Anne reports that Ali refuses to divulge the results of the survey. Shiplake must apply to the Chief City Planner for permission to change the working hours set out in their Section 37 Agreement with the City. Shiplake says that many tenants approved of longer hours: this might be true of tenants in the north part of the building, farthest from the construction.

To complain about the hallway renovation and side effects, call the City's 311 general number and report your complaint to the TTA Executive for ammunition and follow-up.

Jim reminds meeting that the rent rebates apply to the units at the south end of the building -- \$100/mo. reduction to 20 and 21 lines, \$75 deduction to 18 and 19 lines; \$50 deduction to lines 16 and 17. After 16 months these reductions cease and rents return to original levels OR the reductions will continue until the \$200,000 put aside for this purpose is paid out.

As an aside, the other unrelated development on the northeast corner at Lillian & Soudan runs for later hours than ours.

- Remediation for renovations – Jim

Shiplake has told tenants repeatedly that they will not consider any compensation to tenants for any of the upset, disruption, noise, dust, etc. from the various projects around the building. They will apply for Above Guideline rent Increases for each of the 4 projects – garage reno., balconies, hallways (flood damage), and caulking & waterproofing exterior walls.

The TTA will interview paralegals and engage one to advise and represent us. We are researching this now. We would like to have this paralegal go over all our information so far and advise us on how best to proceed. He or she will help complete the paperwork for the Landlord & Tenant Board (LTB) and represent the TTA at hearings. Will advise us on how to handle each of the 4 renovations, step by step.

Also we intend to ask him or her to investigate the exact name of the principals who own the Shiplake corporation.

Jim asks that any member or tenant who has collected all the relevant Shiplake notices over the past few years please give him copies to pass to the paralegal and help build our case. For example, tenants should have been given 60 days' notice for each of the various renovation projects.

We have missed one deadline already: The garage renovation was completed in February 2017 and we had one year after completion to submit our application to the LTB, so by February 2018.

We are not sure whether the caulking & waterproofing job is completed yet.

The LTB will require an initial application fee of \$40 plus \$5 per unit represented in the application to a maximum of \$450 and paralegals charge approx. \$125/hr – approx. \$1,000/day.

Following use of information provided from us and from Shiplake to apply for compensation for these renovation projects, we will use the same information to launch our application to challenge Shiplake's AGIs for each.

Questions the LTB will ask: Was the work necessary? Were tenants kept up to date with sound information about the project? E.g., the balcony schedules have been late consistently and work on the hallways has been far more extensive than the flood damage required.

At the least, our challenge to the AGIs could slow down Shiplake's approvals. Shiplake must give tenants 90 days' notice of their intention to apply a rent increase.

Someone asked if we have any tenants who are paralegals? Jim replies that there are but that they could not advise us unless hired: requirement of their practice. So we are looking for someone now. (March 25)

A tenant will give Jim the name of a paralegal with whom she dealt in another building who did well at their association's hearing. (March 27)

- Short-Term Rentals – Jim

Olivia's Housing is still operating at least half a dozen units in the building; Shiplake has a contract with the company. Perhaps Shiplake owns Olivia's Housing as the online illustrations are Shiplake schematics of the units available. Members are asked to please let the Executive know the unit numbers of these renters if they learn about them.

A City bylaw comes into effect on June 1, 2018, that requires that short-term rentals are illegal unless they are being rented out of the owner's principal home/residence. As Olivia's Housing is a corporation and its principals do not live in the building, such rentals are not permitted. After June 1, we can complain to the City about these violations. Enforcement is uncertain as the bylaw is just being introduced now.

Several appeals are before the Ontario Municipal Board now so some by-law amendments will not be enforced until these are settled.

One tenant asked how much Olivia's Housing is charging. Jim said a 1- or 2-bedroom unit is going for \$2,000/week and he has seen one advertised online for \$4,000/mo.

- Parked vehicles blocking the front driveway circle – Jim

Shiplake has advised us to notify the concierge whenever the front entrance driveway is blocked, so that Craig or Marco can be called out to have the cars removed. This has not worked.

So last Thursday Jim phoned the City to complain that WheelTrans and other private vehicles cannot enter the circle now because of the contractors' vehicles there.

All tenants can phone 311 when this happens again or send an email complaint to Toronto.ca to have another officer sent out. Also the 2 disability parking spots in the back are for tenants only.

Someone noted that the fire route is at the back of this building because of location of the Siamese hose hookup there, not at the front. (March 27) .

- New Provincial Standard Lease – Anne

This comes into effect on April 30, 2018. However, if a current tenant decides to move onto this lease, he or she might be considered a new tenant with a higher rent applied accordingly. Be careful about this possibility.

The language in it is fairly straightforward, effort made to protect tenants. There will likely be a few tweaks. For example, regarding whether Shiplake will require tenants to provide proof of their own insurance is fuzzy.

3. **Membership Drive** – Kathleen Armstrong

This will be on Sunday, April 15, in the front lobby, either from noon to 4 p.m. or from 2 p.m. to 6 p.m.

Kath solicits volunteers to bake goodies for sale. We aim to provide coffee from a local coffee shop. We will have a table set up and handouts for tenants to join on the spot.

Julie Heartz (#620) volunteers to help man the table.

4. **Annual General Meeting in May** – Anne

Date will be Tuesday, May 15, at 7 p.m.

The TTA needs fresh blood. The current members of the Executive need help, a few hours here and there, whatever other members can provide, especially as we launch our application for compensation and our challenges against the coming AGIs.

5. **Questions & Ideas**

- A tenant suggests the TTA send a strong letter to Shiplake asking for a copy of the Capital Plan, to which ideally all tenants, not just members, will add their signatures. (March 25)

She cites much disruption and noise in her hallway during the reno; Roma asks her to write a letter documenting everything to the communications email account. (March 25)

- Jim McCarthy suggests we put the TTA's minutes of the February 15 meeting with Shiplake up on the TTA website.
- Anne Hayes announces an All-Candidates' Meeting (provincial) will be organized by the Russell Hill Tenants' Association. Josh Matlow, our City Councillor, has contacted the TTA and we have replied that we will be there. He will let us know the date. The TTA intends to ask the candidates about AGIs.
- On behalf of the TTA, Anne has written to provincial MPPs and to City councilors complaining about the AGI system as it benefits landlords at the expense of tenants.
- Ryan Nicholas, Treasurer, notes that the current TTA bank-account balance is \$2,624.05.

- A tenant recommends we recommend \$20 for membership next TTA year with a minimum of \$10 as we need to build our war chest. (March 25)
- A tenant asks when our windows will be washed after the filth of the construction and balcony and exterior-wall work. (March 27)
- TTA should make regular announcements on Twitter as well as other social media to catch the attention of younger tenants and members.
- A tenant notes that Shiplake is telling tenants they must wait an average of 5 months for a parking spot. Pamela Robinson (#1101) has half a parking spot for her car so the small vehicle sticks out; Shiplake cannot accommodate her with another spot (March 27)
- Problem raised of vehicles visiting The Dunfield residents next door parking on the exit ramp of the shared parking garage. Anne will include this in letter to Ali.
- Suggestion that we approach the media regarding our AGI case.
- A tenant has problem with stink of another tenant's strong cooking odours in her apartment at all hours; so does Anne Hayes in her apartment. Shiplake has been unable to fix the problem in Kelly's unit; Craig told her the fan on the roof is not working properly. Ali gave her a \$20 laundry card as compensation and the smells continue. Jim recommends Kelly approach the City with her complaint as this is a maintenance matter. (March 25)