

MINUTES

Ontario Small Urban Municipalities

Executive Committee Meeting

Tuesday, September, 17<sup>th</sup>, 2024 at 9:00am

(Zoom Meeting)

COMMITTEE MEMBERS PRESENT:

Bob Kwapis-Councillor, Town of Newmarket-Vice-Chair

Ron Elliott- Councillor, Town of Minto

Jamie McGarvey- Mayor, Town of Parry Sound

Lynn Dollin- Mayor, Town of Innisfil

Deb Doherty-Councillor, Town of Collingwood

Gail Ardiel-Councillor, Town of The Blue Mountains

Michelle Smibert- Deputy Mayor, Municipality of Thames Centre

Tanya Vrebosch-Councillor, City of North Bay

ABSENT:

Nicole Beatty-Deputy Mayor, Town of Cobourg

Larry David McCabe-Councillor, City of Stratford

ADMINISTRATIVE OFFICER:

Larry J. McCabe

ALSO PRESENT:

Petra Wolfbeiss- AMO Staff

Lora Tigno- AMO Staff

Karen Nesbitt- AMO Staff

Daniela Spagnuolo-AMO Staff

ALSO PRESENT FROM THE MINISTRY OF THE ATTORNEY GENERAL (9:30AM TO 10:10AM)

Minister of the Attorney General- Doug Downey

Brian Saunderson- AG Staff

Halale Kunjah- AG Staff

Mike Tibollo- AG Staff

Vice-Chair Bob Kwapis calls the meeting to order and suggests that the business as listed on the agenda be dealt with by the Committee after the MAG deputation. He further requests that AMO Staff, who have prepared a briefing note addressing the Landlord and Tenant Board (LTB) backlog, present their briefing to the Committee (Copy attached). Accordingly Karen Nesbitt present the Briefing Note as prepared by AMO Staff.

The Committee discuss in detail the Note and many members provide examples of their concerns on the current backlog of the LTB that effect both the Landlord and the Tenant. It is agreed that Vice-Chair Kwapis will open the meeting with the Minister and explain the concerns of the OSUM Executive Committee concerning the matter. Other Members will address any concerns during the meeting.

At this time (9:30am) Minister Doug Downey, Attorney General and MAG Staff join the meeting and are welcomed by Vice-Chair Kwapis. Several comments are made to the Minister, per the Briefing Notes followed by an update from the Minister with regards to the LTB backlog.

The Minister advises of the following action that has been taken by his Ministry concerning the backlog at the LTB:

1. The Ministry has spent \$2.6 million on an updated computer system which has been completed and will provide a more stable system.
2. The Ministry has hired approximately forty new Adjudicators and will endeavour to maintain this level.
3. The Ministry is trying to decrease the wait time to an acceptable level such as 12 to 13 weeks or less.
4. He further notes that although MAG administers the LTB, the Ministry of Municipal Affairs and Housing make any changes to the Board and that his Ministry is now working with the MMA & Housing to address ongoing concerns relating to the LTB.

Several Members of the OSUM Executive Committee ask questions of the Minister and provide examples of their concerns. The Minister is aware of many of the concerns and his Ministry will continue to address matters of concern with the LTB.

Following a very productive discussion, Vice Chair Kwapis thanks the Minister and his Staff for their time and expresses the appreciation of the OSUM Executive Committee for the time allotted to the Committee concerning this very important subject to Ontario's Small Urban Municipalities.

Vice-Chair Kwapis suggests that the OSUM Executive Committee is available in the future should an additional discussion or an update can be provided by either party.

The Minister thanks the Committee for their time.

BUSINESS:

1. As a result on the resignation of Hilda MacDonald, the Committee should appoint a Chair for the Committee and also confirm a Vice-Chair.

For background information the motion passed at a previous meeting (April 28<sup>th</sup>, 2023) was as follows:

Moved by: Lynn Dollin

Seconded by: Ron Elliott

That Hilda MacDonald be appointed as Chair and Bob Kwapis as Vice-Chair of the Ontario Small Urban Municipalities Executive Committee for a term of 2023-2025.

"CARRIED".

It would seem appropriate to make the term from 2024-2026. This would fall in line with the AMO elections.

Administrative Officer, Larry J. McCabe provides information as to the process as follows:

- There are currently 8 Members of the Committee present
- A motion will be requested to ask for nominations for the Chair and to confirm the Vice-Chair position.
- Those nominated can be provided a couple of minutes to speak to the Committee
- Members will be requested to vote by sending an e-mail to Petra Wolfbeiss and to Administrative Officer Larry J. McCabe at the appropriate time when they leave the meeting and enter into a separate room
- Petra and Larry will return to the Zoom meeting a provide the results.

It is noted that Bob Kwapis is the current Vice-Chair and this position must be confirmed also.

The following motions are now introduced:

Moved by: Lynn Dollin

Seconded by: Ron Elliott

That Jamie McGarvey be nominated to the position of Chair for the 2024-2026 term of the OSUM Executive Committee.

"CARRIED"

Moved by: Tanya Vrebosch

Seconded by: Deb Doherty

That Gail Ardiel be nominated for the position of Chair for the 2024-2026 term of the OSUM Executive Committee.

At this time Petra Wolfbeiss and Larry J. McCabe leave the Zoom meeting to receive the e-mails from the Members as to the Chair of OSUM election results.

Petra Wolfbeiss and Larry J. McCabe return to the meeting and report that Jamie McGarvey has been elected to the Chair position with the following motion being presented:

Moved by: Deb Doherty

Seconded by: Ron Elliott

That Jamie McGarvey be confirmed as Chair of the Ontario Small Urban Municipalities Executive Committee for the term of 2024-2026 and

That Bob Kwapis be confirmed as the Vice-Chair of the Ontario Small Urban Municipalities Executive Committee for the term 2024-2026.

That any motions inconsistent with the provisions hereof are hereby repealed.

"CARRIED"

2. MINUTES:

Moved by: Deb Doherty

Seconded by: Bob Kwapis

That the minutes of August 18<sup>th</sup>, 2024 be approved.

3. Update from Collingwood concerning the October 25<sup>th</sup> and 26<sup>th</sup> visit of the Executive Committee to Collingwood. The Committee review the dates noted above. The Committee decide to change to dates to November 29<sup>th</sup> and November 30<sup>th</sup>. Deb Doherty advises that these dates are acceptable to Collingwood. AMO Saff will coordinate the visit of the Executive to Collingwood. The format will be representative of the OSUM Executive Committee and representative of Collingwood meeting on the Friday evening for dinner and the meeting of the OSUM Executive Committee will be on Saturday from 9:00am to noon with the location to be determined.
  
4. Other Business:  
No further business, at this time.

ADJOURN:

Moved by:

Seconded by:

That the OSUM Executive Committee hereby adjourns at 10:25 am

(October schedule in Collingwood previously discussed.)

Jamie McGarvey

Administrative Officer-Larry J. McCabe

Chair

## BRIEFING NOTE FOR OSUM PARTICIPANTS

**Re:** Meeting with Attorney General, Doug Downey

**Topic of Discussion:** Addressing the Landlord and Tenant Board (LTB) Backlog

**DATE:** TUESDAY SEPTEMBER 17, 2024, 9:30AM

**MEETING LOCATION:** VIRTUAL

**OSUM Interest:** A well-functioning and reliable LTB is necessary for a healthy housing system. Small urban municipalities are hearing from their residents that addressing the backlog in cases at the LTB is a priority. This meeting provides an opportunity to share concerns with the Attorney General on behalf of OSUM members and to hear from the Minister of the Attorney General about his ministry's action to address the backlog.

### **Background:**

While the LTB is significantly increasing their capacity to resolve cases, including a 45% increase in resolved cases in 2023 compared to 2022, there was also 31% increase in the number of applications received by the LTB in calendar 2023. In 2023, the LTB received approximately 84,000 applications, the second-highest number of applications that the LTB has received in a year since its creation. The LTB is expecting the number of cases received in 2024 to be even higher. Despite efforts made by the LTB, the backlog continues to grow and is impacting municipalities across Ontario, both in terms of housing supply as tenants and landlords wait for their cases to be adjudicated, and for municipalities as landlords for community housing.

As part of the *Helping Homebuyers, Protecting Tenants Act* announced in 2023, the province allocated \$6.5 million to appoint 40 additional adjudicators and 5 office staffers to the LTB. Since May 2023, 54 full-time and 35 part-time adjudicators have been appointed to the LTB. As of September 5, 2024, the LTB had 80 full-time and 57 part-time adjudicators. This has resulted in significant improvements. Currently, L1 (application to evict for non-payment of rent and collect rent owed) and L9 (application to collect rent owed) applications, which comprise over half of the LTB's total applications, are being scheduled within 3 months, down from 8-10 months in early 2023. The number of Dispute Resolution Officers at LTB has also significantly increased since May 2023. LTB Dispute Resolution Officers are available to help landlords and tenants, co-ops and co-op members resolve their application by mutual agreement, rather than going to a hearing.

AMO staff recently met with ministry and Tribunals Ontario staff to better understand the experience as part of the shift towards virtual hearings. While Tribunals Ontario acknowledged that the virtual hearings faced initial challenges, they have been actively working to address issues. This has included introducing new accommodations such as the Free Phone Program, provision of computer access within hearing participants' communities, and other updates to their systems and processes. While in-person hearings

have been made available as a last resort, most cases can be accommodated virtually with these new initiatives. Last year, out of more than 80,000 applications only 300 people applied for in-person hearings. The Ministry of the Attorney General was clear in this meeting that they will be moving forward with virtual hearings across all their tribunals.

**Key Messages:**

- Reducing the LTB backlog and meeting service standards is a priority for small urban municipalities. The delays impact our residents who are feeling frustration with the system as both landlords and tenants. These delays also impact municipalities and our partners who operate community housing. The housing supply in our communities needs a reliable LTB system.
- OSUM recognizes that the Ministry of the Attorney General is making progress in this area. We are seeing wait times being reduced and more adjudicators being hired on and trained. This progress is much needed and appreciated.
- We understand that the move to virtual hearings has, in many cases, enhanced accessibility for clients and has helped to reduce the LTB backlog. It will be important to ensure that in-person hearings remain available as an option for those who need it.
- OSUM urges MAG to continue to invest tackling the LTB backlog, speeding up LTB processes, and increasing the effectiveness of this vital body in supporting stronger landlord-tenant relations.

**Question:** Can you please provide more information about why the virtual hearings approach has been taken by the LTB and what measures have been taken to ensure that these hearings are accessible and timely?

**Question:** Is the province considering any additional changes to reduce the backlog and meet service standards?

**Appendix: Additional Data from Tribunals Ontario**

This data was received by AMO staff via email on September 16, 2024.

- Despite the significant increase in application intake, the LTB has reduced its active case count each month in 2024.
- Over 100,000 hearings have already been scheduled this year, with more being scheduled everyday. This is the highest number of hearings ever scheduled at the LTB. Comparatively, in 2022 the LTB held just over 49,000 hearings. In 2023, the LTB held over 70,000 hearings, a 40% increase over 2022.
- The turnaround to urgent matter hearings is also faster. In early 2023, it was taking eight or more weeks to hold an urgent hearing, and now they are happening within an average of 5 to 6 weeks.
- The vast majority of orders are issued within our service timeline of 30 days following the hearing.