# ADVOCATE SERVE SUPPORT









## **CHAIR'S REPORT**



David Horwood, FRPO Chair

"The government's rent control formula imposed a near-record low 1.8% cap on rent increases, despite industry costs such as water, energy, wages and taxes going up between 3% and 9%."

### FRPO addressing industry challenges

While 2009 will be remembered in Ontario for one of the deepest economic recessions in years, the province's rental housing industry saw most of its challenges result from government regulations and policies.

FRPO's role as the voice of Ontario's private rental housing industry has never been more important. Through frequent meetings with government officials, credible and effective communications, information sharing with members, intervention through legal challenges and participation in numerous government consultations, FRPO is working to alleviate any impacts of legislation, regulations and other public policies that negatively impact rental housing.

Below is a list of issues that emerged in 2009, and how FRPO is working to address them:

The province announced a new 13% Harmonized Sales Tax (HST), without addressing the unique negative impact on landlords who get stuck with a huge cost increase that cannot be passed on to customers;

FRPO is ensuring that mitigation of HST is the main focus of our government relations efforts. After obtaining a valuable HST rebate for new rental housing construction, following aggressive lobbying, we are seeking further relief from the impact of the HST on operating expenses.

The government moved to retroactively declare all submetering activity since November 2005 illegal, after previously stating that its objective is to implement smart sub-metering throughout the province by 2010;

FRPO intervened in Ontario Energy Board proceedings to advocate for the rights of landlords to implement submetering, and is lobbying government for legislative changes to permit cost-effective implementation of this important energy conservation measure, which will ensure all tenants finally get to pay only for the electricity they use.

Several municipalities are now sending out rent reduction notices to landlords and tenants, when in fact the landlord's overall municipal taxes (basic tax, water and new waste levies) is increasing;

FRPO is working with the Landlord Tenant Board and the Ministry of Municipal Affairs and Housing to ensure landlords are able to apply for rent variances when needed without any difficulties.

 Local fire inspectors are improperly issuing orders requiring a new fire code retrofit for audibility which will be costly;

FRPO is actively challenging this direction and supporting industry efforts to appeal any unjust decisions.

Various local municipalities are raising taxes on tenants through new municipal licensing fees and abusing new powers recently granted to them by the provincial government;

FRPO is supporting the efforts of local landlord associations to oppose unfair licensing fees on tenants.

Ontario's new human rights system is producing a flood of claims against landlords which are frivolous, even by the standards of the Human Rights Code, imposing substantial costs on landlords to defend those claims and accommodate legitimate needs;

FRPO helped the Human Rights Commission develop new policies that help better balance the rights of landlords and tenants, while addressing the needs of other tenants adversely affected by persons seeking accommodation under the Human Rights Code.

New accessibility standards with unrealistic compliance timeframes are creating new cost pressures on the industry;

FRPO participated in numerous government consultations and meetings with officials to lobby against a cost prohibitive and unachievable retrofit requirement for proposed built environment accessibility standards.

While vacancy rates remain historically high and the number of renter households continues its long term decline, the government persists in building more social housing instead of boosting incomes by providing more shelter allowance benefits;

FRPO engaged the Ministry of Municipal Affairs and Housing during public consultations and provided formal input that will help the government ensure adequate long-term supply while providing sufficient income assistance to households who are in most need

The government's rent control formula imposed a near-record low 1.8% cap on rent increases, despite industry costs such as water, energy, wages and taxes going up between 3% and 9%; FRPO is the province's most vocal critic of Ontario's restrictive rent control system and is actively lobbying for improvements to rent control rules regarding aboveguideline increases (AGIs), which currently are a disincentive to energy conservation investments.

The provincial government still refuses to compel municipalities to reduce the unfair property tax treatment of multi-residential housing, where the average tenant faces a tax rate that is 2.7 times higher than that faced by homeowners, costing them an average \$77 more per month.

FRPO recommended property tax fairness as an important solution to improve housing affordability for tenants, and is developing a communications initiative to help educate tenants and raise awareness of the need to eliminate the unfair property tax treatment of rental housing.

Vacancy rates in Ontario increased in 2009 to 3.3% from 3.1% in 2008. Ontario's availability rate remained historically high at 5.4%. The private rental housing sector has never been more competitive, as tenants seek ever-higher standards of quality.

FRPO's Certified Rental Building (CRB) Program is giving qualified landlords a competitive edge by approving and classifying multi-residential apartment buildings across the Ontario marketplace that meet a defined set of industry quality assurance standards for residents.

Every year sees new issues and challenges emerge to confront rental housing providers. FRPO will continue to help landlords address these challenges while obtaining a fair return on their investments in providing quality rental housing to Ontarians. I want to thank our members for their ongoing support of FRPO as the voice of Ontario's rental housing industry.

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David Horwood *Chair* 

## YEAR-AT-A-GLANCE



Vince Brescia, FRPO President

"FRPO's Appliance Replacement Discount Program helped members replace over 12,000 old refrigerators with new energy efficient models."

### **Government Relations**

- HST: FRPO actively met with officials in the Ministries of Finance, Revenue and Municipal Affairs and Housing to raise awareness of the unintended acute negative impact of the HST on rental housing costs. Secured a rebate for new rental housing construction.
- **Submetering:** Participated in Ontario Energy Board hearings and made recommendations to the Ministry of Energy on the need to facilitate the cost-effective implementation of smart submetering in multi-unit rental housing buildings.
- Fire alarm inspections: Notified FRPO members of a campaign by the Fire Marshall to have local Fire Inspectors require testing and upgrades of alarm

systems. FRPO will be supporting challenges to orders being issued which are not part of the Fire Retrofit Code.

- **Landlord Tenant Board:** Participated in the Board's Stakeholder Advisory Committee meetings and provided direct input on new forms and guidelines, including the Board's new Human Rights Guideline.
- Sheriff delays: FRPO provided recommendations and engaged the Attorney General's office in discussions on practical solutions for reducing Sheriff's Office delays in the enforcement of eviction orders.
- Accessibility Standards: As the province announced new accessibility standards, FRPO successfully lobbied for rental housing to be exempt from retrofit requirements as part of the built environment accessibility standards.
- Affordable Housing: FRPO presented recommendations to the Standing Committee on Finance and Economic Policy on the need for a new Housing Benefit to address poverty and affordability issues. Detailed recommendations on ensuring long term supply and providing support to low income households were also presented to the Ministry of Municipal Affairs and Housing's affordable housing consultation.
- **Green Energy Act:** FRPO successfully lobbied against mandatory home energy audits for rental housing transactions, and emphasized the need for submetering implementation and additional green incentive programs for rental housing.



MPP Reception at Queen's Park: Over thirty Members of Provincial Parliament from all three major political parties attended to meet and greet representatives from Ontario's rental housing industry.

### **Policy Submissions**

- FRPO's Provincial Pre-Budget Submission (Feb. 2009)
- Submission on the Review of the Waste Diversion Act (Mar. 2009)
- Impact of the HST on Rental Housing (Apr. 2009)
- Rental Housing: Green and Getting Greener Response to the Green Energy Act (April 2009)
- Submission to the Ontario Energy Board on Authorization to Conduct Discretionary Metering Activities in Rental Housing (May 2009)
- Affordable Housing Response (Aug. 2009)
- FRPO Response to Proposed Built Environment Accessibility Standards (Oct. 2009)

### **Member Services**

- Providing members value through 14 different bulkpurchase discount programs
- FRPO's Appliance Replacement Discount Program helped members replace over 12,000 old refrigerators with new energy efficient models
- Educated over 250 landlords and property management staff with FRPO's RTA Re-fresher seminar series on landlord-tenant legal issues
- Hosted other seminars and webinars on economic/ market updates, pandemic preparedness, rent regulation and green energy investments
- Handled over 110 legal inquiry cases for member landlords
- Distributed 25 electronic update bulletins to members on key industry news

- Bi-monthly FE Magazine free for FRPO Members – also serves as a key communications tool to government officials and politicians
- Held FRPO's first ever stand-alone AGM event, featuring insights from Jeffrey Adler, President & CEO of The Sanctuary Group
- FRPO's 4th Annual Golf Classic raised a record \$25,000 for Interval House charity
- Helped members collect over 500,000 lbs of food province-wide for the Spring HOPE Food Drive
- Record attendance and record number of award nominations for the December 2008 FRPO MAC Awards Gala

### Certified Rental Building (CRB) Program



- Over 80,000 rental suites now enrolled in CRB program, allowing tenants to Rent With Confidence<sup>™</sup> and be assured of quality in their choice of housing
- A growing number of potential renters are visiting www.crbprogram.org
- Comprehensive news, radio and transit advertising is promoting the benefits of the CRB program
- Successful public launches in London, Toronto, Windsor, Ottawa and Kingston have resulted in positive "earned" media promotion of the CRB Program



## FRPO COMMITTEES

Debra Fine, Debra Fine Barrister & Solicitor;

Jeff Hutchison, Timbercreek Asset Management;

Tom Halinski, Aird & Berlis LLP;

Jim Moak, Paralegal Services Inc.;

Joy Overtveld, Milton Geller LLP;

Tyler Seaman, Oxford Properties

Neil Sigler, Parkway Realty Ltd.;

& Solicitors.

Allan Weinbaum, W.J. Propertyies;

Martin Zarnett, Sandlar Gordon Barristers

The Landlord and Tenant Committee

addresses matters related to the security

of tenure and other landlord and tenant

recommendations to FRPO's Board

of Directors on policies related to the

legislative, regulatory and legal issues

as well as the quality and fairness of

the adjudication system that resolves

relationship issues. The committee makes

that affect residential tenancy procedures,

landlord-tenant disputes. The committee

played a valuable role to FRPO members

extensive input on numerous new forms,

through review of the Landlord Tenant

Board's new Human Rights policy, and

brochures, rule and guidelines of the

Landlord Tenant Board.

David Lyman, Dickie & Lyman LLP;



### **Executive Committee**



CHAIR: David Horwood, Effort Trust MEMBERS:

Mitchell Abrahams, Malen Capital Corp; Paul Chisholm, Berkley Property Management Corp;

John Stang, Minto Developments Inc; Allen Wienbaum, WJ Properties;

The Executive Committee is responsible for managing activity and providing strategic direction at FRPO between Board of Directors meetings. Members have continued to make key policy decisions regarding financial statements and to monitor the activities of FRPO committees.

### Landlord and Tenant Committee



CHAIR: Joe Hoffer, Cohen Highly LLP MEMBERS: John Andrade, Andrade Consulting Group Ltd; Paul Cappa, Cohen Highly LLP; Robert Doumani, Aird & Berlis LLP; Eric Ferguson, O'Shanrter Developments Inc. Jane L. Ferguson, Jane L. Ferguson Barrister & Solicitor:



CHAIR: John Dickie, Dickie & Lyman LLP MEMBERS: John Andrade.

Andrade Consulting Group Ltd; Paul Cappa, Cohen Highley LLP; Tom Deutsch, Parkway Realty Ltd; Robert Doumani, Aird & Berlis LLP; Tom Halinski, Aird & Berlis LLP; Margaret Herd, Park Properties; Joe Hoffer, Cohen Highley LLP; Jeff Hutchison, Timbercreek Asset Management; Joy Overtveld, Milton, Geller LLP; Heather Waese, SPAR Property Consultants Ltd; Allan Weinbaum, W.J. Properties

The Rent Control Committee helps FRPO develop policies that promote the benefits of free-market rentalhousing for Ontario. Together with the Landlord and Tenant Committee, the Rent Control Committee provided comment and input on numerous new rules, guidelines, forms and brochures at the Landlord Tenant Board, as well as on any Residential Tenancy Act provisions related to rent regulation, discounts, deposits and other rules. Over the years, this committee has worked tirelessly to advocate for rent regulation policies that promote a healthy rental market.

### **Regional Committee**



CHAIR: Arun Pathak, Hamilton and District Apartment Association MEMBERS:

Brad Butt, Greater Toronto Apartment Association; Richard Iszawa, London Property Management Association;

John Dickie, Eastern Ontario Landlord Organization;

Bruce Henderson, Dawson Properties Ltd. (Thunder Bay); Anthony Koziol, Hirsch Habitats Ltd.

(North Bay); Charles Lumley, Quinte District

Landlords' Association;

**Steven Manders,** *Kingston Rental Property Owners;* 

**Doug Simmons,** Sudbury District Landlords' Association; Larry Smith, Waterloo Regional Apartment Managers' Association;

Glenn Trachsel, Waterloo Regional Apartment

Managers' Association The Regional Associations Committee continued to meet regularly to exchange information from the

various regions of the province. As a province-wide organization, FRPO is committed to providing up-to-date information to local members across Ontario on the priorities and activities of our association. In addition, the Regional Committee creates an open forum for associations to provide the Committee with feedback and updates at a local level. The information exchange through the Committee assists FRPO in developing its policy positions and responses to issues as they arise throughout the year. The meetings also provide opportunities for local associations to offer advice, support and assistance to one another in addressing common concerns and challenges in the industry.

### **Political Action Committee**



CHAIR: Alan Greenberg, Minto Developments Inc. MEMBERS:

Mitchell Abrahams, Malen Capital Corp; Daniel Argiros, Conundrum Capital; Ugo Bizarri, Timbercreek Funds; Robin Bookbinder, Pinedale Properties; Ken Kirsh, Sterling Silver Development Corporation;

**Brent Merrill**, *Metcap Living Inc.* The committee developed an overall strategy for achieving government

relations progress on key industry issues. The committee developed critical input on FRPO's plan to publicly address challenges related to the newly announced harmonized sales tax (HST), sub-metering and rent regulation. The committee continued to work to ensure our industry's message is being properly and effectively conveyed to government, the media and the public.

### **Finance Committee**



CHAIR: Paul Chisholm, Berkley Property Management Corp MEMBERS:

**Robin Bookbinder**, *Pinedale Properties*; **Tony Allen**, *Ozz Corporation* The Finance Committee directs

FRPO's financial management, as well as makes recommendations to the Board of Directors on pertinent issues. Continuing to uphold strong financial accountability for FRPO, the Committee meets regularly and privately with the accountants, the Board of Directors, and with FRPO management, to review accounting, auditing, internal controls, financial reporting matters. FRPO's annual audit is based on an examination conducted in accordance with generally accepted accounting standards, and includes a review of the internal control structure, as well as tests of accounting procedures and records.

### Legislation and Regulations Committee



CHAIR: Allan Weinbaum, W.J. Properties

#### **MEMBERS:**

Leonard Drimmer, Transglobe Property Management Services;

Jane L. Ferguson, Jane L. Ferguson Barrister & Solicitor: Debra Fine, Debra Fine, Barrister & Solicitor; Joe Hoffer, Cohen Highley LLP; Joy Overtveld, Milton, Geller LLP; Steve Weinrieb, Park Property Management The Legislation and Regulations Committee proactively monitors and responds to legislative issues that impact our industry beyond the scope of residential tenancy legislation. Key issues addressed by this committee include those related to labour law and workplace safety, real estate transaction law, fire and building code regulations, crime and security and the legal liability of landlords, and responding to any provincial private members' bills that impact the rental housing sector.

### **Utilities Committee**



CHAIR: David Horwood, Effort Trust MEMBERS:

 Tony Allen, Ozz Corporation;

 Robin Bookbinder, Pinedale Properties Ltd;

 Paul Chisholm, Berkley Property Management;

 Jason Craig, ECNG Limited Partnership;

 Haroon Gafur, M&R Property Management;

 Mike McGee, Energy Profiles;

 Peter Mills, Stratacon;

Dan Pastoric, ECNG Limited Partnership; Andrew Pride, Minto Management Ltd. John Sirilas, Timbercreek Asset Management; The Utilities Committee assists FRPO in addressing the increasing importance of issues related to electricity, gas, water, waste management services and any other matter impacting energy conservation and environmental sustainability in our industry. In 2009, the Committee was focused on advocating for workable submetering legislation, practical Ontario

Continued on page 9

# 2008 FRPO MAC AWARD WINNERS

Every year FRPO honours its members who have made an exceptional contribution to Ontario's private rental housing industry. FRPO's Annual MAC (Marketing, Achievement and Construction) Awards highlight the positive things that our members are achieving and celebrate the industry's

accomplishments. FRPO members lead the way in providing high quality rental accommodations for over 250,000 Ontario households, and the FRPO MAC Awards ensure achievements by landlords, managers, building staff and other industry participants are not overlooked.





MEMBER OF THE YEAR Joe Hoffer Cohen Highley LLP



ENVIRONMENTAL AWARD OF EXCELLENCE O'Shanter Development Company Ltd.





Adriana Keresztes CAP REIT



F THE YEA Steve Kelly Schickedanz Bros. Ltd.



CUSTOMER SERVICE AWARD OF EXCELLENCE Realstar Management Partnership



SUITE RENOVATION WARD - OVER \$5000

Realstar Management Partnership

Highpoint Apartments, Barrie

Margaret Power

Oxford Properties Group









CURB APPEAL AWARD Minto Apartments Ltd. 2 & 4 Hanover Rd, Brampton

LOBBY RENOVATION OF THE YEAR AWARD Timbercreek Asset Management 1161-1171 Wellington, Ottawa

SUITE RENOVATION AWARD OVER \$50,000 Vertica Resident Services 400 Walmer Rd







RENTAL DEVELOPMENT AWARD Minto Apartments Ltd. 150 Roehampton Ave, Toronto

DER \$5000 Metcap Living Management Inc. 87 Jameson

OUTSTANDING COMMUNITY SERVICE Vertica Resident Services



### FRPO Committees continued from page 6

Energy Board policies, and an energy conservation program for rental housing. The committee also developed and launched the FRPO appliance replacement program, which has helped members replace over 12,000 old appliances with new energy efficient models since the program was launched in 2008.

### Public Relations Committee

CHAIR: Janis Di Ciantis, Concert Properties. **MEMBERS:** Dan Acre, Cogir Management; Peter Altobelli, Yardi Systems; Robert Burton; Vito Campisi, CMHC; John Dickie, Dickie and Lyman; Sheryl Erenberg, Sheryl Erenberg and Associates: Brenda Hajdu, Fuller Landau; Bob Helyar, Dala Group;

Chris Markovic, Minto Communities; Anne Meinschenk, Metcap Living; Kim Reid;

**B.J. Santavy**, *Skyline Management*; Michael Wright, A-Team Strategies. FRPO's new Public Relations Committee worked hard during its first year to develop a comprehensive strategy for improving and enhancing the overall image of FRPO as an industry association, promoting the positive aspects of Ontario's private rental housing sector and building credibility and strength of the industry and our members. The committee is working on public relations initiatives designed to strengthen awareness of FRPO's role within the industry and promote the value and benefits of rental living to the general public.



Spring Hope Food Drive, at a CAPREIT building in Waterloo.

### **Certification Committee** CHAIR:

Martin Tovey, Transglobe Property Management Services **MEMBERS:** 

George Cottage, Gotorent.com; Kevin Gorrie, Oxford Properties: Yehudi Hendler, Y. L. Hendler Ltd; Jeff Hutchison, Timbercreek Asset Management; Amin Rahim, Vertica Ltd; Justin Taylor, Bank of Nova Scotia; Geoffery Younghusband, Osgoode Properties; The Certified Rental Building (CRB) program is the first quality-assurance program of its kind in North America, providing tenants with an easy way to identify well-run, well-managed buildings. After launching in 2008, FRPO's CRB program now boasts an enrolment of over 95,000 suites and 1,300 buildings. The program is also helping members measure, evaluate and improve their building operations and tenant services. The end result is a new classification of multi-residential apartment buildings across Ontario that visibly meets a high standard of quality.



Timbercreek staff in Windsor receive their CRB Designation.

CHAIR:

Property Management **MEMBERS:** 

Justin Taylor, Bank of Nova Scotia

Sam Grossman, Retired Executive

Tony Allen, Retired Executive

### **CRB** Governance Committee -Interval House Fifteen Thousand Marv Sadowski, Sterling Karamar 00987-857 0000-0876 000990 Heather Waese, SPAR Property Consultants John Andrade, Andrade Consulting Group

FRPO members raised \$25,000 for Interval House at the 2009 FRPO Golf Classic

\$ 15,000.0

The CRB Program Governance

Committee is responsible for the final

program, reviewing member/tenant

rights & interests under the program.

reviewed, approved and certified over

Joe Accardi, ABM Property Management;

Robin Bookbinder, Pinedale Properties Ltd;

Paul Chisholm, Berkley Property Management;

The Membership and Member Services

Peter Altobelli, Yardi Systems Inc;

Anne Meinschenk, Metcap Living;

Bill Zigomanis, TD Canada Trust.

Committee pursues and develops

additional member programs and

managers improve their buildings

included an ongoing program of

education seminars, social events,

Especially successful were the 2009

services to help property owners and

and businesses. Overall, these benefits

and membership information sessions.

FRPO Golf Classic, which raised over

\$25,000 for the Interval House shelter,

and the Annual Dinner and Awards

Ceremony, which last year attracted a

record number of award nominations

helped FRPO deliver a series of edu-

cation seminars to members.

and attendees. Over 2009 the committee

Christine Tonus, Mediapeach;

During its first year the committee

650 buildings.

**MEMBERS:** 

Membership and

**Member Services** 

Darlene Davis, Stratacon;

approval of all buildings enrolled in the

inquiries, and protection of stakeholders



# **BOARD**OF **DIRECTORS**

### FRPO's 2009 Board of Directors

**CHAIR** David Horwood, The Effort Trust Company

### VICE CHAIR

Allan Weinbaum, WJ Properties

### **TREASURER**

Paul Chisholm, Berkley Property Management

Mitchell Abrahams, Malen Capital Daniel Argiros, Conundrum Capital Corporation Ugo Bizarre, Timbercreek Asset Management Robin Bookbinder, Pinedale Properties Ltd John W. Dickie, Dickie & Lyman Lawyers LLP Leonard Drimmer, Transglobe Property Management Kevin Green, Greenwin Property Management Margaret Herd, Park Property Management Inc. **Rob Herman**. Robinwood Management Harvey Katz, Esam Group Mark Kenney, CAPREIT Ken Kirsh, Sterling Silver Development Gary Lee, GWL Realty Advisors Inc Brent Merrill, MetCap Living Tyler Seaman, Oxford Properties Group John Stang, Minto Management Ltd Glenn Trachsel, Waterloo Regional Apartment Managers Association

### The Federation of Rental-housing **Providers of Ontario**



Vince Brescia President & CEO



Ted Whitehead Director of Certification



Mike Chopowick Manager of Policy



Lynzi Michal Membership Services Manager



Laurie Cooper Administrator

Toll Free: 1 877 688 1960 • Phone: 416 385 1100 • Fax: 416 385 7112 • info@frpo.org • www.frpo.org FRPO 20 Upjohn Road, Suite 105, Toronto, Ontario M3B 2V9

### **PROFILE**

The Federation of Rental-housing Providers of Ontario (FRPO) is the province's leading advocate for quality rental housing. We represent a wide range of multi-residential housing providers who supply and manage homes for over 250,000 households across Ontario.

We are promoting a healthy and competitive rental housing industry by ensuring the impact of legislative and regulatory changes serve the best interests of landlords and tenants.

### **NIR MISSINN**

Our mission is to provide the highest quality services to our members through education, policy development and advocacy. We will do this through:

- Upholding public policies that support the availability of quality housing
- Protecting the rights of private sector landlords and property managers while helping them profit from their investment in multi-residential real estate
- Informative and educational training sessions on regulatory issues and industry best practices
- Promoting industry best practices, fair conduct and professional standards of our members
- **F**ostering better communication and information sharing among members
- Educating government, the media and general public on the critical role of the private sector in the supply of well-managed and maintained rental accommodation.

A balanced and healthy housing market with a vital rental-housing industry, choice for consumers, adequate government assistance for low-income households and private sector solutions to rental-housing needs.

## FRPO ANNUAL REPORT 2009

