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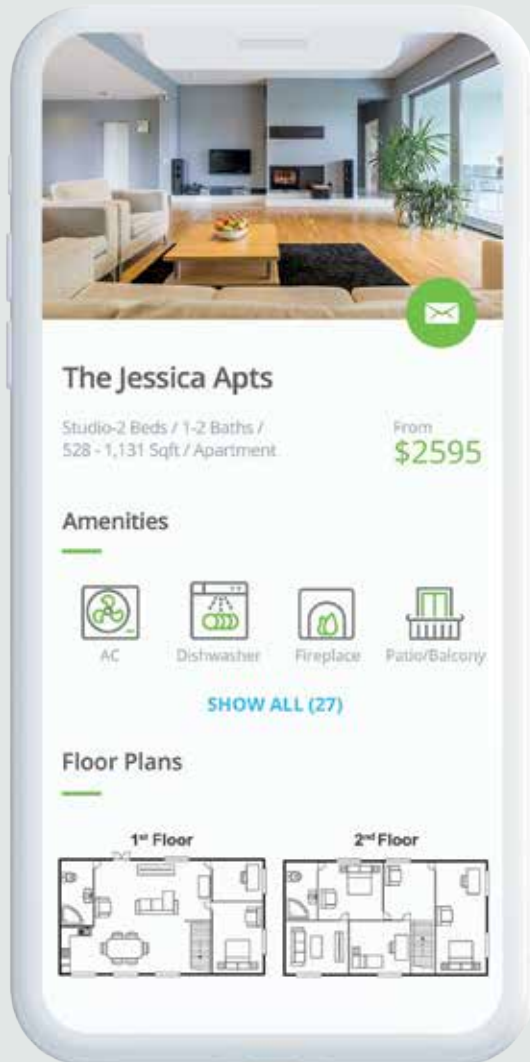
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RENTAL INDUSTRY NEWS



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SEPTEMBER/OCTOBER 2020



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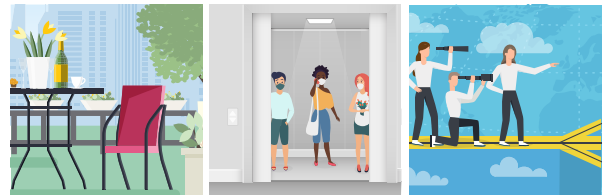
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PUSHING FORWARD

An industry working together



TONY IRWIN
President & CEO
FRPO

It's been a busy few months as we continue to push forward and persevere in our current environment. Many people have settled into a new daily routine, which has helped us all feel some form of normalcy during very challenging times. I regularly hear inspiring stories from members on our industry's front-line workers who continue doing what they do best — caring for the health and well-being of their residents. You have also asked your residents to stay put in the safety of their homes while you bring them creative and engaging in-suite events, meal prep kits, gifts cards, etc. The kindness you have shown your residents does not go unnoticed.

I would like to express my sincere gratitude for leaving no stone unturned and for all of your hard work during this unprecedented time.

Get involved!

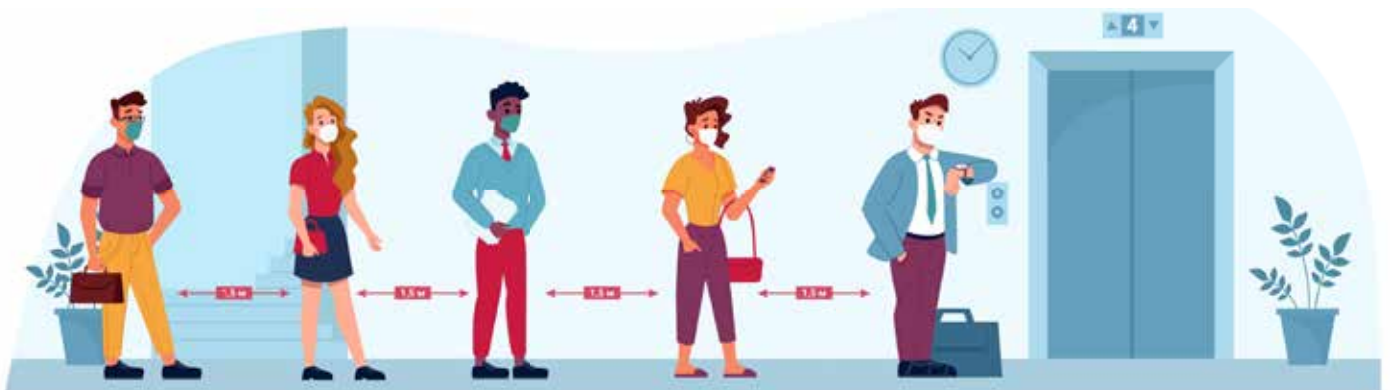
Behind the scenes, we are very thrilled to announce that we have been hard at work on a PR Campaign called "Let's Build Ontario", which launched in October on our Social Media channels. This campaign promotes and advocates innovative solutions for safe, secure and affordable housing in Ontario; it also provides useful COVID-19 resources and real-life stories from some of our members. We know there's a housing issue in our province, and together we can be part of the solution. To learn more please visit letsbuildontario.ca

Meanwhile, we continue to attend meetings and address important issues at Queens Park, ensuring your voice is being heard. We have also submitted our 2020 pre-budget submission to government, which highlighted a renewed call for a rent assistance program in Ontario to help with rental arrears accumulated during the on-going pandemic; a call to reduce significant delays at the LTB; and the need for a concierge service to expedite purpose-built rental housing approvals and reducing costs for new rental projects (the full submission can be found on our website under the "Advocacy" tab). The Rent Freeze Bill has received Royal Assent and housekeeping changes have been made to the standard form of lease. We have also partnered with Urbanation on a province-wide rental market report using data from a survey we sent out a few weeks ago. I would like to thank all members who participated. Your feedback is appreciated and helps us shape our organization going forward.

End scene!

A few weeks ago, we wrapped up a successful, socially distanced day of filming for our upcoming virtual MAC Awards. We can't wait to show you the finished production on December 3rd.

That's all for now. Until next time, please continue to stay healthy and safe! 🙌



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UPCOMING INDUSTRY EVENTS

NOV
11

A GUIDING PATH TO SAFE AIR QUALITY SOLUTIONS Nov 11 | 2:00pm -3:00pm Webinar

Multi-unit residential buildings are high-traffic environments that present significant microbial risk to residents, staff and visitors. FRPO is pleased to present a webinar highlighting proven technologies to combat COVID-19 on November 11th at 2pm featuring several subject matter experts. Join us for this timely conversation as we learn about the vital implications of indoor air quality and innovative new products to help mitigate the risk of infection and community-spread illness in your communities. The cost is \$25 for FRPO Members, and \$50 for non-members. Our expert panel will provide you with industry insights and actionable strategies, including how to:

- Mitigate the Spread of Covid-19
- Improve Indoor Air Quality
- Save Energy & Reduce Carbon Footprint

NOV
30

BUILDINGS WEEK Nov 30-Dec 4, 2020 | 8:00am - 4:00pm Virtual Conference

The Buildings Show and BUILDEX Alberta are coming together to provide a national platform that virtually connects more than 70,000 design, construction and real estate professionals across Canada at Buildings Week, November 30 – December 4, 2020. Powered by Buildings Canada and Informa Connect, Buildings Week offers high quality content, targeted networking and new business opportunities, at your convenience.

The virtual event experience offers everything you have come to rely on from the face-to-face event, plus innovative features not possible from the in-person show. Attend interactive panel discussions, hear from industry thought leaders, discover leading product innovations, connect with old friends and much more. While the delivery has changed, the quality is the same!

DEC
3

2020 MAC AWARDS GALA Dec 3, 2020 | 2:00pm

The MAC Awards Gala is the most important annual event for our members and is well attended by rental housing providers ranging from hands-on managers to third party management and holding companies. This event allows us to recognize excellence in the residential rental housing industry and to advance the high standards that the Federation of Rental-housing Providers of Ontario aims to promote. We are pleased to announce we will be holding this year's gala in a virtual format in conjunction with Buildings Week powered by Buildings Canada and Informa Connect. The Awards Gala will part of the Buildings Week programming and will take place on Thursday, December 3rd at 2pm. This event will be a free session available to all registered conference attendees. Be sure to check our dedicated frpomacawards.com to register! See you there.

JUL
19

2021 FRPO CHARITY GOLF CLASSIC Jul 19, 2021 | 11:00am-8:00pm Rattlesnake Point Golf Club, Milton

Join us for a day on the links at the annual FRPO Charity Golf Classic in support of Interval House. This event will take place at Rattlesnake Point Golf Club and is a great opportunity to network with others in the industry and raise funds for a great cause. Registration for this event will open in spring 2021. Stay tuned for more info.



PLEASE CHECK
THE FRPO WEBSITE
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ADDED EVENTS.

2020 RESIDENTIAL TENANCIES ACT WEBINAR SERIES

This year's sessions focused on the impact of innovations in building operations, tenant services, and office administration on day to day property management and, in particular, the challenges of making changes while attempting to comply with regulatory restrictions imposed by the RTA. These sessions were originally to take place in the spring but were postponed due to the pandemic. As such, they were presented in a virtual format which was well received by over 500 attendees.

Thank you to this year's generous sponsors:



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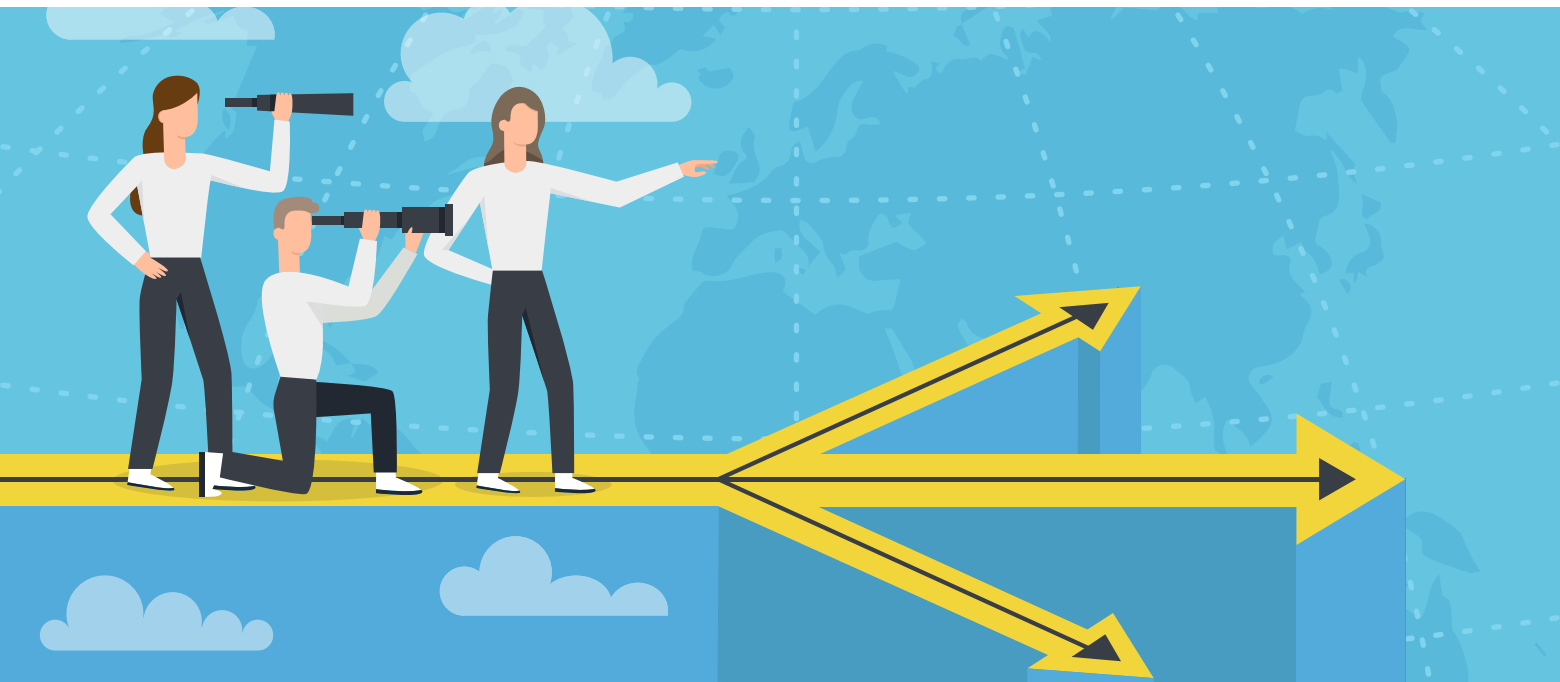
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WHAT'S AHEAD FOR 2021

Updates on federal tax issues and COVID-19 support

BY ■ JOHN DICKIE, PRESIDENT, CANADIAN FEDERATION OF APARTMENT ASSOCIATIONS



While the provinces deal with residential landlord and tenant rights, and property taxes, the federal government is the main moving force with respect to most other taxes, high level housing policy and energy programs.

On September 23, Governor General Julie Payette delivered the Throne Speech, stating the Liberal government's vision for the remainder of 2020 and into the winter of 2021. COVID-19 financial support was a major element.

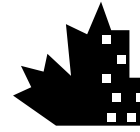
COVID-19 FINANCIAL SUPPORT

Earlier, the government had announced that, at the end of September, it would bring in the Canada Relief Benefit (CRB) providing \$400 per week instead of the \$500 provided by the Canada Emergency Relief Benefit (CERB). The Throne Speech repeated that promise. However, in the negotiations for support in the confidence vote on the Throne Speech, the NDP demanded an increase in the amount to the \$500 per

week previously provided. The government agreed, thereby gaining the NDP's support to stay in power, avoiding an election.

While potentially making workers less easy to hire, that change will help many low-income people pay their rents. This fall, the government said it will take further steps to help vulnerable businesses get to the other side of the pandemic by:

- extending the Canada Emergency Wage Subsidy (CEWS) through to next summer;
- expanding the Canada Emergency Business Account (CEBA) to help businesses with more fixed costs;
- supporting industries that have been the hardest hit, including travel and tourism, hospitality, and



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THE GOVERNMENT SEEMS OBLIVIOUS TO THE DEGREE TO WHICH RENTS DIVERGE ACROSS CANADA AND ACROSS MOST PROVINCES.”



cultural industries like the performing arts; and

- providing revised rent relief for commercial tenants.

INCOME TAXES

The government has said it will identify additional ways to tax extreme wealth inequality, including limiting the stock option deduction for wealthy individuals at large, established corporations, and addressing corporate tax avoidance by digital giants.

Rental housing providers should be pleased that there was no reference to resurrecting the Interest Deductibility Limitation, proposed late last year, and no specific reference to any review of capital gains taxes. Those are the tax measures that would hit rental housing hard. CFAA alerted the government to the negative effects both issues would have on rental housing supply and affordability.

HOUSING POLICY

In the Throne Speech, relatively little attention was paid to for-profit rental housing, or indeed to any rental housing. Items which could impact the rental housing sector would mostly do so indirectly.

The government will bring a new Canadian Disability Benefit modelled after the Guaranteed Income Supplement for seniors. That will help people with disabilities pay their rents. Despite the area being one of provincial jurisdiction, the government will also support a national drug plan with those provinces which want to move forward. That too could help low-income people pay their rents.

The government will increase housing investments to support rapid re-housing in the short term, and to partner with not-for-profits and co-ops in the mid-to-long-term. It is note-worthy that there was no reference to for-profit rental housing, and no reference to any enhancement of the Canada Housing Benefit, which pays financial support directly to low-income renters, through agreements with the provinces.

There was also no reference to helping the provinces to assist renters who have fallen into serious rental arrears situations due to COVID-19. The government seems oblivious to the degree to which rents diverge across Canada and across most provinces. At more than \$2,000 per month, CERB and CRB are more than adequate in Edmunston, N.B., or most of Quebec, where two bedroom

apartments rent for \$500 per month, but woefully inadequate in Toronto or Vancouver where such apartments rent for \$1500 per month or more.

For the middle class, the government will enhance the First-Time Home Buyer Incentive, including in Canada's largest cities, so that families can afford to buy their first home. While a potential vote getter, such a policy is difficult to bring in without inflating the prices of starter homes. That policy also has the potential to draw off better-off renters, to the detriment of rental demand, when rental demand has already shrunk with the decrease in immigration, in non-permanent residents and in students living away from home, as well as the increase in supply due to short-term rentals returning to the long-term rental market. Details of the changes will follow over the next few months.

ENERGY PROGRAMS AND CLIMATE CHANGE

Climate action will be a cornerstone of the government's plan to support and create a million jobs across the country. The government will immediately bring forward a plan to exceed Canada's 2030 climate goal.

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The government will also legislate Canada's goal of net-zero emissions by 2050. As part of its plan, the government will:

- Create thousands of jobs retrofitting homes and buildings, cutting energy costs for Canadian families and businesses;
- make zero-emissions vehicles more affordable, while investing in more electric vehicle charging stations across the country.


CFAA will promote the inclusion of rental housing in the programs to encourage energy retrofits, and in the expansion of electric vehicle charging stations.

CONCLUSION

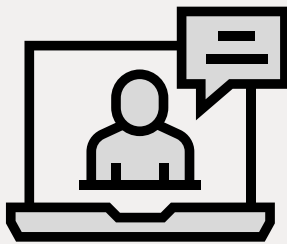
It is disappointing that the federal government is apparently unwilling to address to the degree to which rents diverge across Canada and across most provinces, and unwilling to assist with the rental arrears problem faced by 200,000 private market renters, and 10,000 or 20,000 small landlords.

However, the direction indicated by the Throne Speech allows for a sigh of relief within the rental housing industry. CFAA is very pleased that the federal government has listened to our warning of the immense

damage that would be caused to the rental housing sector if the government were to carry through with an Interest Deductibility Limitation, or increases to capital gains taxes. Those are key issues that CFAA will continue to press upon the federal government at appropriate times.

FRPO is a key association member of CFAA, the sole national organization which represents solely the interests of Canada's \$ 525 billion rental housing industry, which houses more than nine million Canadians. 

FRPO is a founding member of the Canadian Federation of Apartment Associations, which has represented Canada's rental housing providers at the federal level since 1995.



Upcoming CFAA webinars for rental housing providers

In October and November, CFAA is hosting 6 webinars. Each is to run for one hour, starting at 3:00 pm Eastern. Recordings will be available for those who miss the live sessions.

Operations Roundtable, Tuesday, November 3

What you need to know about CMHC's new mortgage insurance rules, Tuesday, November 10

Technology Updates for COVID-19 and beyond, Wednesday, November 18

Future proofing your business with effective energy management strategies, Tuesday, November 24

Visit cfaa-fcapi.org for more information, or to purchase access to the webinars

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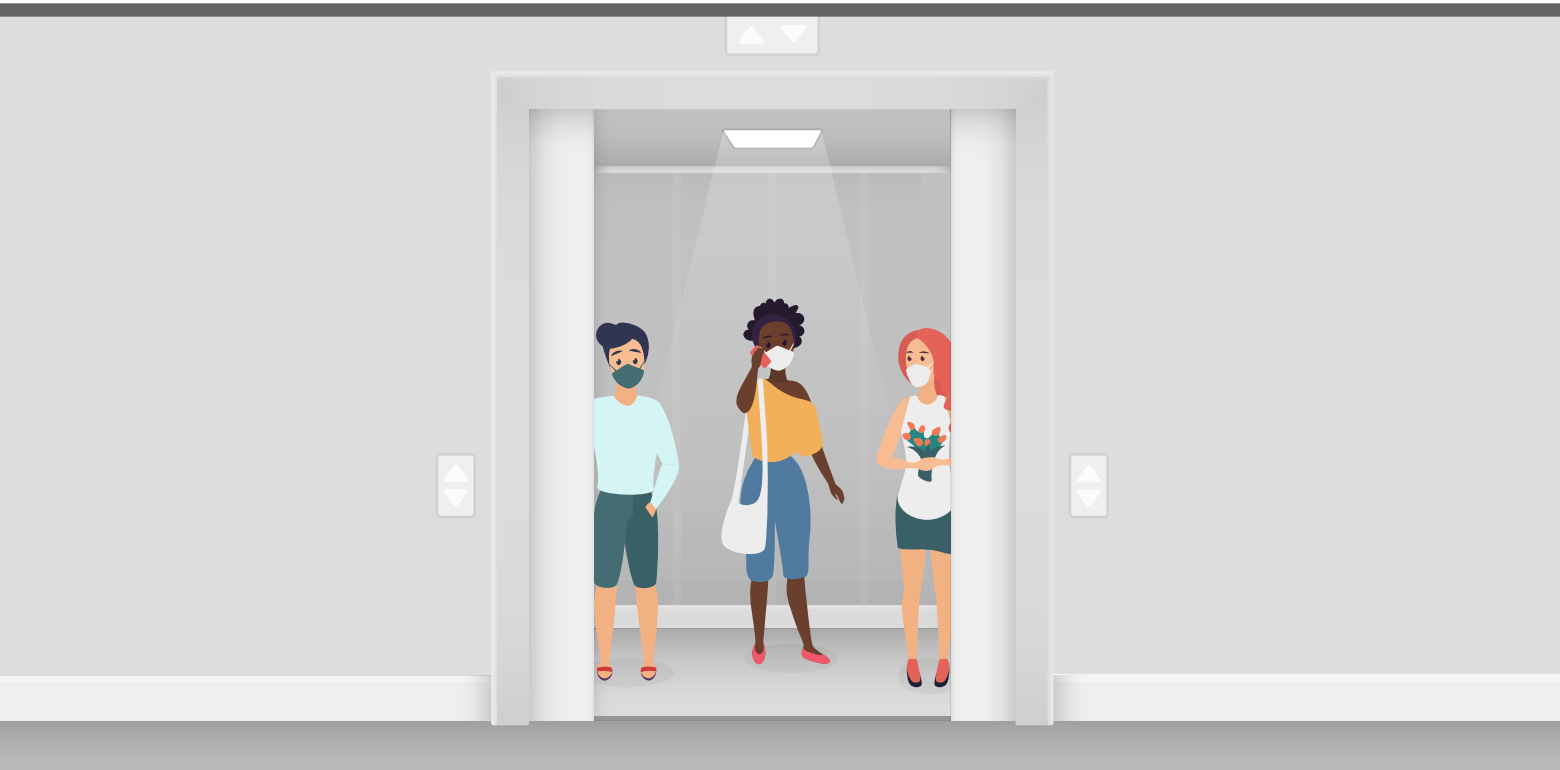
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BEST PRACTICES FOR ELEVATORS

Rider safety measures amid COVID-19

BY ■ ANDREW FRIEDEL, PRESIDENT & CEO, DELTA ELEVATOR



As society struggles to adapt to the impact of COVID-19, questions about best practises for elevator use continue to be asked by building owners, property managers, and elevator passengers:

- Are elevators safe to ride during the COVID-19 pandemic?
- What is being done to combat COVID-19 transmission inside elevators?
- How can riders be encouraged to resume using elevators after features have been upgraded?

Companies across the continent and around the world have been developing options for increasing the safety of elevator riders. The many options can be categorized into three main groups: Touchless operation, anti-microbial/anti-bacterial treatments, and rider limits.

TOUCHLESS OPERATION

One of the transmission vectors in an elevator system is touch-operated buttons. The solution here is to eliminate the need to contact the call and floor selection buttons. In many cases, depending on the existing technology and age of the elevator system, this can be accomplished through add-ons to the existing elevator.

	PRO	CONS
Wave Activated	<ul style="list-style-type: none"> • Direct swap for existing fixtures • No instructions needed for users 	<ul style="list-style-type: none"> • More expensive than regular buttons • May be limited to shorter buildings
Voice Activated	<ul style="list-style-type: none"> • Simple for riders to use • Builds on existing voice recognition technology 	<ul style="list-style-type: none"> • Not fully accessible • May not be effective for applications with many unique users
Phone Activated	<ul style="list-style-type: none"> • Independent of elevator controller • Barrier free access 	<ul style="list-style-type: none"> • Requires cell phone • Susceptible to unauthorized access
Foot Activated	<ul style="list-style-type: none"> • Runs in parallel to existing buttons • Durable • No disinfecting cleaning needed 	<ul style="list-style-type: none"> • May not be able to install in all cab configurations • Possible trip hazard • May need educational signage



ANTI-MICROBIAL / ANTI-BACTERIAL TREATMENTS

As opposed to the touchless solutions noted above, anti-microbial / anti-bacterial treatments allow for contact but focus on reducing the life span of viruses and bacteria on surfaces. This includes buttons, surrounds, fixtures, and wall surfaces. 📺

	PROS	CONS
Buttons (Copper)	<ul style="list-style-type: none"> • Easy to install if a direct swap • No accessibility issues 	<ul style="list-style-type: none"> • Colour may not fit cab interior • More expensive than regular buttons
Cab Finishes (Copper)	<ul style="list-style-type: none"> • Never wears out • Can be applied to existing finishes 	<ul style="list-style-type: none"> • Two-week downtime to upgrade cab • Plastic / laminate cannot be treated
Button Covers	<ul style="list-style-type: none"> • Relatively inexpensive • Can be installed by owner 	<ul style="list-style-type: none"> • Susceptible to vandalism • Does not cover entire button surround
Surface Films	<ul style="list-style-type: none"> • Relatively inexpensive • Can be installed by owner • Can be applied to any surface 	<ul style="list-style-type: none"> • Susceptible to vandalism • Two-year life expectancy
UV-C Disinfecting	<ul style="list-style-type: none"> • Can disinfect entire cab • Pre-existing technology 	<ul style="list-style-type: none"> • Requires 10 minutes of downtime per treatment • Treats only line-of-sight surfaces
Air Sanitization	<ul style="list-style-type: none"> • Uses UV-C technology • Activates when cab is empty • Ozone free 	<ul style="list-style-type: none"> • Not CSA approved • Not readily available in Canada

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RIDER LIMITS

As a stop-gap measure, many building owners and managers have adopted rider limits to reduce the possible transmission of COVID-19 through airborne particles.

A simple passive solution is to place floor markings to indicate where passengers should stand in the cab, which simultaneously encourages fewer riders. Many signage options for floors are commercially available and can be incorporated with other signage in the building. Additionally, people are by now already familiar with the need to physically distance and generally will comply with such requests.

A more complicated active solution is to install or integrate existing load-weighing to limit the load under which the elevator will run: When the load in the cab is over a set limit, the elevator control system will not allow the unit to operate until someone exits the cab.

IMPLEMENTATION CONSIDERATIONS

One of the challenges with new technology and new applications of existing technology in a time like COVID-19 is ensuring its compliance with all relevant regulations. For example, some of the options described above were developed outside of Canada and may not be certified for use inside of Canada at the present time. It is important to ensure that any solution under consideration meets Canadian regulations before entering any commitments.

In Ontario, there is another layer of regulations due to the role of the Technical Standards & Safety Authority (TSSA). The TSSA is the Provincial body responsible for adopting and enforcing the Elevator Code which governs our elevating devices. All new devices to be installed or applied to elevators must be approved by the TSSA. Then, once approved, a TSSA submission must be made for each installation / application to register it properly. Failure to follow the process will result in orders at the next periodic inspection of the elevator.

Finally, the actual effectiveness of the various solutions has not been tested over the long term to make an evaluation of the cost / benefit of their use.

THE WAY FORWARD

When considering the best option for a particular elevator application, many factors need to be taken into consideration: Type of building use, make-up of rider demographics, height of building, security levels, age and technology of existing elevator installation, etc.

Also, new and novel solutions to address COVID-19 concerns continue to be developed as technology from other industries is adapted to elevators.

Owners and property managers are encouraged to engage their elevator contractor or an elevator consultant to evaluate the advantages and disadvantages of the options available and to assess new solutions to address the COVID-19 impact on their vertical transportation system. ■



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SAVE THE DATE DECEMBER 3RD

The MAC Awards recognize excellence in the rental housing industry and this year, we could be celebrating your company's achievements. The MAC Awards are open to organizations of all sizes and we encourage you to apply.

Do you have an outstanding employee who deserves industry recognition? Is your company a leader in customer service standards or community service? Does your company culture shine? In light of the COVID-19 pandemic, we have reduced this year's award categories as many capital projects and renovations have been impacted by the health crisis. Please review the submission criteria and eligibility requirements at www.frpo.org



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- Customer Service Award of Excellence
- Environmental Excellence
- Leasing Professional of the Year
- Property Manager of the Year
- Rental Development of the Year
- Resident Manager of the Year

GREAT COMMUNICATION LEADS TO GREAT COMMUNITIES

Tools for connecting staff and residents

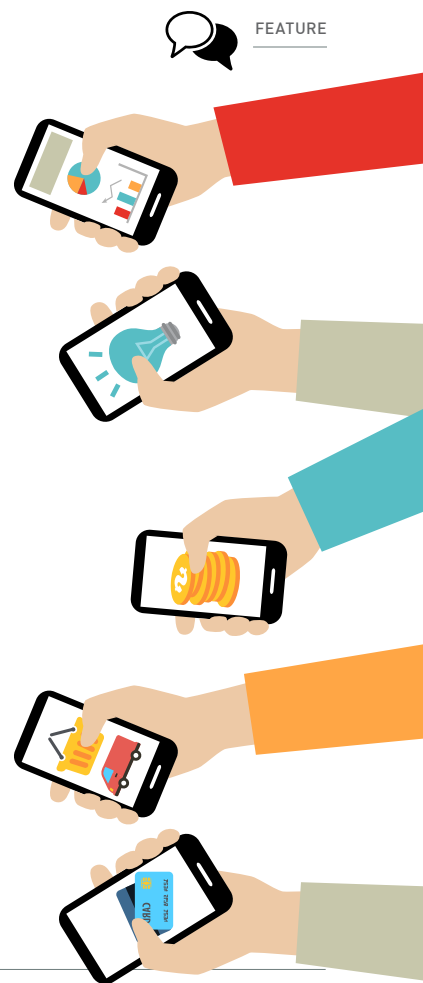
BY ■ JENNIFER MULHOLLAND, CO-FOUNDER, UR CONCIERGE SERVICES INC.



Almost everyone has a childhood memory of feeling excluded—of friends whispering to one another, sharing secrets and leaving those who weren't in the loop feeling hurt and ignored. This is a simple example of a common phenomenon that can persist into our professional lives. By operating in a closed communications loop, residents and building staff can be left feeling as though they are not important. Inadequate communication magnifies problems and creates needless friction in our residential communities. It is also the easiest problem to fix once you change the culture of communication between owners, building staff and residents.

“

COLLABORATIVE COMMUNICATIONS WILL RESULT IN BETTER EMPLOYEE-RESIDENT RELATIONSHIPS, A STRONGER SENSE OF COMMUNITY, AND ULTIMATELY, IMPROVED ROI.”



So, what can be done to reduce friction and improve the lives of our building occupants? Adopting a culture of thoughtful, collaborative communications can help foster a whole new paradigm based on improved relationships. The result is rental communities that can maintain high occupancy via a strong sense of community through the ups and downs of the business cycle. Proper communication is likely the most overlooked and most effective tool we all can adopt to improve the feeling of connection, inclusiveness and well-being among staff and residents.

Collaborative communications will result in better employee-resident relationships, a stronger sense of community, and ultimately, improved ROI. But how do we best communicate in our increasingly fragmented world?

The usual method is to post notices near the elevator or entrances of your buildings. This may have worked in the past, but in the new normal, many do not leave their residences for days, and your staff is not always available or willing to answer questions face-to-face, or post these notices and posters due to their increased work loads.

Enter the online communications system. While online tools are often blamed for separating us from our fellow humans, the right type of online platform can really

resonate and build stronger communities. Property management must carefully choose the correct platform to communicate with their residents and staff. Many property managers use Facebook, Twitter, or Instagram as they believe these social media platforms are already favoured by employees and residents. And while many dedicate time and resources to posting and monitoring these fragmented channels, the ROI for doing so is just not there. These sites were originally created to connect people who know one another and the inherent weakness of social media sites is that they are a blunt instrument, not designed for property management needs and not directed to your audience—residents and staff. There are extremely effective digital tools that are designed specifically for your business. These can revolutionize your communications and relationships with your staff and residents. Look for systems that address the resident directly and offer features and services that make sense. If your systems are one-way channels built for the property manager first with little reason for the resident to participate then you probably are not getting

the communications platform you need.

Look for customizable platforms that are resident-focused and include features like payment processing, the ability to send notices and alerts through email and text, and the ability to book parking and amenities. Other key features should include multi-lingual communications and accessibility, resident marketplaces where neighbours can exchange and sell goods and services, and community information and discount programs that will drive resident engagement with the system and show that you are interested in what is important to them. If you start by collaboratively communicating on a regular basis, using tools that are tailored to your residents, you will have a happier and more efficient staff that spends less time on admin tasks and paperwork. The improved sense of community will result in less turnover, less damage, fewer social problems, and a more engaged community.

A winning communications strategy and platform can pay huge dividends for your business. Ask yourself this question: If your goal is stronger communities, can you afford NOT to communicate well? ■

Jennifer Mutholland, Co-Founder UR Concierge Services Inc., a community-building web platform designed to enhance resident engagement with management, staff, and neighbours.



WHERE DO WE GO FROM HERE?

Energy management in the age of COVID

BY ■ PAUL WEINGARTNER, DIRECTOR OF CLIENT SERVICES, ECNG ENERGY GROUP



Without question, the past seven months have been unprecedented. The COVID-19 pandemic has changed every aspect of our personal and professional lives. We continue to navigate uncharted waters adapting to meet the next new challenge. This uncertainty makes it very difficult to plan for next week let alone one, two or five years from now. For this reason, we want to address three key energy-related questions creating challenges and opportunities for FRPO members.

WHY ARE WE USING MORE ENERGY?

While we have seen dramatic reductions in energy use in areas of the economy hit hardest by the pandemic, such as hospitality, commercial real estate, and pockets of the manufacturing sector, for the most part, demand for natural gas and electricity remains strong in other sectors. The mass move to remote work has dramatically shifted energy demand and increased usage. The Independent Electricity System Operator

(IESO), which oversees the Ontario power grid, reports that “residential load in the electricity sector is estimated to be up around 8% during the pandemic.”

The increased usage triggered by the need to work from home was likely exacerbated by the warmer than expected summer. In addition, to allow larger (mainly industrial) consumers to focus on “getting back to business”, the Province of Ontario froze its Peak Demand Factors (PDFs), which are used to calculate their annual Global Adjustment allocation. This decision increased hourly peak demand to levels not seen in more than seven years.

Will demand for natural gas see a similar upward trend as we head into winter? That will depend on how cold it gets and for how long. While weather is a key driver of energy demand, it isn't the only driver. Demand is also impacted by regulations and how energy use is managed. For example, as part of the Ontario government's response to the

pandemic, residential and small business customers paying Time of Use (TOU) rates for electricity have been paying a fixed electricity price for all hours of the day. Prior to this, rates varied based on when you used electricity. There are three periods: off-peak, when demand for electricity is lowest, mid-peak and on-peak, with rates increasing based on level of demand. As of November 1, 2020, the option has also been given for TOU consumers to make an election to revert to a Two-Tiered rate structure where first 1,000 kWh/month are charged at lower rate (12.6cents/kWh) with additional monthly amounts at a higher 14.6cents/kWh. Although these rates could result in a lower cost per kWh it could also increase total consumption and possibly higher total costs.

DOES THIS MEAN I AM PAYING MORE?

In a word, no. At least not yet. Natural gas and electricity prices in Ontario remain

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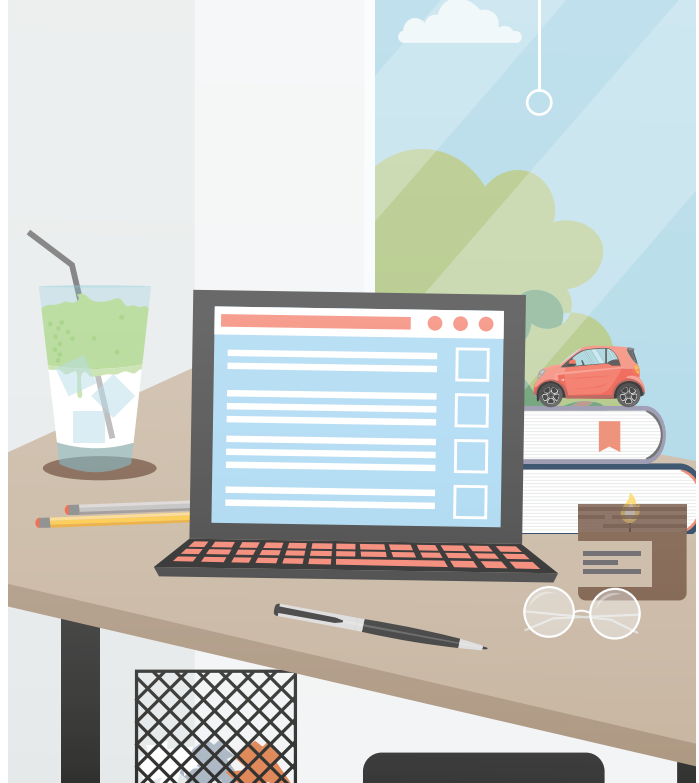
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fairly low and are in line or slightly lower than pre-COVID levels. This presents an excellent opportunity to consider fixed price opportunities especially given the upward pressure coming from other areas, such as the cost of carbon. For example, carbon accounts for approximately one-third of your total gas bill and its cost has been on the rise. This increase represented approximately a 7% increase to your total natural gas spend as of April 2020. The cost of carbon is expected to increase by 2 cents/m³ per year until it approaches almost 10 cents/m³ in 2022. (approximately 1/3 of your total gas bill). Similar pressure exists on the electricity side. The Global Adjustment charge, which covers the cost of building electricity infrastructure in Ontario, as well as delivering the province's conservation programs, continues to inch upward. Programs such as the fixed TOU rates are also coming to an end. It's safe to say the cost of consuming utilities will continue to rise but it is likely not a result of market fundamentals.

SO, WHERE DO WE GO FROM HERE?

Despite the difficulties in the current environment, there are excellent opportunities to secure commodity prices moving forward. Just as importantly, there is new life being put back into provincial programs. For example, the IESO has been given a four-year mandate (2021-2024) to implement a new Conservation and Demand Management Framework that will launch the week of January 4, 2021. The new programming will hopefully provide resources specific to the challenges being felt as we all move to our new normal. In particular for the residential sector with the increase shift to working from home and the applicable pressures on utility usages. Money from the gas utilities and most levels of government is also available to help offset natural gas usage and applicable carbon taxes. The federal government's recent acceptance of the made-in-Ontario Emissions Performance Standard will hopefully lead to additional provincial-specific programming and incentives.

One of the other bright spots over these last seven months has been the opportunity to stop, review and improve. This is exactly what many organizations have done with respect to their operations and working remotely. They have taken the time to identify strengths and possible weaknesses in their business. Inefficient tasks such as processing invoices internally are now being outsourced to ensure efficiency and accuracy. Adaptations like this and the mindset to use this time to build back better will be key as we move forward. They can also be applied to how we manage energy consumption now and post-pandemic. ■

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SIDESTEPPING THE CURRENT LTB DELAYS

Advice for landlords caught in the eviction process

BY ■ DAVID LYMAN, DICKIE & LYMAN, LAWYERS LLP

The Landlord and Tenant Board (LTB) has re-opened—at least for now—which means Ontario landlords can apply for eviction orders. A landlord may need eviction orders to give vacant possession on the closing of a property sale, to ensure that a tenant who lives there pays their rent, or to stop a tenant from interfering with the reasonable enjoyment of other tenants or neighbours.

But what is the current time delay at the LTB?

The current time delay for an ordinary application for termination, filed today, could be months. In other words, landlords might be waiting six or eight months before a hearing. That is dramatically slower than the processing times in all other English-speaking provinces, and twice as slow as the processing time in Quebec.

For some, that could be much too long to obtain possession to close a sale, or to wait while not receiving any rent. If the problem stems from noisy or unruly behaviour, months could feel like an eternity for neighbouring tenants or homeowners.

WHAT CAN LANDLORDS IN THIS SITUATION DO?

In some cases, landlords can improve their position by making a deal with the problem tenant. If that tenant complies with the deal, then the landlord will have vacant possession to close a sale for owner occupation, or to rent to a new tenant who can pay the rent without disturbing the neighbours.

WHAT IF THE TENANT DOES NOT RESPECT THE DEAL? ARE YOU THEN STUCK WITH THE SAME SIX OR EIGHT-MONTH DELAY TO GET A HEARING?

If you have made the deal correctly, the answer is no. Otherwise, here are two potential situations:



“

BE SURE TO INCLUDE TERMS THAT WILL MAKE YOU BETTER OFF IF THE TENANT VIOLATES THE AGREEMENT.”



Case 1: Termination for sale OR tenant is interfering with reasonable enjoyment of other tenants

In this case, the landlord can “buy the tenant out”, agreeing to pay a certain amount of money if that tenant moves out by a specified date. This step allows the landlord to meet the terms of the sale, or keep other tenants happy and paying their rent on time. It is not desirable, but it may be the best solution in these difficult situations.

Be sure to include terms that will make you better off if the tenant violates the agreement. For example: say you agree to pay the tenant \$3,000 if they vacate, empty out, clean, and return you the keys to the unit by X date. If they don’t follow these terms, spell out exactly how much will be deducted for each day and step they miss.

If the tenant fails to vacate by the agreed date, you then apply to the LTB for a termination and eviction order without notice to the tenant, including a

copy of the agreement, and your affidavit noting that the unit has not been vacated in accordance with the agreement. Because no hearing is needed, the turnaround is much faster on these applications, and the LTB should issue an order terminating the tenancy within a couple of weeks.

If the tenant wants to challenge that order, they will have to apply to set the order aside, and the LTB will schedule that hearing within a week or two. Unless


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the tenant proves that you coerced them or misled them, the tenant's motion to set aside the order should fail, and you will have a valid eviction order within about one month, rather than six or eight months.

Case 2: Tenant fails to pay rent

Tenant advocates have been complaining that the recent amendment brought in by Bill 184 allows landlords to evict tenants easily by persuading them to sign payment plans that include a section 78 clause, which permits the landlord to seek an eviction order without a hearing or notice if the tenant breaches the agreement. The outrage by tenant advocates about this change is overblown. But an agreement can certainly allow a process which is faster than the current backlogged LTB norms.

A formal "Payment Agreement" can only be created after a landlord has filed an eviction application for non-payment of rent with the LTB. The Payment Agreement is intended to provide the opportunity for the tenant to maintain their tenancy by complying with a mutually agreeable payment plan. It also requires that the tenant pay their future rent in full, when it is due.

The form is available on the LTB website. If the correct form is used, the LTB will decide whether to put its stamp of approval on the Payment Agreement and issue a formal order on the terms of the Agreement. If the payment terms are reasonable, then the LTB should accept the Agreement. The order will typically provide that, if the tenant misses a payment, the landlord can file a s.78 application to terminate the tenancy and evict the tenant.

If the tenant abides by the Payment Agreement, you will receive your ongoing rent when it comes due, and some or all of the arrears. In most cases, that will put you much further ahead than waiting for the LTB to issue a standard termination and eviction order in six months.

If payments are not made in full and on time, you can apply to the LTB for a termination and eviction order without notice to the tenant. The LTB should issue an order terminating the tenancy within a couple of weeks. If the tenant wants to challenge that order, they have to apply to set the order aside, and the LTB will schedule that hearing within a week or two. Unless the tenant proves that you coerced them or misled them, the tenant's motion to set aside the order should fail.

To get the tenant to sign a Payment Agreement, you will typically need to give them something. For instance, you can offer to waive a month or two of rent arrears. That will often be a small price to pay if it will lead to either getting future rent from your current tenant (and much of the arrears), or getting a faster eviction order. Even giving the tenant a modest cash payment in exchange for their signing a Payment Agreement could be a cost-effective way to move forward, sidestepping the LTB backlog.

CONCLUSION

Is it fair that non-paying tenants can effectively hold you up for ransom? Of course not, but the problem is the delay at the LTB. Are these solutions as good as having an LTB that hears cases and issues order promptly? Of course not, but at this point in time, Ontario does not have such an LTB. Given the LTB that we do have, the approaches above can position a landlord to avoid much of the current excessive delay, and move forward with a sound tenant in the rental unit (or a purchaser who has closed their sale with you). ■



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THE NEW COVID-19 REQUIREMENTS

An update of what's coming from CRBP

BY ■ TED WHITEHEAD, DIRECTOR OF CERTIFICATION, FRPO CRBP



By now, most rental housing providers have discovered that returning to the old way of doing things is simply not an option. With the health crisis continuing to impact our daily lives, it is imperative that we implement a number of public health measures to ensure our buildings operate safely in the new normal. Moving forward, the safety and protection of employees, residents, contractors, and the general public must underpin everything we do.

At CRBP, we are busily re-looking at our program with the goal of providing added value to our members through a “shield of protective measures”. Here is a brief update of what’s to come:

MOVING TO THE VIRTUAL MEETING WORLD

My personal goal as FRPO’s Director of Certification has always been to spend most of my time visiting and working with CRBP member companies. The more time spent learning to understand the complexities and demands of the multi-res business at the frontline level meant less time sitting behind a desk. In a post-COVID crisis setting, this is no longer the case. Now it means shifting to a virtual presence and reducing in-person time. Thankfully, I have become a proficient user of the ZOOM virtual meeting platform, and so I intend to reach out to as many CRBP member buildings, and their staff, to see how CRBP can be of assistance – marketing, website/social media presence, virtual brochures, environmental awareness, etc. We want to ensure the CRBP members are using the program to the best of their advantage.

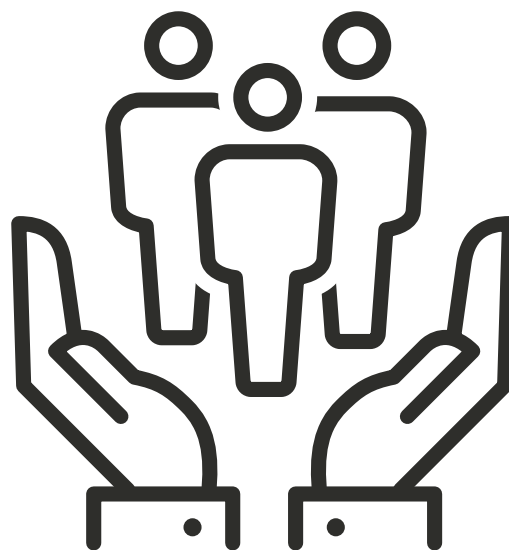
UPDATING THE CRBP STANDARDS OF PRACTICE WITH COVID-19 BEST PRACTICE GUIDELINES

Business operations portrayed in the CRBP Standards of Practice generally start with a corporate policy directive followed by a documented procedure of some sort, and a set of daily, weekly, and monthly operational requirements that must be undertaken and documented. CRBP has now added a number of COVID-19 related requirements. The goal is to provide members with direct feedback on how each of their buildings are generally complying against a benchmarked set of COVID-19 business/public health standards/guidelines as it relates to employee practices, building common areas and amenities. The new CRBP COVID-19 requirements are being incorporated into our audit procedures, and going forward, they will form a part of the final building audit report for each audited property.

As most industry members are aware, many municipalities have taken it upon themselves to implement a number of municipal COVID-19 related property standards as a means to regulate the industry and force compliance. CRBP’s newly added COVID-19

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MANY MUNICIPALITIES HAVE TAKEN IT UPON THEMSELVES TO IMPLEMENT A NUMBER OF MUNICIPAL COVID-19 RELATED PROPERTY STANDARDS AS A MEANS TO REGULATE THE INDUSTRY AND FORCE COMPLIANCE.”





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IF WE'VE LEARNED ANYTHING IN THE LAST SIX MONTHS CONCERNING THE COVID-19 VIRUS, IT'S THAT WE STILL KNOW VERY LITTLE.”



requirements will also provide members with an independent third-party perspective on their demonstrated compliance with any municipal driven COVID-19 bylaw standards.

IMPLEMENTING A NEW SAFE AUDIT / RISK MANAGEMENT APPROACH IN C-19 TIMES

At the very heart of CRBP are its six Standards of Practice disciplines (Human Resources, Building Operations, Resident Operations, Finance/Risk Management, Environmental Standards, and State of Condition Management), and its highly popular Risk Management approach. The latter involves the use of respected third-party auditors to conduct the building/office audit process at CRBP-approved property locations.

FRPO CRBP plans to re-introduce building and property audits/re-audits in the 2020 fall time period. It will include an enhanced audit process while ensuring the safety of FRPO CRBP member clients & their staff and the safety of FRPO third-party auditor teams. Our goals going forward are as follows:

- Conduct a thorough and comprehensive audit of our member buildings/properties while providing a safe environment for FRPO CRBP's third-party auditor representatives and our members' employees, their residents, and the public who live and work in CRBP-approved buildings;
- Reduce/prevent the potential transmission of COVID-19 virus (current and future waves);
- Develop and maintain efficient/effective operating risk management practices to provide meaningful audit compliance feedback to members.

Examples of FRPO CRBP new C-19 Audit Process/Procedures

At the time of writing, we are currently examining all work activities using the modified COVID-19 risk model that FRPO

introduced to members via its Planning for the Future in the New Normal Guide (available to all FRPO members on FRPO's website). Here are a few examples of the types of changes we are considering implementing:

- The auditor will ask building/property management staff a number of pre-audit screening questions prior to entering the building. Conversely, the auditor will answer property manager's pre-screening audit COVID questionnaire;
- Auditors will be responsible for bringing their own mask, gloves or other PPE;
- Auditors will wear a face mask at all times;
- Gloves will be used by auditors as appropriate;
- Auditor will comply with other requirements identified by building/property management staff for external "contractors";
- Auditors will maintain a "No handshake" policy;
- The audit process requires that the auditor will require access to various rooms and areas of the building. Physical distancing requirements will be upheld at all times while travelling through the building and while travelling to different locations;
- Auditors will require access to building areas such as roof, elevator room, boiler room, etc. If physical distancing between the auditor and building staff cannot be, then we would ask that access to the space be provided and that the auditor be allowed to review the space by themselves. The auditor would subsequently identify any significant issues that were discovered (we take lots of pictures). As a general rule, our auditors will comply with safety protocols specified by building/property management;
- During each audit review, the auditors are required to review logs/documentation within the various spaces, (e.g. boiler logs,

fire log records, fire safety plan, elevator maintenance control logs, cleaning logs). Handling of documents will be kept to a minimum, gloves will be worn, and building staff will be apprised as to what items have been touched;

- CRBP is currently identifying acceptable procedures for conducting the office documentation review, including such items as fire safety certificates, building emergency plan, maintenance and service logs daily operations logs, training verification records (First Aid, WHMIS, etc.) and resident files. While not yet finalized, this could include a combination of building staff providing a pdf or picture of documentation and a ZOOM meeting to answer any questions that may arise out of the documentation.

We anticipate there will be several additional changes to the CRBP audit regime & practices to complement the aforementioned measures as we move forward. Note: All CRBP members will receive a comprehensive outline of the new COVID-19 measures auditors will be undertaking prior to entering a building.

THE NEW NORMAL IS ANYTHING BUT NORMAL

The so-called "new normal" is anything but normal! If we've learned anything in the last six months concerning the COVID-19 virus, it's that we still know very little—and more importantly, we are far from having it under control. Like our many program members, FRPO CRBP will maintain a continued vigilance on any new developments and will adapt quickly to ensure we continued to adopt best practice measures. 📌

For more information on FRPO's Certified Rental Building Program, or any of the specific COVID 19 measure we will undertaking, please contact Ted Whitehead, FRPO's Director of Certification at twhitehead@frpo.org

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PEST MANAGEMENT DURING A PANDEMIC

Vigilance needed now more than ever

BY ■ SIMON LEITH, PRESIDENT, HOMEPRO PEST CONTROL



Many aspects of daily life have changed as a result of the COVID-19 pandemic. Unfortunately, the headache of dealing with household pests isn't one of them. If anything, pest control has become even more important now than ever—especially in multi-unit residential buildings, where residents are home during the day and government guidelines around social distancing require creative solutions when it comes to dealing with pest complaints.



Since pests pose a direct risk to both the safe enjoyment of our homes and to public health, pest control has been considered an essential service. As we enter the second wave, here are some insights from the first ripple to help property managers navigate through pest control's "new normal".

BED BUG TRANSMISSION HAS DECREASED

Let's start with the good news: there has been a decrease in bed bug calls as a result of the pandemic. This is largely thanks to social distancing efforts and a decrease in travel, since the most common ways for bed bugs to spread is between people, whether that's on public transit, in movie theatres, planes or hotels. Residents are staying home and traveling less, both domestically and internationally, which means there's less chance of returning home with these unwanted souvenirs.

However, vigilance is still strongly recommended. Since bed bugs can go months without feeding, it remains to be seen exactly how much of an impact COVID will have on bed bug populations. Also, while these pests are nocturnal, preferring to hide in cracks and crevices until nighttime, it's possible we will see a change bed bug behaviour as the pandemic stretches on.

RAT SIGHTINGS HAVE INCREASED

According to a recent CBC report, pest control companies have seen a nearly 20% increase in rodent calls since the pandemic first started. This is due to COVID-induced changes in rats' environments. Restaurant closures during the early spring lockdown meant empty dumpsters, forcing rats to seek out new food sources (such as the garbage and compactor rooms of residential buildings).

Meanwhile, closed businesses provide safe havens for pests to shelter and breed, undisturbed. Once mice and rats set up shop, they can be difficult to remove. That's why it's extremely important to act quickly to prevent rodent sightings from becoming a rodent infestation.

PATIO SEASON LEADS TO COCKROACH SEASON

As it turns out, cockroaches love summer as much as the rest of us, as cockroach populations increase during the warmer months. Add in newfound pandemic habits, and it's not surprising there has been a surge in cockroach activity. Eating at your desk is a common occurrence for many of us at the office, but in a home office, this means more crumbs, more garbage, and more potential food sources for cockroaches to take advantage of.

Cockroach problems can also create an unfortunate catch-22 for many residents. Treating for these pests often involves using pesticide treatments that require residents to leave their home for several hours, which has been increasingly difficult to coordinate during COVID and will only become even more so as the weather turns colder. Residents may have concerns about having contractors in their unit due to fears around virus transmission, resulting in a reluctance to report pest issues to their landlord, and attempts to self-remedy the problem instead.

Obviously, this is not recommended; the best way to treat a cockroach infestation is with the help of trained professionals. Pest control and public health go hand in hand, and it is now more important than ever to give residents a pest free environment despite the additional hurdles from following COVID guidelines.

PESTS DIDN'T STOP FOR COVID, NEITHER SHOULD YOUR EFFORTS TO DETER THEM

Just as property managers need to be vigilant to prevent COVID outbreaks, guarding against pest outbreaks is critical too. Unfortunately, pests like bed bugs, rats and cockroaches don't care that their human neighbours are in the middle of a global pandemic. As we continue to adapt to this new normal, so do they. 📺

Simon Leith is President of HomePro Pest Control, which specializes in servicing multi-unit residential buildings across Ontario.



STRIVING FOR MORE

How to create a positive customer experience

BY ■ THERESA LAPENSÉE, OPERATIONS MANAGER, LONDON RESIDENTIAL RENTALS, SIFTON PROPERTIES LIMITED



This past spring, COVID-19 swiftly changed the way we operate. With many restrictions put into place, our time was spent understanding provincial and municipal health guidelines and making unfortunate changes such as limiting access to tenants' homes and even halting landscaping work. Property managers rolled up their sleeves to expedite tenant communications, create PPE protocols and figure out how to take care of customers and staff without compromising anyone's health and safety. The good news is that our collective resiliency and experience with emergency preparedness allowed us to adapt quickly.



As the spring turned into summer and we became more comfortable with our COVID-19 best practices, the focus turned to customer experience. Sifton has always placed customer experience at the forefront, and the pandemic limitations left our residents to accept a temporary new normal. This included a reduction in personalized service and the cancellation of numerous social events that we organize for our customers each season. Our commitment is to "create outstanding customer experiences" and to "go out of our way to make someone's day better," however COVID-19 changed how we define customer service, which required us to get creative.

We decided to focus on the small things that we could control to create positive customer moments. Like many businesses, we knew that COVID-19 could be an opportunity to improve our customer service and satisfaction levels. We called senior residents to simply ask how they were doing. Many of our senior residents used to visit the Berkshire Club location five days a week and they enjoyed socializing with our team members. A simple 5-minute phone call did wonders to ensuring they felt connected. With the absence of in-person suite tours and an increase in virtual leasing, we knew that the personal touch could be lost with

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THE QUESTION “HOW CAN WE MAKE SOMEONE’S DAY BETTER?” CONTINUES TO GUIDE THE SIFTON TEAM IN PROVIDING OUTSTANDING CUSTOMER EXPERIENCES.”

new clients. In response, we made ourselves available with video calls, replied quickly to emails and created custom welcome gifts. For example, a couple who enjoy golf and sports cars received golf tees and a pair of socks adorned with cars, in their new suite.

We were not able to hold our annual summer BBQ, a tenant favourite, so instead we brought the celebration to our residents by hosting recipe contests and gifting boxes of local meat and veggies. We continued with our annual garden competition as it could be done at a safe distance, and we shared winners via video and social media announcements. We learned that while our residents missed the 50+ events we typically host, they were just as thrilled with an ice cream truck and live music on the lawn that allowed for social distancing, but human connection. An increase in tenant communication, via email, phone, digital signage and on social media was met with much appreciation, with customers saying “thank you for always keeping us in the loop and letting us know how things are changing!”

COVID-19 brought us an important reminder. Being a landlord is not simply providing the bricks and mortar, it’s about taking care

of people so they love their home—now more than ever. How do we continue to do that? We’ve sharpened our focus and remain steady, reliable and available. We learned quickly how to switch from in-person service to phone and were reminded there are healthier ways to work in suites and buildings and that there is always room to improve. Now when we receive feedback such as “the building is cleaner than ever, thank you for all you do,” it confirms that our approach is meeting tenants’ needs and it inspires us to do more every day.

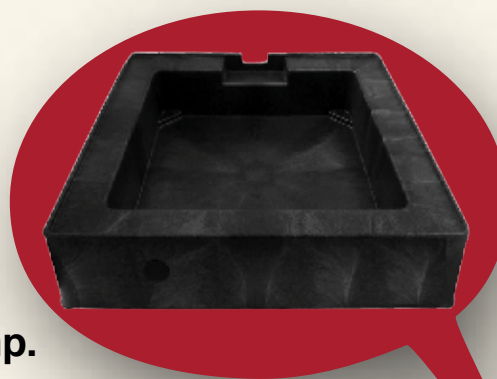
This pandemic has also encouraged landlords and property owners to work together and share best practices—leading to enhanced overall practices in property management.

The question “how can we make someone’s day better?” continues to guide the Sifton team in providing outstanding customer experiences. When residents like Sara, who lives in a London high-rise, take the time to share that Sifton’s “excellence and commitment to its tenants is outstanding,” we pause to celebrate a job well done and keep moving forward to take good care of our tenants. ■

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