THE VOICE OF THE FEDERATION OF RENTAL-HOUSING PROVIDERS OF ONTARIO

NOVEMBER/DECEMBER 2018

FE

FRPO'S FAIR EXCHANGE OF RENTAL INDUSTRY NEWS

THE 2018 NASHVILLE HOUSING TOUR

IMAGE MATTERS

CRBP'S NEW AMBASSADOR TRAINING PROGRAM

SKYLINE STEPS UP IN WAKE OF DISASTER

FRPO WELCOMES TONY IRWIN

GUIDE TO CANNABIS

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FRPO'S **FAIR EXCHANGE** OF RENTAL INDUSTRY NEWS

COVER STORY

CONTENTS

SEPTEMBER/OCTOBER 2018

FEATURES

COLUMNS

DEPARTMENTS

FE

FRPO'S **FAIR EXCHANGE** OF RENTAL INDUSTRY NEWS

The voice of the Federation of Rental-housing Providers of Ontario

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AN INDUSTRY WORKING TOGETHER

It's hard to believe that 2018 is drawing to a close. It has been an extremely busy year for FRPO and the industry. We are pleased to welcome Tony Irwin to FRPO as our new President & CEO. Tony has hit the ground running and is very quickly getting acquainted with our industry and the membership. I invite you to learn more about Tony and his experience in this issue.

Looking back at 2018, we saw the introduction of the standard lease, a new government take the helm after the June provincial election and demand continuing to increase for rental accommodations. In terms of FRPO, it was a very successful year for membership recruitment and events. We are pleased to welcome many new members to the association including both rental housing providers and suppliers. Attracting new members is an important function of any association—the more we work together, the larger our voice.

Our Residential Tenancies Act (RTA) seminar series recorded our largest attendance yet with over 650 industry professionals registered over the six events. Our "Women in Rental Housing" Luncheon continues to exceed expectations with 275 women taking part over the course of six events. The annual CMHC Rental Market Survey Breakfast remains an ever popular event as demand for market data increases. We hosted many other educational events such as those focused on the new lease, electric car charging stations, post-election round up, PIPEDA and many more. It is encouraging to work in an industry that puts a high degree of focus on education and training. We hope to expand on these events in 2019.

In terms of advocacy, a new government provides FRPO and the industry an opportunity to bring attention to the issues we face with a fresh outlook. This was evidenced in our recent joint Housing Summit which the Hon. Steven Clarke attended as well as the NDP Housing Critic Suze Morrison. This event brought together a variety of professionals working in the housing sector to discuss ways to increase supply across the housing spectrum. FRPO will be looking to further those discussions so that we may find solutions to the housing crisis facing Ontarians.

As this is our last issue of 2018, I'd like to thank you for your kind support over the past year. With the holidays now upon us, I hope that everyone takes time to recharge, renew and celebrate with loved ones. From our FRPO family to yours, Happy Hanukkah and Merry Christmas!

LYNZI MICHAL
Editor, FE magazine
Director of Membership & Marketing, FRPO

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A PROUD HISTORY

A new beginning...

TONY IRWIN
President & CEO
FRPO

As we were about to go to press, Finance Minister Vic Fedeli delivered the government's Fall Economic Statement. In it, the government announced an exemption from rent control for new buildings occupied after November 15th, cancellation of the Development Charges Rebate Program and retention of rent control for existing tenants. The government also announced a Housing Supply Action Plan to be implemented in Spring, 2019 following consultations with key stakeholders including FRPO. We will continue to advocate for solutions that encourage more options for Ontario's renters and policies that contribute to increased choice and greater affordability, and we commend the government for its commitment to working together to meet the housing challenges facing the province.

On September 24th I officially joined FRPO as President & CEO. I am thrilled to have joined an organization with a proud history of representing the interests of rental-housing providers in Ontario. Housing continues to be identified as one of the most important issues to Ontarians and is at the forefront of debate amongst policymakers at all levels of government. FRPO's strong reputation and history of bringing sound data and research to the table will continue to be invaluable going forward.

Rental housing providers are often unfairly treated in the court of public opinion. In fact, Ontario has one of the strictest rent control regimes in the world which was exacerbated by the Wynne government's misguided changes to rent control that eliminated the exemption for new rental construction. The marketplace is experiencing record low vacancy rates, increased activism and a need for more supply. Smarter housing policies that encourage more investment and construction of new rental housing are long overdue.

With a new government at Queen's Park and the election of new municipal governments across Ontario brings a renewed sense of optimism for the future. Government relations and advocacy will continue to play a vital role in discussions with the Ford government on issues of concern to FRPO around strengthening the business climate for rental-housing providers. Early indications are positive, and I am hopeful better days are ahead!

FRPO will continue to support our members in different regions of the province on pertinent issues. Recent examples include rent strikes, cannabis and licensing.

FRPO strives to provide our members with great value in exchange for your support. Last year FRPO ran a public relations campaign called RentON which was effective at communicating key messages to the public and policymakers about the rental housing system and the need for smarter rent control policies. Based on the positive feedback we received from members and many public officials, we are set to expand our public advocacy through a second phase of this campaign, so stay tuned! In addition, FRPO will continue to provide our members networking and learning opportunities by offering timely, relevant events such as our RTA seminars.

In my short time at FRPO I have quickly learned rental housing providers are passionate about helping others and providing high quality rental housing. You are a tremendous group of people and I look forward to working with you. I have also learned that FRPO members are served by an experienced, dedicated team of professionals that I am honoured to lead!

I look forward to meeting you at an upcoming FRPO event! Please feel free to contact me with your thoughts or suggestions at tirwin@frpo.org and follow me on twitter @TonyIrwin74.

UPCOMING INDUSTRY EVENTS

NOV 28

THE BUILDINGS SHOW 2018

Nov 28, 2018 8:00am to Nov 30, 2018 4:00pm
Metro Toronto Convention Centre

The Buildings Show is the leader in sourcing, networking and education for the North American design, architecture, construction and real estate communities. The Show is home to Construct Canada, HomeBuilder & Renovator Expo, IIDEXCanada, PM Expo and World of Concrete Pavilion, and together they create the largest North American exposition for the entire industry. The Toronto Real Estate Forum also happens concurrently. More than 30,500 trade professionals attend the Show annually to discover new innovations across the building industry and source the latest materials, products, tools and technologies from more than 1,600 Canadian and international exhibitors. The Buildings Show takes place at the Metro Toronto Convention Centre from November 28 – 30, 2018.

NOV 29

2018 MAC AWARDS GALA

Nov 29, 2018 5:00pm to 9:00pm
Metro Toronto Convention Centre

There's No Place Like Home! 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. This year's gala will be held on Thursday, November 29th at the Metro Toronto Convention Centre in conjunction with PM Expo and the Buildings Show. Join us as we honour the "best in the biz" as well as this year's Lifetime Achievement recipient, the late Eugen Drewlo, of Drewlo Holdings. Visit www.frpo.org for more details.

MAR 27

SPRINGFEST

Mar 27, 2019 8:30am to 2:00pm
Metro Toronto Convention Centre

Admission to PM Springfest is free, and limited to 1,700 qualified property managers, building owners, developers, facility managers, plant engineers, multi-residential board of directors, building operations and maintenance staff responsible for office, industrial, condominium, apartment, medical, educational, retail, and institutional buildings. Representatives from 250 suppliers will be exhibiting their products on the show floor. Learn how to reduce your operating costs and to increase revenue with new income opportunities. Get factual advice and solutions to your building problems. Select from 18 free educational seminars as leading experts address legal and regulatory issues, capital projects and budgets, cost effective maintenance solutions for aging buildings, and more. Registration will be coming soon.

MAY 13

CFAA RENTAL HOUSING CONFERENCE 2019

May 13, 2019 1:00pm to May 15, 2019 4:00pm
Hyatt Regency in downtown Toronto

CFAA-RHC 2019 will bring together rental housing providers and suppliers from across North America to take part in networking, education sessions and award celebrations. The schedule for CFAA-RHC includes: the Building Innovations Bus Tour; networking receptions; education sessions and the CFAA Awards Dinner. Early registration for rental housing providers and sponsors is now open. Visit www.CFAA-RHC.ca to register today. If you are interested in becoming a Conference sponsor or exhibitor, have any topic suggestions, or would like to submit a proposal to speak, please email events@cfaa-fcapi.org.

JUN 26

APARTMENTALIZE

June 26, 8:00am to June 29, 2019 2:00pm
Denver, Colorado

The NAA Education Conference & Exposition has been renamed Apartmentalize! It's the same Conference that you've come to expect from NAA, but with a new name. Join us to Apartmentalize in Denver, Colorado in order to take your career, your company and experience your residents receive to the new heights. Achieve greater success in all three areas by attending the apartment housing industry's premiere event. Save the date! More details to come.

Please check the FRPO website (www.frpo.org) regularly for newly added events.

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FUNDING FOR RENTAL PROJECTS

New construction subsidies under the National Housing Strategy

BY JOHN DICKIE, PRESIDENT, CANADIAN FEDERATION OF APARTMENT ASSOCIATIONS

Since CFAA last reported on the planned federal corporate tax reforms, the government has changed its approach to passive income.

Rental housing providers across Canada can apply to obtain financial assistance for new rental housing projects through the New Construction Stream of the National Housing Co-Investment Fund (part of the National Housing Strategy). Over the next 10 years, $5.19 billion in low-interest loans and $2.26 billion in capital contributions are to be made available.

The low-cost loans will have a fixed interest rate for a 10 year term, renewable for a further 10 years with an interest rate reset. The amortization can be for up to 50 years. For private sector applicants, capital contributions are available for meeting or exceeding minimum requirements and when contributions are needed to attain break-even cash flow.

CRITERIA

Properties must have at least five self-contained units, be primarily residential, and meet minimum requirements for partnerships and affordability. At a minimum, projects need to achieve a 25 per cent decrease in energy consumption relative to the most recent national building and energy codes. Most new projects will already meet that minimum. In addition, the minimum federal contribution is set at $1,000,000.

For at least 20 years, applicants must keep rents for a minimum of 30 per cent of units at or below 80 per cent of the Median Market Rental rate (as reported in the most recent CMHC Rental Market Survey for the market and unit type in question). That means up to 70 per cent of the units can be rented at market rents for new rental product.

A project must also receive provincial or municipal support in some form.

SOCIAL PURPOSE OR SOCIAL SERVICES

To choose among possible projects, and determine the depth of assistance (and how much is a capital contribution as opposed to a loan), CMHC will use a scoring grid that takes into account:

- Greater depth or breadth of affordability.
- Partnerships with other governments beyond funding contributions.
- Proximity to community services, stores and work opportunities.
- Presence of integrated supports and service for tenants on site.
- Targeting priority populations.

Priority populations include women and children fleeing family violence, seniors, Indigenous people, people with physical or developmental disabilities, those dealing with mental health and addiction issues, veterans, newcomers and the chronically homeless.

The New Construction Stream shares similarities with the existing Rental Construction Finance Initiative (RCFI). See Table 1 for the similarities and differences.

Claridge Homes recently received an RCFI commitment of $70.8M for the construction of 227 rental units in a tower in downtown Ottawa. Two hundred of the units will have rents lower than the median household income in Otttawa. Ten per cent of units will be accessible. The building is projected to achieve energy savings of 50 per cent.

Table 1: Program comparison - New Construction Stream vs. RCFI

Feature	National Housing Co-Investment Fund - New Construction Stream	Rental Construction Financing Initiative (RCFI)
Time span	2018 to 2027	2017 to 2020
Funds available	Low-interest loans of $5.19B Grants of $2.26B	Low-interest loans of $3.75B No grants
Interest rate	Approx. 50 to 75 basis points above the government of Canada bond rate	
Will replace construction financing	No	Yes
Term available	10 years	
Amortization period available	50 years	
Minimum energy savings required	25%	15% (but more is likely required to be selected)
Minimum accessibility	20% of units	10% of units
Affordability	At least 30% of units at 80% of the median market rent	At least 20% of units at less than 30% of the median income of all households in the community

CONCLUSION

Under the National Housing Strategy, the federal government is challenging the private sector to create inclusive communities or new moderate rent communities. With conditions very similar to those of the New Construction Stream, other funding is available for repairs and retrofits of existing rental housing, as was reported in the last issue of Fair Exchange.

For more information about the new construction funding, see www.cmhc-schl.gc.ca/en/nhs/national-housing-co-investment-fund-new-construction-stream. To offer comments or suggestions, please contact CFAA at president@cfaa-fcapi.org.

SPOTLIGHT ON MUSIC CITY

Housing Tour highlights from Nashville, Tennessee

BY LYNZI MICHAL, DIRECTOR OF MEMBERSHIP & MARKETING

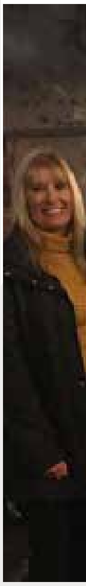
On October 17 & 18th, FRPO's annual Housing Tour took place in Nashville, Tennessee proudly sponsored by Wyse Meter Solutions. This two-day event provided 40 attendees the opportunity to learn about the latest trends and experiences in this red hot rental market. This marked our 7th tour with previous visits to New York, Boston, Chicago, Dallas, Seattle and San Diego.

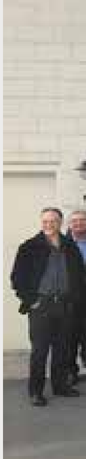
Nashville was an ideal location this year due to its rapidly expanding economy and robust rental market. Nashville has been outpacing national growth and is forecasted to grow faster than most other U.S. markets. It also has very positive demographic trends with solid population and in-migration growth. In 2017, the population grew by approximately 2% as compared to 0.8 nationally. In addition, Nashville's demographic composition makes it an attractive place for apartment rentals given that 22% of the population is age 20-34, which is again above the national average.

This market has been very active on the development side and since 2012, over 24,000 units have been completed. With significant amounts of new product coming online, the Nashville market is likely to soften in the short term with vacancy rates pushing higher. Rent growth is expected to remain positive with strong job and population growth allowing rents to rise moderately. The drivers for long-term demand for apartments should allow for a steadily expanding rental market.

With assistance from the Greater Nashville Apartment Association and the National Apartment Association, we had the opportunity to visit four rental communities in the Nashville metropolitan area. Our hosts included Lincoln Property Company, Brookside Properties, Cottonwood Residential and Giarratana LLC. We would like to extend our appreciation to each of the communities that opened their doors to us and showed us some true southern hospitality.

We began this event with a networking reception at the Bobby Hotel with many of our association representatives and hosts in attendance. The current NAA Chairman, Jeff Lowry





was once again on hand this year. Jeff is also the Chief Operating Officer at Madera Properties located in Texas. Also in attendance was Kevin Watkins, Senior Vice President of Member Engagement and Peter Gaviorno, Senior Vice President of Business Development with the NAA. We were also pleased to have GTAA President Daryl Chong and CFAA President John Dickie in attendance.

This year's full-day tour included a new development, a re-positioned community and two converted properties, including an office building and a former movie theatre. Attendees were greeted at several of the properties by the developers themselves who provided our group with in-depth information about the development process and their vision. We also had the pleasure of talking with senior and frontline staff to learn more about these communities and their organizations.

If you have not attended FRPO's Housing Tour in the past, consider it for 2019. It is a unique networking and educational experience unlike any of our other events. Many of our attendees have returned year after year to learn more about these U.S. We have tentatively chosen Washington, DC as next year's location. Stay tuned for more information. Thank you again to all of our hosts, Diane Carter and Bobbi Turner of GNAA for their assistance and Wyse and Wyse Meter Solutions for your support of this tour.

A BETTER OUTCOME FOR ALL

FRPO President Tony Irwin on the pursuit of fair policy and a brighter tomorrow

BY ERIN RUDDY

On September 24th, FRPO officially welcomed new president and CEO Tony Irwin, whose vast experience with government advocacy and impressive credentials in the association sector made him the leading candidate for the role.

Formerly president and CEO at Canadian Consumer Finance Association (CCFA), Irwin is no stranger to the trials and hard-earned rewards that accompany a life of government advocacy, and despite being only two months into his new post at FRPO, he's already embraced the plight of its embattled membership with a clear vision and a refreshing, positive attitude.

"I'm a glass-half-full kind of guy," Irwin said about the direction he sees political talks moving. "Still, I do recognize there are some significant challenges and friction at play between all sides of this issue. My hope is that we can work with new government decision-makers and stakeholders to come up with some solutions that will lead to the best outcome for everyone. The reality is, there may never be a perfect scenario. All parties may never be completely happy. But with some solid effort and strong leadership on all sides, I'm hopeful we will arrive at a better balance."

Of course, the "better balance" Irwin is striving for involves weighing Ontario's current rental housing shortage against the legislation that appears to be hindering its development. Wynne's "Rental Fairness Act", implemented in 2017, hardly led to an upswing in affordable rental housing—rather, it created elevated levels of friction and less incentive for developers to build.

To that end, Irwin believes his arrival at FRPO could not have come at a better time. With Premier Doug Ford newly at the helm, and the #rentON campaign drawing attention to the worsening housing deficit, he hopes the change of leadership will provide a springboard for the kind of positive outcome both the sector and the people of Ontario are looking for.

"For many of our members, there's still some trauma over the legislation that was introduced last year," Irwin said. "There have been significant impacts as a result of those decisions, and now there's a real desire to try to undo some of those unfortunate policy changes. So far our impression is that Ford's government recognizes the need for change and is aware that red tape and bureaucracy is making obtaining approvals of rental projects more onerous. Frankly, it's been very frustrating for developers who want to build. The good news is, this government is already looking at ways to reduce the red tape so efficiencies can be realized. Our impression is that they are listening, they understand, and they want to address the main challenges FRPO has been voicing."

Irwin isn't new to the world of politics, having worked closely with the last conservative government in a similar capacity. But with no time to waste and limited hands-on experience with the rental housing business itself, the newly-minted CEO's immediate goal was to immerse himself in learning opportunities—like the Housing Summit in late-September. Now, as 2018 winds to a close and the New Year hovers in the distance, Irwin said he is ramping up to stake out his place at the negotiations table.

"My goal as we head into 2019 is really to continue to advocate for a business climate that is positive for owners and managers of existing rental stock, as well as for those who want to build new apartments," he said. "There are many developers out there who want to build, but the economics have to make sense. The systems and processes have to align to encourage new construction, and my role at FRPO will be to advocate for and champion a positive business climate, and that's really the focal point of my mission going forward."

LOOKING BACK: IRWIN'S PATH TO SUCCESS

Prior to joining FRPO from the Canadian Consumer Finance Association (CCFA), Irwin was Vice President, North American Government Affairs with Dollar Financial Group in Toronto where he served as Chairman of the Canadian Payday Loan Association, and was active with the Community Financial Services Association of America.

From March 2009 to July 2012, Irwin was Manager of External Affairs & Consumer Relations with Allstate Insurance Company of Canada, where he implemented a national government relations strategy and served as official company spokesperson.

Before Allstate, Irwin served as Executive Director of the Justin Eves Foundation, a non-profit organization granting scholarships and bursaries to learning-disabled and disadvantaged young people to assist them to achieve a post-secondary education.

A busy father of three daughters and two step-sons, Tony has also held several key political roles—including that of Senior Advisor to an Ontario Premier and Executive Assistant to the Leader of the Official Opposition. On the education front, Irwin attended Huron University College at the University of Western Ontario where he obtained an Honours Bachelor of Arts in Political Science.

But despite many career highlights and numerous achievements in both his personal and business life, Irwin said he is remarkably proud and honoured to be leading FPRO into a new, and hopefully, positive chapter.

"I am really excited about being in an industry that is so vitally important," he said. "Truly, I can't think of anything more important than housing. Having a roof over your head, a place you are proud to call home—it's central to our society, our well-being. So being part of an industry that provides that service, in my mind it's a wonderful thing."

CRITICAL STEPS IN THE WAKE OF DISASTER

Skyline's seamless emergency response puts tenant safety first

On September 21, 2018, a series of tornados ripped through the Gatineau community, significantly impacting Skyline Living's Les Jardin Radisson property and the tenants who lived there.

The devastation was extreme, with more than 650 windows and doors smashed in, cars overturned, balconies and roofs destroyed, and most of the mature trees uprooted.

As soon as the storm cleared, the Skyline Living site staff worked with emergency services to evacuate all 629 units safely, with no more than a couple of minor injuries sustained. While the storm lasted less than a minute, the devastation will be felt for months to come.

"When a disaster like this happens, our first priority is the safety of our tenants," said Matthew Organ, President of Skyline Apartment REIT. "Our second priority is to get to work, to help our tenants return to their homes as quickly as possible."

THE POWER OF PLANNING AHEAD

There are many situations that a property manager like Skyline Living can plan for, and there are others, like this, that you just pray will never happen. Thankfully, Skyline Living has had a Business Continuity Plan (BCP) in place for many years. While they have had to act on it in the past, it has never been put to this type of test.

Within hours of the tornado touching down, members of Skyline Living's BCP committee were activated. A list of priorities was developed, roles and responsibilities were established, and plans were beginning to take shape.

Upon hearing of the tornados and the devastation to the Les Jardins Radisson, the Skyline Group of Companies Co-Founder, R. Jason Ashdown, and many staff members, loaded up tools and generators and started the six-hour drive to Gatineau. By the time Mr. Ashdown arrived, he had already connected with contractors, equipment rental companies, and suppliers from the Skyline Living network. Given the level of disaster in both Ottawa and Gatineau, the team knew securing people, equipment, supplies, and resources as quickly as possible would be critical.

"It was devastating when I first walked on to the property," commented Mr. Ashdown. "I felt for the over 600 families that had been evacuated, and after seeing the damage the storm had caused, I thought it would be months before we would be able to make the property safe enough to bring our tenants home."

"After a few moments of panic, I was relieved we had a BCP in place to help us get started," he continued. "For property management companies that do not have a plan, I would highly recommend developing one or at least have the relationships in place with your tradespeople and suppliers to call upon in an emergency."

With the tenants safely evacuated, the property secured, and a BCP plan mobilized, the cleanup process could begin.

SUPPORTING A COMMUNITY IN NEED

Approximately 100 people, including Skyline Living staff and contractors, from three provinces assembled in Gatineau to start the restoration and cleanup process. There are many moving parts when disaster strikes, but one of the first steps was to get emergency power installed to an on-site office to create a home base for the Skyline Living team. They called it the "War Room", the place critical decisions would be made with the team back at Skyline Living's head office in Guelph.

When tenants were evacuated, they were unable to take everything they needed for an extended period away from their homes. While the property was still closed off, Skyline Living quickly realized that they had to implement a system to allow tenants to collect their belongings and create some normalcy in their lives amongst the chaos. They developed a 'runner' service with designated Skyline Living staff available on the property from 10:00 am – 7:00 pm safely escorting tenants through the debris to their suites to retrieve necessary items, such as medicine, pets and baby supplies. It took a lot of on-site resources and many hard hats, but it was an essential move to reduce the impact on their tenants.

ROUND THE CLOCK COMMUNICATION

Not long after the dust settled, tenants began to express their frustration. They were unhappy with their displaced living situation and looked to Skyline Living to provide a timeline, answer the tough questions and keep them up to date.

Skyline Living's head office became a 24-hour communication hub for their Gatineau residents. Their Customer Service and Marketing teams worked to ensure that tenant voices were being heard and questions were being communicated back to the on-site team. They utilized their website and social media channels to provide real-time building updates to ensure the community was constantly in the know of the progress.

MOVE-IN DAY

The Skyline Living on-site team worked around the clock with several contractors to ensure tenants could return to their homes safely. What could have taken months to get the property back to a safe and livable condition had taken only 10 days.

Once the building was deemed safe for tenants to return by engineers and Gatineau officials, the Skyline Living team faced another challenge: moving 1,500 people home all at once. They worked with local emergency services to develop a process to guide traffic back onto the property and get tenants back into their suites as seamlessly as possible.

The Skyline Living team knew that on move-in day, tenants would be returning to less than perfect conditions, with boarded up windows, spoiled food and their homes flipped upside down. They worked with local community groups to set up a Community Support Village that was welcome to all the Gatineau community affected by the storm. The Community Support Village provided the community with hot food, fresh produce, groceries, pet and cleaning supplies along with many extra hands to help tenants move back in and clean their units.

"The sense of community on move-in day was heartwarming," commented BJ Santavy, Vice President, Skyline Living. "We have a number of older tenants in the buildings, and their neighbours and our team of staff and volunteers were only too eager to help carry things in and get their suites back in order and feel more like a home."

THE IMPORTANCE OF TENANT INSURANCE

In an interview with the CBC about the relief efforts, questions around tenant insurance arose. Mr. Ashdown told the reporter that all Skyline Living tenants are required to prove they have content insurance, prior to moving in, however, some tenants chose to cancel their insurance after the fact. Unfortunately, in a time of crisis like this, the tenants that don't have the coverage are often the ones that need it the most.

A CONTINUED COMMITMENT

The impact these tornados had on the Gatineau community will be felt for several months to come. Throughout this ordeal, and in the continuing restoration process, the Skyline Living team demonstrated the best way to prepare for the unknown is to have a plan in place, be prepared to mobilize quickly and provide transparent communication throughout the process.

Skyline Living would like to give a huge shout-out to the devoted, staff, trades, suppliers and volunteers for rising to the challenge and getting tenants back home quickly and safely. Also, to their tenants, for their patience and understanding throughout the process. Sometimes a disaster can bring out the very best in people, as was the case here.

DOES TORONTO NEED STRONGER RENT CONTROLS? NO

Policies to encourage, not hinder, new construction

BY TONY IRWIN

We can all agree that housing affordability in Toronto and the GTA is a challenge – and as rental housing providers we want to build more rental housing that people can afford.

In order to make housing more affordable, we need to build more types of housing that offer greater choice, especially new rental.

However, strict rent controls in Ontario are one of the main reasons not enough new rental housing is being built. That's why we need smarter housing policies that meet the needs of our growing population.

To fix our supply problem and create more rental housing in the GTA, change needs to be made to the existing rent control regime that encourages more investment and construction of new rental housing.

The Wynne government's misguided changes to rent controls, which removed the rent increase exemption for new rental construction, have caused a clear reduction in new rental construction.

Ontario has one of the strictest rent control regimes in the world. In 2018, the current rent increase guideline is 1.8%. Unfortunately, this is not enough for rental housing providers to make necessary investments to maintain their buildings in a state of good repair and pay for rising operating costs especially when considering the age of the stock.

While rental housing providers are eligible to apply for Above Guideline Increases (AGI's) to pay for major capital repairs, the AGI process is long and expensive, leading to delays and uncertainty for tenants and landlords. Under the existing system, a ruling can take over 18 months, forcing tenants to pay unaffordable retroactive rent increases. Ontario used to allow for a predetermination of an AGI, so that tenants and landlords knew what to expect before expenditures were incurred. A return to this system would be more transparent for all parties and more cost effective.

We need a balanced system that allows for capital investment, since the annual rent increase guideline (set at CPI) is explicitly not designed to cover the costs of major renovations.

The rental housing industry has a number of recommendations that we believe would help to encourage the creation of new units and make rental housing more affordable and accessible for tenants:

Implement a rolling exemption for new rental: Create a rent increase exemption for new rental units of up to 20 years, or a special cap of 10%, that would incent the supply of new rental housing.

Adjust the annual rent increase guideline: The guideline should be increased to accommodate for inflation and other cost pressures.

Maintain vacancy decontrol: We must protect vacancy decontrol to allow rental housing owners to maintain their buildings and make new investments.

Review development charges for new rental construction: Development charges in the City of Toronto for a new two-bedroom apartment are almost doubling from $24,638 per unit in 2017 to $46,963 in November 2020. In order for Toronto City Council to tackle the "housing crisis" development charges for rental housing must be reviewed to make rental housing more affordable for tenants.

Reduce the property tax burden on rental housing: Despite recent improvements to property tax policies, the vast majority of purpose-built rental housing units in Ontario continue to be taxed at a higher rate than single-family dwellings, burdening tenants with higher rents. The provincial government should address this unfair situation.

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APPEALING TO GEN Z

Marketing strategies for a bold new generation

BY TIM BLACKWELL

With the arrival of a new generation of renters, marketing strategies typically change. Millennials have made more impact in the apartment industry by transforming leasing and amenity preferences than any other generation before it. And now, enter the next wave: Gen Z. Be warned...it isn't just following suit.

> Gen Z renters expect to have the ability to connect with their community and their neighbours, and they expect that experience to be mobile and user-friendly.

One thing both are doing, however, is sending a stern message to the corporate world about what they expect in the future. It may be a sobering moment for many companies who think they can go about business as usual.

Millennials and Gen Z are both about positive impact in the broader world and attuned to how businesses behave ethically. No secret there. But in Deloitte's latest Millennial Survey, released in May, both are showing less loyalty and confidence in business.

YOUNGER GENERATIONS SKEPTICAL OF BUSINESS MOTIVATIONS

The seventh annual survey, which asked nearly 10,500 millennials in 36 countries and 1,850 Gen Z-ers in six countries about their views on business, revealed the younger demographics are more skeptical of companies' motivations and whether they are committed to the greater good.

Less than half of millennials now feel businesses behave ethically compared to 65 percent a year ago and fewer believe business leaders are committed to helping improve society (47 percent vs. 62 percent).

"As highlighted over the past six years, millennials—and now Gen Z—are acutely attuned to business' wider role in society, and overwhelmingly feel that business success should be measured beyond financial performance," the survey said. "They believe business' priorities should be job creation, innovation, enhancing employees' lives and careers, and making a positive impact on society and the environment."

While they recognize that profits are necessary, millennials and Gen Z believe businesses should focus more on other things than the bottom line. Unlike previous generations of workers just glad to have a job, today's younger workers are choosier and need positive reasons to be loyal to their employers, according to the survey.

But, while they want businesses to help them with career development and prepare for Industry 4.0 changes, neither envision hanging around too long. The survey notes that 61 percent of Gen Z expects to leave a job within two years, compared to 43 percent of Millennials. Only 12 percent of Gen Z feels like staying beyond five years, compared to 28 percent of Millennials.

For Gen Z, financial rewards/benefits and a positive workplace culture trump all other reasons to work. Also, each generation is a proponent of the Gig Economy, the segment that takes on short-term contract or freelance work in addition to full-time employment. Of millennials who are in senior management, 70 percent favour taking on such work as an alternative to working full time.

Deloitte says that "attracting millennial and Gen Z respondents begins with financial rewards and workplace culture; it is enhanced when businesses and their senior management are diverse, and when the workplace offers higher degrees of flexibility. Those less than satisfied with their pay and work flexibility are increasingly attracted to the gig economy."

Companies that are able to balance social concerns with profitability and be more generous to employees and the community will attract and retain the cream of the crop.

MILLENNIALS, GEN Z PAYING ATTENTION TO MULTIFAMILY SOCIAL PRACTICES

Certainly, that speaks volumes for the future of leasing apartments, especially now that Gen Z has arrived and is signing leases for the first time.

"Really, this generation is paying attention to everything socially that we are doing," said Edr Vice President Kim Grisvard at a recent student housing conference. "It's about giving back or contributing, the whole fitness, wellness thing and also about being eco-friendly."

Citing a number of surveys and industry data, Grisvard offered multifamily and student housing an introduction to the generation.

Naturally, digital presence is a big factor with Gen Z, as many rely on connectivity and spend a chunk of their day on social media.

"Forty percent prefer to have high-speed internet over a working bathroom," Grisvard said with a laugh.

The generation is heavy into volunteering for worthy causes and giving to charities, and strongly motivated by winning something. Donating money to earn some swag, she said, is cool.

Gen Z is all about being social and apartments that provide physical and cyber gathering spots will make an impact for leisure or worthwhile causes.

"They want to come together as a community," she said. "This is the Etsy Generation."

APARTMENTS CAN MAKE AN IMPACT ON CORPORATE SOCIAL RESPONSIBILITY

Jen Piccotti, chief operator officer of ManagInc, says apartments can have an impact on overall corporate social responsibility by making sure employees and residents know what they care about and talking about it.

She noted that multifamily rose to the occasion when natural disasters impacted Texas, California and Oregon in the past couple of years yet didn't really say much about it.

"We've had hurricanes, flooding, and in Northern California and Oregon we had horrible wildfires, and who came in to help?" she said. "A lot of people, and big part was our industry. We volunteered, brought supplies, yet we don't talk about it that much. We should. People want to know. They want to see if you're a match."

She added that 84.2 percent of multifamily companies surveyed by ManagInc recently had company-organized community service events. Just the sort of thing that Gen Z relishes.

TOOLS LIKE PORTALS CAN BE AN INVITATION FOR YOUNGER RENTERS

In addition to instilling strong corporate social responsibility, utilizing multifamily tools like community portals can help property managers attract younger renters to their properties.

In recent years, online resident portals have transformed where residents interact with each other and apartment staff. They build a sense of community by providing a place to socialize and connect with their neighbors, says Jennifer Torigoe, Industry Principal Consumer Solutions at RealPage.

"Gen Z renters expect to have the ability to connect with their community and their neighbours, and they expect that experience to be mobile and user-friendly," she said. "Providing a feature-rich, immersive, mobile experience is a must for this generation."

Things are changing with resident expectations, notes Grisvard. That happens when one generation moves on and another arrives. Make no bones about it, she says, Gen Z is here.

And now it's up to multifamily companies and others listen to what the generation is saying. If not, they may be missing out.

Originally printed in Property Management Insider

THE REWARDS OF DIRECT MEMBERSHIP

Additional services are just the beginning

BY JOHN DICKIE, PRESIDENT, CANADIAN FEDERATION OF APARTMENT ASSOCIATIONS

Since its inception in 1995, CFAA has raised its funding primarily through membership dues from landlord associations. Now we are reaching out to ask rental housing providers to join CFAA as direct members. Through the expansion of the direct membership program, CFAA expects to achieve more for Canada's residential landlords by providing enhanced member services, and adding substantially to our government relations work.

Alongside the direct membership program, association memberships in CFAA will continue. CFAA member associations will still be entitled to send their representatives to sit on the CFAA board, and to continue to receive what they and their members receive from CFAA now. However, for those who join CFAA as direct members, CFAA will provide additional services and communications.

The annual direct membership fee is $100 plus 50 cents per rental unit. To apply to join CFAA as a direct member, email admin@cfaa-fcapi.org, and CFAA will send you the application form.

NEW MEMBERSHIP SERVICES

For direct members, CFAA plans to make available new privileges, such as:

- Discounts on conferences,
- Discounts on numerous education programs,
- Discounts on recordings of CFAA's conferences and education sessions, and
- Access to additional webinars.

To implement those and other membership services improvements, CFAA wants and needs input from landlords across Canada. To provide your input, please email Jeremy Newman at jnewman@cfaa-fcapi.org.

EXPANDED POLITICAL ACTION

As reported in the September/October issue of FE, CFAA played a major role in shaping the ten year National Housing Strategy (NHS). Within that strategy, CFAA achieved access for private rental providers to commitments for government spending of $22B, or close to $6,000 per rental unit in Canada on average. CFAA is working hard to make sure all rental providers can get their share of that money, and that it is applied in a way which supports the rental housing industry across Canada.

With the increased support from direct members, CFAA's Board of Directors plans to engage a national government relations firm (with long-standing, deep connections to government and politicians) to provide additional monitoring of federal initiatives, and to assist CFAA on the key federal issues.

For more information, contact John Dickie, President of CFAA at president@cfaa-fcapi.org

THE 2ND ANNUAL HOUSING SUMMIT

A recap for FRPO members

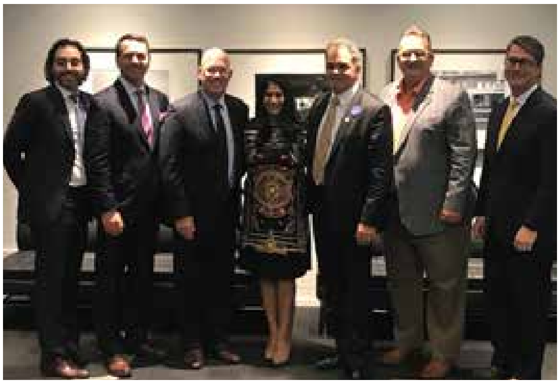
BY TONY IRWIN

On October 10th, the Federation of Rental Housing Providers of Ontario (FRPO), the Ontario Real Estate Association (OREA) and the Ontario Home Builders' Association (OHBA) hosted our second annual housing summit at the Toronto Board of Trade. Building on the tremendous success of our inaugural Housing Summit last year, we once again brought together leaders from government, media, academia and the industry to discuss the challenges facing the housing sector and smarter policies that encourage more investment and construction of new rental housing in Ontario.

In the joint press release, FRPO urged the government to create new rental stock by reducing barriers and red tape and specifically called on the provincial government to adjust the annual rent increase guideline to CPI plus 2%, implement a 20-year rolling exemption on new construction and maintain vacancy decontrol.

Participants at the Housing Summit heard from many insightful panelists that included economists, industry experts, academics and media who offered keen insights and potential solutions to housing supply and affordability concerns. FRPO hosted a panel 'Building Rental for Today and Tomorrow', moderated by John Matheson from Strategy Corp who was joined by Ugo Bizzarri, Timbercreek, Joe Hoffer, Cohen Highley LLP and Chris Spoke, Housing Matters. Panelists discussed the current barriers to new construction and potential solutions including streamlining approvals, allowing greater density along transportation corridors and ensuring a consistent approval process to expire much needed new construction.

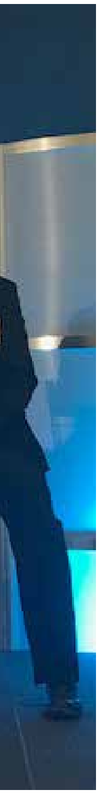
NDP Housing Critic and Toronto Centre MPP Suze Morrison brought greetings on behalf of Ontario's official opposition, and over lunch we were joined by the Hon. Steve Clark, Minister of Municipal Affairs & Housing



> The event was a great success in bringing people together who are concerned about housing issues and interested in finding solutions.

who addressed the summit then sat down with Toronto Sun Editor-in-Chief Adrienne Batra for a fireside chat. The Minister told attendees the Ford government recognizes housing is a serious issue, and is committed to increasing supply, expediting approvals and reducing red tape. This message was very well received and gives us reason to be optimistic that better days are ahead!

The event was a great success in bringing people together who are concerned about housing issues and interested in finding solutions. The Housing Summit provided a platform to raise issues of concern to FRPO around strengthening the business climate for rental-housing providers and also garnered significant social media attention! Thanks to FRPO Board Members Margaret Herd, Gloria Salomon, Ken Kirsh and Ugo Bizzarri for attending and to FRPO's Lynzi Michal for coordinating another great event!



SOCIAL MEDIA COLUMN
Sponsored by MediaEdge

Tips for effective B2B hashtag use, part one

By Steven Chester

An effective hashtag strategy is a key component in your social media plan. However, for those starting out on social media, hashtags tend to befuddle. Here are some quick tips to up your game.

Hashtag research
Do your research. B2B social media users tend to have a very specific set of tags that they like to use so that they can converse among their peers. Listen to your audience, and you'll find those tags and can capitalize on them. Be sure the information you're posting relates to the tag, however, as if you're simply adding tags to your marketing content that do not add to the conversation, you've lost the trust of your group.

A very common error is what's referred to as "hashtag stuffing." This is where a user adds hashtags to just about every word in their post, or leaves an annoying array of tags at the end of their text. (#Who #really #wants #to #read #this?) Narrow your post down to two or three main tags, and insert them into the post in a more natural, conversational format.

Be cautious of branding
Branding your hashtag is normally ineffective (not to mention cheesy). The adage "if it doesn't add, it takes away" is a good one here. If you're the only user posting #XYXYCompanyRules, what purpose is that tag serving?

Now you understand the basic rules. However, each social media platform views hashtags through a different lens. Stay tuned for the next column.

Steven Chester is the Digital Media Director of MediaEdge Communications. With 15 years' experience in cross-platform communications, Steven helps companies expand their reach through social media and other digital initiatives. To contact him directly, email gosocial@mediaedge.ca.

RENT GROWTH IN THE GTA

Average rents reach new highs

BY SHAUN HILDEBRAND, PRESIDENT OF URBANATION INC.

The Greater Toronto Area rental market continued to experience rapid rent inflation for units that turned over during the third quarter. Average rents for condominium apartments leased through MLS grew 9.4% year-over-year, reaching a new record of $3.26 psf. On a same-sample basis, condo rents increased by 8.4% year-over-year in Q3-2018 — the second fastest rate ever recorded by Urbanation since tracking began in 2010. Even stronger growth in rents was surveyed within the purpose-built stock of rentals completed since 2005. Rents for available purpose-built units surged 17% from a year ago to $3.09 psf, surpassing the $3.00 psf threshold for the first time.

The narrative surrounding the persistent strength in rent growth has remained the same throughout the past two years — demand stemming from strong population and employment growth has been amplified by a shift away from homeownership into rental due to a combination of quickly rising home prices,

increasing borrowing costs, and tighter credit availability. The fact that condo resale activity was down 16% in the year-to-date period, with September sales falling to their lowest level in five years, provides a clear picture that first-time buyer activity has slowed. At the same time, tight supply led condo prices in September to reach their highest level ever, rising 10% year-over-year to an average of $570,000. In order to qualify to purchase the average priced unit with a 20% down payment at the posted rate of 5.34%, household income would need to be over $100,000, with mortgage, maintenance, and tax carrying costs equal to roughly $3,000 per month — still significantly more than the average rent in Q3-2018 of $2,385.

While condominium completions, which continue to represent the bulk of new rental supply, are beginning to trend higher, market conditions remained exceptionally tight through the summer months. The average time on market for a condo rental was 11 days, with 26% of units leased for above asking rent.

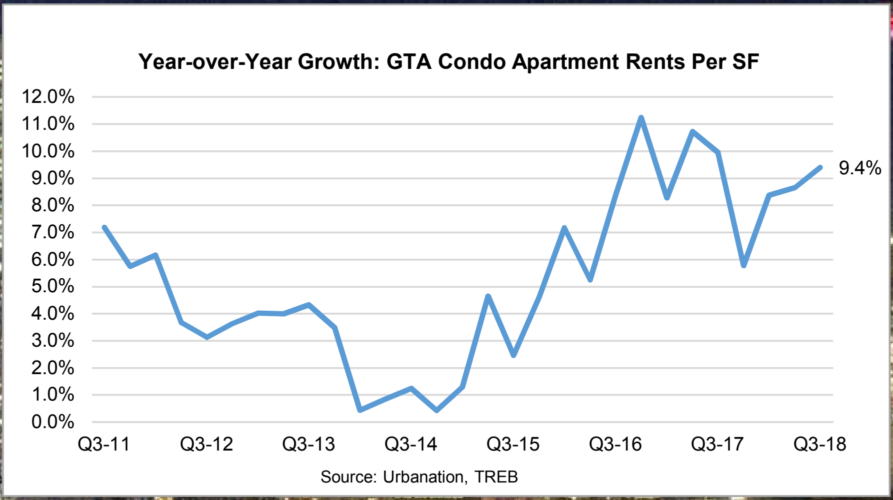
One outcome of the sustained strength in demand relative to rental supply, and resulting sharp increase in average rents, has been a drop-off in the number of units leased for less than $1,800 per month in the GTA condo market, which plummeted by 65% in Q3-2018 compared to Q3-2017. Indeed, a year ago more than one-fifth of units were leasing for under $1,800 and nearly one-third were under $1,900. In the latest quarter, those shares fell to 7% and 16%, respectively. At the same time, the number of units renting for more than $2,500 per month surged by 43%, now representing one-third of all condo lease activity. The absolute strongest rent segments for lease growth were $2,300-$2,599 and over $3,000, each expanding in volume by more than 50% from last year.

High rents have created strong demand for studio units, which saw a 32% annual jump in lease volume during the quarter, and a 9% increase in average monthly rents to $1,823. This bodes well for purpose-built rental developers planning to include a greater allocation of smaller suites in their projects in an effort to achieve higher turnover and lighten the effects of rent control.

Looking ahead over the next couple quarters, some upward pressure should be taken off rent growth as supply continues to build. In the fourth quarter, completions are expected to reach a two year high of 6,235 units before climbing to a 10-year high of 8,425 units in Q1-2019 — which means supply growth early next year will be more than double the level at the beginning of 2018. This will include a multi-decade high of 1,205 purpose-built rentals scheduled for occupancy in the first three months of the year. Deliveries are projected to remain elevated throughout 2019, with a total of 28,163 apartment units set for completion. While purpose-built rental occupancies are expected to surge to 4,419 units in 2019, the vast majority of apartment supply will remain in the form of condominiums (23,744 units), with only a portion — likely one half of units — expected to be used as rentals.

Ultimately, the estimate of roughly 16,000 new rentals (condo and purpose-built) coming online next year will remain below the reported rate of annual GTA renter household formation between 2011 and 2016 (approximately 18,000). So, vacancy rates are likely to be kept low. Notwithstanding the expected rise in supply, absorptions within newly completed purpose-built rentals should remain strong as demand for professionally managed new units has been supressed for many years. Among the five rental buildings totaling 1,414 units that have reached occupancy in the GTA so far in 2018, 871 units have been leased — equal to 62% absorption over the nine month period. Excluding GWL's newly completed The Livmore in the Downtown Core, which had less than one quarter of its 595 units move-in ready in Q3, the level of absorption in new rental buildings completed so far in 2018 averaged 85%.

While the near-term trend is for more supply to enter the secondary market, the long-term trend shows a widening supply deficit and a strong need for more purpose-built rentals. Frankly, the 826 purpose-built starts and 11,172 units under construction in Q3 isn't going to cut it.



NEW RULES FOR DATA BREACHES

Why landlords need to turn their attention to Canada's privacy laws

BY AARON BAER OF AIRD & BERLIS LLP

When a prospective tenant applies to rent a unit, a landlord might ask for their name, date of birth, banking information, and social insurance number (SIN) prior to conducting a credit check. During a tenant's lease, a landlord may conduct video surveillance in the building to monitor suspicious activities. Despite all the personal information that they collect, many landlords are unaware of the implications of collecting, using, and disclosing tenants' personal information.

Landlords in Ontario are required to comply with the Personal Information Protection and Electronic Documents Act (PIPEDA). PIPEDA governs the collection, use and disclosure of personal information by private-sector entities during commercial activities.

Examples of personal information include: an individual's name, age, income, ethnicity, credit records, and SIN. Certain types of personal information (such as income, SINs, and credit records) are considered to be sensitive personal information. Organizations are generally required to obtain express, meaningful consent from individuals with respect to the collection, use, and disclosure of sensitive information. Additionally, organizations governed by PIPEDA must have a privacy policy, must protect personal information with security safeguards that are appropriate to the sensitivity of the information, and must not collect, use, or disclose personal information except in accordance with purposes that were identified at or before the time of collection.

IMPLICATIONS OF NON-COMPLIANCE

The Office of the Privacy Commissioner of Canada (OPC) oversees compliance with PIPEDA, although its powers are limited. The OPC cannot issue penalties for non-compliance with PIPEDA or require an organization to comply with the Act, although matters can be referred to the Federal Court (which has broad remedial powers) for resolution. If an organization works with the OPC to resolve the complaint at an early stage (e.g. by revising its privacy practices), the organization may be able to avoid being publicly named and shamed by the OPC as having been non-compliant with PIPEDA.

Of course, the potential implications to an organization for a breach of PIPEDA go well beyond naming and shaming. Numerous class action lawsuits have been filed in Canada in recent years alleging breaches of PIPEDA and other privacy laws, including the disclosure of personal information to third parties without the consent of individuals and the failure to protect personal information with appropriate safeguards.

The more sensitive the information that is improperly collected, used, or disclosed, the greater the potential liability to an organization. As noted above, landlords are often in possession of sensitive information. Additionally, beginning on November 1, 2018, if an organization suffers a data breach and there is a real risk of significant harm to an individual as a result of the breach (which is more likely to be the case if sensitive personal information is disclosed), the organization must promptly notify both the individuals affected and the OPC, failing which an organization may be fined up to $100,000 per violation.

Organizations are not off the hook simply because the personal information that was improperly disclosed or accessed was held by a property management company on the organization's behalf. Landlords should expect any lawsuit to name both the property management company and the landlord.

RECOMMENDATIONS

Limit the collection of personal information from prospective tenants to what is necessary. Be especially mindful of sensitive personal information, including SINs. The OPC has recommended that organizations do not collect SINs. If requesting SINs, organizations must be clear that no individual is required to provide their SIN.

Make sure your organization has a privacy policy that clearly sets out, amongst other things, the purposes for which your organization collects, uses, and discloses personal information. Ensure that prospective tenants expressly agree to the privacy policy as part of the rental application and the lease.

Ensure that personal information (and especially sensitive personal information) is properly protected. Access to electronic records should be protected using encryption and passwords, and paper documents containing personal information should be stored in locked cabinets. Ensure that your employees understand and are trained on the need for PIPEDA compliance, and make sure to have practices in place to restrict employees from accessing personal information electronically after their employment ends.

Do not retain personal information for longer than necessary for the purposes or to comply with applicable laws. Retaining personal information for longer periods exposes organizations to greater risk in the event of a data breach and may also be in breach of PIPEDA.

If video surveillance is conducted (whether inside or outside the building), post signs that clearly indicate the filming is taking place. If conducting video surveillance inside a building, ensure that the surveillance is only conducted in common areas (rather than in hallways or in a manner that could capture the inside of a tenant's unit).

Ensure any property management company who handles personal information on your organization's behalf is compliant with PIPEDA. If personal information collected by a property management company on your organization's behalf is improperly disclosed to or accessed by a third party, your organization may be found to be liable for the breach.

At Aird & Berlis, we provide strategic legal and business advice in all principal areas of business law, including corporate finance, banking, insolvency and restructuring, energy, environmental, infrastructure/P3, technology and intellectual property, litigation, workplace law, municipal and land use planning, real estate and tax. Through strong technical skills, critical thinking and creative approaches to practicing law, we provide our clients with strategic advantage to leverage opportunities in the marketplace.

CANNABIS AND THE HUMAN RIGHTS CODE

A legal guide for landlords in Ontario

BY KRISTIN LEY, COHEN HIGHLEY LLP

On October 11, 2018, the Ontario Human Rights Commission (OHRC) released a new policy statement on cannabis and the Human Rights Code. In this statement, the Commission confirms that provincial smoke-free legislation prohibits smoking or vaping cannabis for a recreational or medical purpose in common areas of apartments and condominiums. This is consistent with provincial smoke-free legislation that existed prior to cannabis legalization on October 17th. The Commission also confirms that people can smoke, vape or consume edible cannabis for medical or recreational purposes inside apartments and condominiums unless there are rules or by-laws prohibiting them.

Many multi-residential housing providers, property managers and condominium corporations have rules, regulations or by-laws prohibiting the smoking or vaping of any substance within a unit. For many owners and managers, the construction of smoke-free housing or the transition to smoke-free housing environments began some time ago with rising concerns around second-hand cigarette smoke and the attendant health risks and damage to property. Smoking prohibitions rarely included cannabis smoke, but until a couple of weeks ago, landlords had other means of addressing such illegal conduct.

As of October 17th, 2018, smoking cannabis without a prescription is legal and individuals may even grow up to four (4) cannabis plants in their primary place of residence, even if that residence is a unit in a multifamily residential complex.

While individuals who rely on medical cannabis have had the ability to consume and cultivate medical cannabis with the appropriate prescription and registration from Health Canada well before the recent legalization, now any person who is at least 19 years of age, may cultivate cannabis.

Moreover, there is no obligation under the new legislation for an individual growing either medical cannabis or recreational cannabis, to have the property owner's consent to cultivate. What this means is that absent rules or regulations in leasing documents to the contrary, many tenants may be lawfully growing cannabis without a property owner's knowledge.

As with the various environmental concerns around smoking of tobacco and cannabis, there are as many or more legitimate concerns around the cultivation of cannabis in multi-unit residential properties. And even though the legalization date has passed, it is not too late to develop and implement rules, regulations or by-

> Smoking prohibitions rarely included cannabis smoke, but until a couple of weeks ago, landlords had other means of addressing such illegal conduct.

laws to address both consumption and cultivation of cannabis within such buildings.

The Human Rights Commission's policy confirms what many landlords are already acutely aware of—that there may be a connection between the use of cannabis and a prohibited ground of discrimination under the Code and, as such, the application of a cannabis-rule will need to be consistent with the Code. Generally, if a rule or regulation discriminates against or has an adverse impact on an individual because of a prohibited ground, there is a duty to accommodate unless to do so would cause undue hardship to the landlord. The Code sets out the three (3) factors that may lawfully be considered in assessing undue hardship: costs, outside sources of funding, and health and safety requirements.

A landlord may ask a tenant who is seeking accommodation related to cannabis use to provide medical or other information to support their disability-related needs. Provided the medical documentation that is received by the landlord establishes the presence of a disability and a need to use medical cannabis to treat the symptoms of same, the landlord must engage with the tenant to come to an appropriate accommodation plan regardless of whether or not the landlord prohibits smoking in the residential complex. Consider that while medical cannabis may be needed to treat the medical condition, it doesn't necessarily follow that the cannabis must be smoked; in many cases it can be consumed in a manner that has less impact on other tenants of the residential complex and on the rental unit itself.

Perhaps surprisingly, the same duty to accommodate and to develop an accommodation plan will apply to individual residents who are looking to produce medical cannabis within their rental units, even if you have a rule prohibiting cultivation or production of cannabis.

As noted above, there are a number of compelling reasons why a property owner would want to prohibit the cultivation of cannabis within its building, including: insurance, property damage from excessive moisture and humidity levels leading to mould; increased electricity consumption and/or electrical and fire hazards; other health and safety risks; and security risks.

The Federal Court of Canada has accepted the fact that "one marijuana plant adds as much moisture as approximately seven to ten house plants" — this is a particularly unnerving fact for building owners given the four (4) cannabis plant per household allowance.

As with a request to consume medical cannabis, the same legal duty to accommodate under the Code will apply in the case of an individual's request to cultivate cannabis for a medical purpose. The resident may be required to produce satisfactory medical documentation that evidences disability and a need—not for medical cannabis—but to grow the cannabis within the rental unit. Absent sufficient evidence of the need to grow the cannabis in the rental unit, a prohibition on cultivating cannabis may not necessarily have an adverse effect on someone because of his/her disability. The adverse effect would arise as a result of the individual's preference to grow medical cannabis within the rental unit or need based on financial circumstances. In Ontario, social condition is not a protected ground under the Code.

Even if such a need is established, it may be that in many cases a tenant's need to grow medical cannabis within a rental unit cannot be reasonably accommodated short of undue hardship to the owner of the property, considering the environmental and insurance risks that have been identified and acknowledged. For example, an individual with a medical prescription for 10 grams of cannabis per day can obtain a Registration Certificate from Health Canada to grow up to 49 plants, regardless of the size of the location and whether it is owned by the individual. The legislation that came into force on October 17th makes purchasing cannabis a viable alternative, which will soon be subject to the economic forces of supply and demand, or for an individual to designate another to cultivate cannabis on their behalf and in a location other than the medical user's primary residence.

Finally, when it comes to enforcing the cannabis prohibitions, as with the enforcement of most terms, rules or regulations in a tenancy agreement a landlord must be able to establish that the conduct of the tenant (consuming or cultivating cannabis, in this case) substantially interferes with the reasonable enjoyment of the landlord, other tenants or with the lawful right and interest of the landlord in order to. A landlord will need to provide evidence, often beyond mere breach of the lease, to obtain an eviction order from the Landlord and Tenant Board.

It has yet to be seen how the Board will treat some of the research and evidence surrounding the risks to property and health referenced above and the legal duty to accommodate, especially where the cultivation of medical cannabis is at issue.

What is known is that a landlord can implement rules and regulations that prohibit consumption and cultivation of cannabis in their properties and when it comes to the use and cultivation of medical cannabis, the landlord will need to engage with individual tenants to determine whether reasonable accommodation is necessary and possible without undue hardship.

Cohen Highley is the premiere legal resource for residential landlords and property managers on all matters relative to multi-residential rental housing law, including leasing, acquisitions, financing. We provide full litigation and consulting services Landlord and Tenant Board proceedings, Above Guideline Rent Increase applications, Fire and Building Code legal services, Superior and Divisional Court proceedings. Our lawyers also have specialized expertise in advising landlords in navigating through housing issues tied to Human Rights applications and Accessibility and Housing issues.

CHANGING THE FACE OF OUR INDUSTRY

CRBP's new Ambassador's Training Program with Ottawa-based Osgoode Properties

BY TED WHITEHEAD, DIRECTOR OF CERTIFICATION, FRPO

In November, FRPO CRBP will introduce its new Ambassador's Training Program aimed at frontline property management employees who directly interact with residents living in CRB-approved buildings. With many thanks to the good folks at Osgoode Properties in Ottawa, we are piloting this educational initiative with their many staff members.

The purpose of the new frontline employee introductory program is not only to instruct participants on the key components of the CRB Program and how they contribute to their building/property being certified, but also to outline the key role they can play in proactively changing the public face of our industry with their residents.

Unfortunately more often than not, our industry is portrayed negatively to the public through media when the reality is, FRPO CRB members (and many landlords in the industry) are providing a "quality" rental-housing product, supported by friendly and helpful service.

Over the years, we have communicated the reasons for the creation of FRPO's CRBP in several ways, and as many will recall, it was established with the following objectives in mind:

- Change the perception of the apartment industry
- Build consumer confidence
- Help to distinguish good landlords from bad landlords
- Act as a solution to past problems and concerns that tenants (and tenant advocate groups), employees, and FRPO members have encountered

For the most part, these same objectives are equally as vital in today's environment, and are ever more important in determining how the public and government stakeholders perceive the multi-res industry. The new CRBP Ambassador's training will work to communicate directly with staff that we have long evolved from the old image of the traditional landlord to a dynamic professionally-

managed business that cares deeply about the quality of rental-housing provided, and the care/attention delivered to their customers – your residents.

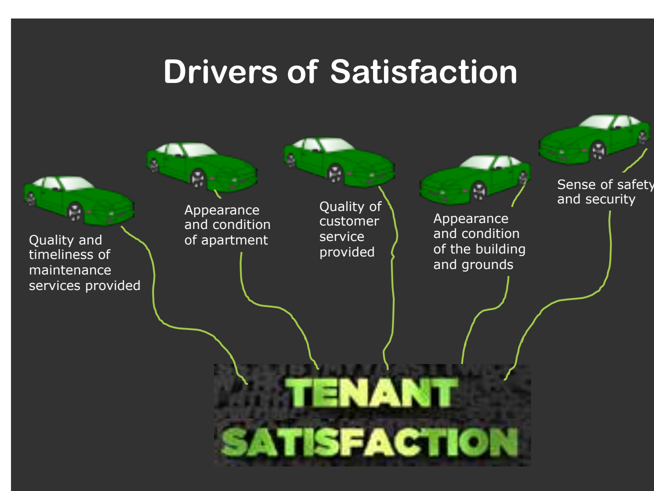
One of the key principles of the CRB is that "Say What We Do" and "Do What We Say" is often easier to pronounce than to actually operationalize. Achieving "certification" for an apartment property means that not only must a member company have the appropriate policies/processes/procedures in place at the corporate level, but they must also demonstrate them on the ground floor, where their apartment products and services are delivered. The new Ambassador's training focuses on the key role of frontline staff in making the CRB pledge of "quality-assurance" and how they interact with the actually delivery of requirements within the six core elements of the CRBP's Standards of Practice.

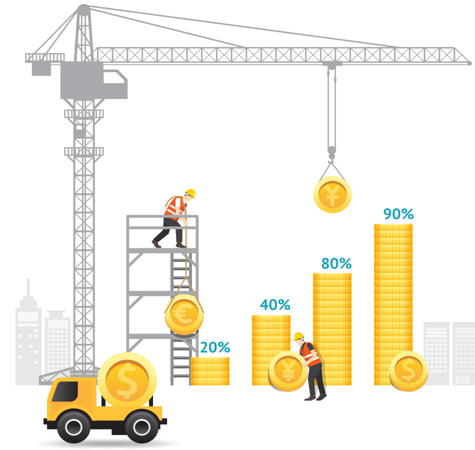
Finally the Ambassador's training focuses on whether or not the CRBP "Quality Assurance" pledge makes a "real' difference with residents.

Of course, the CRBP does make a positive difference with residents, and that has been evidenced over and over in a number of resident survey requests. The new training program addresses the key drivers of resident satisfaction, and how frontline staffs, through their daily efforts, practice the many requirements of the program's Standards of Practice. CRB-approved buildings enjoy some of the highest ratings of resident satisfaction within the industry.

We are truly excited about the opportunity to pilot the new CRB Ambassador's training with Osgoode Properties and their employees. Once we have received their feedback, ideas and suggestions, FRPO CRBP will make any necessary adjustments and move to make this new training program available to all CRBP members via classroom and e-learning offerings.

FRPO members wishing to learn more about FRPO's CRB program and/or it's new Ambassador's training may contact me directly at twhitehead@FRPO.org or call 416 385-1100 ext. #27





NEW FINANCING OPTIONS FOR APARTMENT CONSTRUCTION

Q&A with First National's Jeremy Wedgbury

As a FRPO member, you are well aware of the dynamics at work in the rental housing market, including exceptionally low vacancy rates. What you may be less aware of are developments taking place in the lending arena, including new financing options that are beginning to support much-needed apartment construction. To update you on these developments, we reached out to Jeremy Wedgbury, Senior Vice President, Commercial Mortgages at First National Financial, Canada's largest commercial mortgage lender. Jeremy is a recognized expert, a long-time supporter of FRPO and a keen observer of market trends.

First National lends on a variety of commercial properties. Where is lending activity the strongest these days?

Definitely in the rental apartment sector. In fact, we've experienced exceptionally strong volumes this year, particularly for construction loans. At last count, we were reviewing just over $1.5 billion in construction loan opportunities. That's about 10 times the size of the pipeline last year. We also just received notice from CMHC that they agreed to insure one of our transactions that happens to be the largest apartment construction financing in CMHC's history.

What's driving this level of activity?

One, there is significant investor demand for new apartments as a commercial real estate asset class, particularly units that have upmarket amenities. Two, there is more debt capital available than ever to fund construction of this asset class.

What's the source of this new debt capital?

Borrowers' newfound interest in building rental apartment buildings has been supported by both the conventional debt market and by CMHC with their product offerings. Each program has various positives and negatives, which we recommend exploring with our cash flow modelling support. Based on our experience to date, we are funding significant conventional and insured loan volumes for FRPO members and doing so on attractive terms.

What constitutes "attractive terms" for borrowers?

I'm referring partly to interest rates and partly to loan amounts. Depending on the program, we offer borrowers between 75% and 95% loan-to-cost to get their projects in the ground. At the higher end, we're using CMHC's Market program and the recently introduced CMHC Flex Financing program to assist. CMHC's Flex Financing program is aimed at incenting new apartment construction by offering up to 95% loan to cost compared to 75% to 80% for conventional financings. First National was the first lender to recognize the opportunity presented by CMHC's Flex Financing product and after satisfying ourselves that it is worthy of consideration and learning exactly how to navigate the approval process, we're bringing it forward to the market in our capacity as a CMHC-approved lender.

CMHC Flex Financing is geared to stimulate construction of affordable housing. How does that square with demand for more upscale rental units?

Building affordable units is the goal but the program's definition of affordable means that only a certain percentage of the units must be affordable, not all units. As well, affordability is judged in the context of competing rents in the local neighbourhood. So, it's not unusual to see apartment units funded by this program charging rents close to $2,000 a month. The incentive was designed to bring for-profit developers into the apartment market and it's working. Flex is also a great gateway product for apartment owners who plan to access insured term loans.

How does the CMHC Flex program serve as a gateway to term takeout financing?

One of the compelling features of Flex is that once an occupancy permit is granted, conversion to term financing may take place. Conversely, in a conventional construction deal, a term loan does not fund until the lease-up is complete, which often takes another eight to 10 months as apartment owners search for the right tenants and strive to achieve the highest rental rates. In a rising interest rate environment, a lot can happen to term loan servicing costs in eight to 10 months, so this feature is a significant advantage for borrowers. And, for First National, it means we can package the construction and term loan together, mitigate borrower risk and provide greater certainty to a project's economics.

Are you seeing more condo developers move into apartment construction as a result of these dynamics?

Yes. One of the characteristics that developers like about apartments is that they are highly suited to term financing because of the potential for reliable, ongoing rental unit cash flows. Interestingly, many second and third generation developers who long focused exclusively on condo construction have recently come to us and said, 'we want to leave an income-producing legacy asset that our children can enjoy and we don't get that with condos so we're prepared to switch to apartments, can you help us?' The answer is resoundingly yes.

What's happening with rental rates and construction costs?

There has been significant inflation in both. Strong growth in rental rates started taking place over the last two years and this has had a tremendous impact on valuations for newly completed projects. Conversations related to pro forma rents on GTA properties several years ago debated the possibility of $3 per square foot, whereas today it would be common to have discussions around certain locations obtaining $4 per square foot or more. From the perspective of construction costs, inflation varies by region, but anecdotally, I hear costs have risen by as much as 1% per month or 12% per annum recently. That level of inflation certainly poses budgetary challenges for apartment developers, but fortunately, we work with very experienced builders who know how to cope.

What role does First National play in helping to grow the rental housing market?

As a lender, our contribution starts with financial modelling and market research. We've developed sophisticated modelling tools that help us run different scenarios for apartment owners and developers based on different amounts of equity in, different pro forma interest rates and different financing scenarios, be it conventional or insured. We use one approach to model construction loans and another to model term loans and these tools help builders project their investment returns and the risks to those returns under different base cases. We also make considerable market research available to builders. And then of course when it comes to any CMHC program, Flex Financing included, we develop the application submission using our experience as a CMHC-approved lender. We're also a reliable source of capital for apartment property repositioning.

What do you mean by repositioning?

Repositioning an older rental apartment property by renovating it is a great way to quickly increase its value. By way of example, a borrower recently came to First National for a mortgage loan to purchase a 60-unit townhouse complex in the Greater Toronto Area for $7.7 million. The purchaser targeted the property because the units were rundown and producing well below market rents. Some lenders would pass on this opportunity because the property featured a great deal of deferred maintenance. First National chose a different path. Working with the purchaser, we provided both a conventional loan to acquire the property and additional capital to fund a property turnaround strategy. The initial financing package featured leverage at 85% of the purchase price. An additional $500,000 was made available to fund property improvements. With this financing, the buyer purchased the property for $7.7 million and invested approximately $675,000 in improvements ($500,000 provided by First National) to renovate a number of units. The property was sold about 24 months later for slightly more than $12 million, so a great return.

Jeremy, from your perspective, is now a good time to be active in the apartment sector?

Yes, I would say so for experienced developers. An experienced developer has a network of tradespeople with proven skills and craftsmanship, understands costs and inflationary factors, is able to apply effective counter measures, and most fundamentally, chooses construction opportunities that make sense based on a deep understanding of local market trends and an appreciation of the need for liquidity. We're 100% behind apartment builders who exhibit these characteristics and skills and have a track record of successful developments.

How long do you think the good times will last?

Hard to say but the fundamentals of demand and supply are very favourable right now and despite new units coming on stream over the next couple of years, it won't be enough to serve the demographic and population growth trends in Ontario. Of course, a balanced outlook also has to take into account the risks associated with rising interest rates and construction costs.

Final thoughts

For experienced builders who are focused on apartments, this is a unique point in the business and economic cycle. For First National, our objective is to help our clients capitalize on the most lucrative opportunities in the most advantageous, risk-managed way. In short, we're open for more business.

First National Financial Corporation (TSX:FN, TSX:FN.PR.A, TSX:FN.PR.B) is the parent company of First National Financial LP, a Canadian-based originator, underwriter and servicer of predominantly prime residential (single-family and multi-unit) and commercial mortgages. With more than $103 billion in mortgages under administration, First National is Canada's largest non-bank originator and underwriter of mortgages and is among the top three in market share in the mortgage broker distribution channel. For more information, please visit www.firstnational.ca.

FEATURE

TENANTS ARE TEXTERS

Keeping Up with Prospective Renters

BY DARREN HENRY

Did you ever think email would be considered old-school? Well, it may not be obsolete, but now with over 77% of North Americans owning a smartphone, every demographic has embraced texting for day-to-day personal and business communication. As a property manager, it is vital you are set-up to communicate with prospective tenants using text messaging.

HERE'S WHY:

- Text messaging has become a go-to method of communication that has changed the entire dynamic of daily discourse. To implement it into your sales initiatives is to honour what is already second nature to your future residents.

- Texts are instant, which is not only appreciated by your busy prospective tenants, but it will benefit your team and their time, as well.

- Text-messaging is seamless for semi-formal communication. Fast, simple, and to the point, is the perfect solution for communicating details to a prospect without the stress of formalities and proper salutations.

- With text messaging comes a sense of urgency. When prospects are expecting a reply to their inquiry in less than a day, a text message feels like the fastest way to send and receive a response.

- The technology required to implement SMS text messaging is ubiquitous and requires nothing more than a phone number and a "opt-in" policy if tenants are choosing this as their preferred means of communication.

STEPS FOR SMS LEASING SUCCESS:

- It is important that leasing teams reply to SMS inquiries as quickly as possible. Text messaging is meant for fast, informal communication, and your prospects will not only respect, but expect this if your company has advertised text messaging as an option for communication.

- Provide prospective renters the opportunity to text in order to set up an appointment, or to speak to an agent. Advertise an SMS-friendly number on your advertisements.

- Ensure that both your online listings and signage clearly state that the phone number advertised receives calls and texts. Making the texting capabilities obvious simply helps avoid any potential blunders in communication while allowing the prospect to choose their preferred way of inquiring, with the result of increased lead generation.

- Speed up the leasing process for prospective renters by sending an automated response to their SMS messages. There are lead management tools available that cater specifically to property management companies, which automatically convert leads to appointments by providing an automated response to SMS inquiries.

- It is still important to provide multiple channels for prospect communication, such as phone, email or chat. Evaluate the contact information your team is currently using and determine whether your tracking phone numbers can be easily enabled for text messaging, allowing for all calls and texts to be tracked.

- Evaluate your property's leasing workflow before implementing SMS. Some leasing teams may be stronger over email than text messaging and have better access to email. Check to make sure your SMS enabled phone numbers are capable of sending "text-to-email" for optimal back and forth communication between your prospects and properties.

LeadManaging data has shown up to a 50% conversion rate when implementing text messaging into the rental sales flow. In today's world, where efficiency is valued more than ever, prospects want to communicate through instant messaging. By implementing already-available technology, your team can achieve SMS implementation smoothly and professionally.

LeadManaging: www.LeadManaging.com Empowering property management companies to capture, convert & visualize their residential leasing activities. Providing integrated communication technologies for automating the entire leasing process.

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THE RENTING REVOLUTION

Hollyburn's #WhyWeRent campaign reveals new attitude among renters

"I'm a renter. There, I said it. Sometimes there is this perception that if you rent you are somehow "less than" or not on the right track, but really, why is that?"

- Kaelyn, Secondary Prize Winner, #WhyWeRent

Recently, Hollyburn has recognized a growing trend of more Canadians choosing to rent as their preferred housing solution. This shift is derived by the rising cost of real estate in metropolitan cities across the country but has been propelled by the benefits that come with renting as a lifestyle choice.

According to the latest census data from Statistics Canada, an additional 400,000 renter households entered the market between 2011 and 2016 – that's a 10% increase over the previous census. With this, it is evident that a societal transformation is cultivating. Where previous generations prioritized home ownership, new generations are opting for convenience, travel, experiences, and memories instead.

"Renting has allowed me to choose a life full of adventures worry free!"

- Oceans Apart, Participant, #WhyWeRent

This flexible lifestyle is grounded in a collective desire for increased trust, convenience and sense of community, which are the core factors driving the sharing-economy, according to a survey conducted by PWC. Long-term renting is also a contributing factor that's perpetuating the sharing-economy and Hollyburn hopes this new cultural outlook will aid in the de-stigmatization of renting, so it can be celebrated as a positive lifestyle choice, free from negativity, shame or judgement.

To disprove some of the existing stigmas surrounding renting, Hollyburn Properties launched a nation-wide Instagram contest called #WeWhyRent. The goal was to ignite conversations that highlighted the benefits of renting, beyond just affordability. The contest ran from August 15th to September 30th and resulted in overwhelming responses from renters across Canada sharing why they love to rent.

"...for us the benefits of renting mean we have more time to do the things we want to focus on such as our careers [and] spending time with each other..."

- Leslie, Secondary Prize Winner, #WhyWeRent

WITH OVER 200 ENTRIES, PARTICIPANTS EMPHASIZED FLEXIBILITY, CENTRAL LOCATIONS, COMMUNITY, MAINTENANCE, AND AFFORDABILITY AS THE MAIN BENEFITS TO LONG-TERM RENTING.

Due to the positive response, we have decided to continue the #WhyWeRent conversation in a new, re-designed contest - #WhyWeRent 2.0! This contest launches on November 1st and will span for one-year with monthly winners selected by random draw. Winners will be awarded $100 off their rent for the following month (please note: because of the nature of the prize, this contest will only be open to current Hollyburn residents.)

HOW TO ENTER:

1. Post a photo on Instagram or Facebook
2. Caption the photo with why you love renting

Make sure to tag @hollyburnproperties and use #WhyWeRent to be entered to win!

Renting has always been recognized as a housing solution, but with transient, temporary strings attached. The #WhyWeRent conversation has helped raise awareness of the sharing economy, while also shedding a positive light on the prospect of renting as a prudent long-term housing option.

ABOUT HOLLYBURN:

Hollyburn Properties Limited is a proudly Canadian-owned and operated property management company founded in Vancouver, BC over 40 years ago. It is a family-run business, dedicated to providing premium rental apartment homes across three provinces in Canada. Hollyburn currently manages and operates 90 rental communities nationwide, with over 5600 suites in four cities: Vancouver, Calgary, Toronto and Ottawa. Through extensive employee training programs and community initiatives, Hollyburn represents its mission to provide professional services and commitment to quality in every aspect of the organization. Their goal throughout is to raise the standard of property management practices to the benefit of their residents, their employees and the property management industry as an entirety.

Learn more about the #WhyWeRent contest winners: https://www.hollyburn.com/blog/whywerent-winners/

Wyse Named a Fastest-Growing Company in Canada

Innovation and service at the heart of its success!

This past September, Canadian Business and Maclean's ranked Wyse Meter Solutions Inc. Number 19 on the 30th annual Growth 500, the definitive ranking of Canada's Fastest-Growing Companies. Wyse's five-year revenue growth of 3,284% delivers a clear message about how submetering in the digital age should really work.

The company's centre of gravity has always been submetering and utility expense management, driving innovation across the entire service experience. By going deeper and offering the best service possible, Wyse empowers customers to take control of their utility usage and access the expert support they've been missing. Its reputation as the industry's most visionary player comes from its bold steps to provide a robust platform with in-depth utility reporting services, to automate enrolment processes, and to communicate with residents in 26 languages.

"At Wyse, our overarching goal is to provide our clients from coast to coast with the most useful suite of submetering and utility expense management tools in the industry combined with seamless execution," said Ian Stewart, Co-CEO of Wyse Meter Solutions Inc. "We could not be more proud of our team as this most recent recognition by Growth 500, validates that our customer centric vision continues to resonate within the industry."

"We are very proud to be recognized by Canadian Business and Maclean's as one of Canada's Growth 500 success stories," added Peter Mills, Co-CEO of Wyse Meter Solutions Inc. "Maintaining our position in the top 20 in Canada has only been possible through our extremely dedicated staff and the tremendous support and confidence we receive from our ongoing and new clients. We look forward to our continuous success in the years to come."

Produced by Canada's premier business and current affairs media brands, the Growth 500 ranks Canadian businesses on five-year revenue growth. Growth 500 winners are profiled in a special print issue of Canadian Business published with Maclean's magazine and online at CanadianBusiness.com and Growth500.ca.

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