

General Information about obtaining and maintaining a Residential Rental Licence:

If you are going to be a Residential Landlord or a Tenant of a Property in the vicinity of Durham College/VOIT you need to be aware that Rentals in these neighbourhoods must be licenced in accordance with the City's Licensing By-law 120-2005. Specifically, you need to know that;

- The Residential Rental House must be used in compliance with the Zoning By-law.
- Rental Houses in R1 Zones must be used as single housekeeping establishments.
(see explanation of a Single Housekeeping Establishment at www.oshawa.ca/RRHL)
- A Rental House in an R1 Zone may not be used as a Lodging House.
(see explanation of Lodging House at www.oshawa.ca/RRHL)
- The total number of bedrooms in a rental unit does not exceed four (4) with the exception of the Rental Area - Simcoe Street Corridor. (see defined area at www.oshawa.ca/rrhl)
- The number of Bedrooms in a Rental Unit on a Lot within the Rental Area – Simcoe Street Corridor does not exceed five (5)”
- No more than 40% of the gross floor area of any basement or cellar may be comprised of bedrooms, provided that such bedrooms must have been constructed in accordance with applicable law.
- No room within a Rental Unit may be used as a bedroom except as depicted on the approved licence.
- No more than 40% of the gross floor area of a Rental Unit's ground floor may be used for bedroom floor space.
- A legible copy of the approved Licence shall be posted and maintained prominently and visible within 1m (one metre) of the interior of the Rental Unit's main entrance.
- The landlord must maintain insurance for the Rental Unit as required under Section 7 (k) of the By-law, which requires a landlord to maintain a limit of liability of not less than two million dollars per occurrence for property damage and bodily injury.
- The landlord and Rental Property shall comply with all applicable law, including:
 - the Fire Protection & Promotion Act (Ontario)
 - the Electrical Safety Code
 - the Building Code Act (Ontario)
 - the City's Zoning By-law
 - the City's Property Standards By-law
 - the City's Lot Maintenance By-law
- The landlord and Rental Property comply with the approved lot maintenance plan.
- No vehicle may be stopped or parked on any part of the Rental Property except within a parking space identified on the approved parking plan.

Note: Please review By-law 120-2005 located on the City's Website for Accurate & up to date By-law information.

WHAT A LANDLORD AND/OR OWNER SHOULD KNOW

- Residential Rental Licensing Fees.
 - The application fee is \$75. This fee covers the cost of reviewing the application. Incomplete applications will not be accepted. (A checklist identifying what a complete application contains is Page #3 of the application.) Each subsequent review of an application is subject to the application fee.
 - The Licence fee is \$250.00 if submitted 60 days or more before expiry or \$500.00 if submitted less than 60 days before expiry. This fee includes two, on-site inspections, the preparation of statements of compliance from Fire and Buildings and the issuance of a Licence.
 - Inspection fee is \$75. This fee is for any additional inspections required.
- Applications for Residential Rental Housing Licences involving properties which are in debt to the City, subject to outstanding administrative penalties or have been the subject of ongoing problems related to the operation of their residential rental dwelling may not be approved. You need to be aware that Rental Properties which are chronic problems in relation to By-law or Police Activity will be scrutinized and may be denied. It is incumbent on the owner or landlord to ensure ongoing compliance.
- Review Process
 - Upon review of the initial application the applicant will be advised that the application as submitted is or is not acceptable;
 - Inspections will be scheduled for accepted applications.
 - An inspection will be completed by Licensing and Standards Inspectors and Fire Services.
 - Licence application information and inspection findings will be assessed
 - Licence Issuance/ or Denial
 - A Residential Rental Housing Licence may be issued when the following stages have been completely satisfied;
 - The application is complete and has been deemed acceptable
 - Statements/Certificates from Fire, Buildings, and the ESA have been received
 - Inspections have been conducted
 - Inspections have either revealed no issues or have revealed items of non compliance which have been satisfied
 - The Director has approved the application
- Licences will be issued for a specific licensing period.
- Conditional licences may be issued at the discretion of the Director.

Note: For accuracy, please refer to By-law 120-2005, including Section K. A copy may be viewed on the City of Oshawa web site: www.oshawa.ca.

Landlord and/or Owner: Frequently Asked Questions

1. Q: What is the cost of the Residential Rental Housing licence?
A: *The application fee is \$75. This fee covers the cost of reviewing the application. The Licence fee \$250.00 if submitted 60 days or more before expiry or \$500.00 if submitted less than 60 days before expiry. This includes two (2) inspections by Fire Services and Licensing & Standards and issuance of a licence.*
2. Q: I have rented 7 bedrooms in my rental unit which were built in accordance with the law several years ago, but By-law 20-2008 states I can only rent 4 bedrooms. Am I exempt?
A: *No, generally only 4 bedrooms may be rented unless your rental is within the Rental Area – Simcoe Street Corridor. (see Rental Area – Simcoe Street Corridor defined area at www.oshawa.ca/rrhl)*
3. Q: What if my licence application is denied. How do I appeal this decision?
A: *Appellants must submit a completed Licence Denial Appeal Application form and \$250 fee to the Licensing and Standards office, 1st floor Rundle Tower, City of Oshawa. .*
4. Q: What if I am not able to be present on the day an Inspection has been scheduled. Can I have someone else attend on my behalf?
A: *An authorized agent may attend on your behalf (a letter of authorization signed by the owner(s) is required).*
5. Q: What if I don't obtain a licence?
A: *A landlord who does not have a licence or has their licence suspended or revoked cannot collect rent from the tenants until an approved licence is in effect. Operating a Residential Rental Unit without a licence is an offence and may result in charges under the City of Oshawa Licensing By-law.*
6. Q: What if I do all I can to ensure that my rental is operated in compliance with the Residential Rental Housing By-law but my tenants are causing problems related to noise, property condition and parking?
A: *Tenants are obliged to comply with the Residential Rental Licensing By-law, even though the onus is placed on the Landlord to ensure compliance. A Landlord may pass on the costs of fines/penalties for violations to their tenants and should obtain independent legal advice.*
7. Q: What is required in my Property Maintenance Plan?
A: *A comprehensive list identifying a plan for; general maintenance, snow and ice removal, waste collection and grass cutting etc. A Lot Maintenance guide is provided in the Residential Rental Housing Licensing Application Package.*
2. Q: What is required in my Parking Plan
A: *A parking plan which complies with the City's Zoning By-law should clearly identify the location and dimensions of all parking spaces for vehicles on the Rental Property. Vehicles may not be stopped or parked on any part of the Rental Property except within a parking space identified on the parking plan. A sample plan is available.*
3. Q: Are all the regulations I need to be concerned about contained in the Residential Rental Licensing By-law?
A: *In addition to the regulations in the Residential Rental Licensing By-law the Landlord and Rental Property must comply with all applicable law including but not limited to; Fire Protection and Prevention Act, Electrical Safety Code, Building Code, City Property Standards, Lot Maintenance and Zoning By-laws.*

WHAT A TENANT SHOULD KNOW

- In February 2008 Oshawa City Council passed a by-law to require residential rental housing in the vicinity of UOIT/Durham/Trent (Oshawa) to be licenced prior to being occupied by tenants for rental purposes.
- If you rent a dwelling unit in the subject area (depicted on the attached map) your landlord must have an approved and current licence in order to rent.
- Houses which are occupied by all owners and only have 1-2 boarders do not require a Residential Rental Licence
- The owner and occupants of a Residential Rental Dwelling must comply with the applicable regulations and by-law standards throughout the term of the licence. Failure to do so may result in the;
 - Suspension of a licence
 - Revocation of a licence
 - Issuance of an Administrative Monetary Penalty or
 - Legal Action

Tenant: Frequently Asked Questions

1. Q: I signed a lease for a house which has five bedrooms. Is this a problem?
A: *Only Rental Houses located in the Rental Area – Simcoe Street Corridor may rent a maximum of five bedrooms.* (see Rental Area – Simcoe Street Corridor defined area at www.oshawa.ca/rrhl)
2. Q: I have one lease for the entire house and I sub-let to other tenants. Is this OK?
A: *No, each tenant must be a party to a written tenancy agreement with a Landlord. Information concerning the number of occupants living in a Residential Rental Unit is collected for Fire Code purposes. Numbers of occupants may determine if additional Code requirements/provisions are applicable.*
3. Q: Why does the City have to licence and inspect rental housing?
A: *Licensing/Inspection of Rental Units is essential for the health, safety and well-being of tenants and for the protection of property.*
4. Q: Can the City come in at any time to inspect?
A: *Initial licensing inspections will be scheduled with tenants receiving a minimum of 24hrs notice from their landlords prior to the inspections. Subsequent inspections of the dwelling to determine compliance with the licensing by-law, in response to complaints, may be conducted at any reasonable time with the consent of the occupant.*
5. Q: What if I don't let the inspectors into the dwelling?
A: *A licence cannot be issued unless a full inspection of the premises has been completed to confirm compliance with all applicable laws.*

6. Q: Can't I have parties at my house and have fun like any renter or homeowner?
A: *Yes, the by-law does not impede activities as long as it is permitted by law and does not create a nuisance or disturb anyone.*
7. Q: What should I do if I am having a house party?
A: *Be sure to comply with the City's Noise, Parking and Lot Maintenance By-laws to avoid conflict with your neighbours. Talk with your neighbours and keep the party under control.*
8. Q: What if there isn't enough parking at my house and I keep getting tickets for parking on the road?
A: *Failure to comply with the City's Traffic By-law and the Residential Rental Units Parking Plan may result in fines, towing of vehicles and administrative monetary penalties. Find parking in a legal location.*
9. Q: What happens if the property I rent is a mess and the grass isn't being cut or snow cleared?
A: *Each Residential Rental Unit must have a lot maintenance plan identifying measures that the Landlord will implement for the purpose of complying with the City's Lot Maintenance By-law. The plan will include who is responsible for grass cutting and snow removal. If work is not being done in accordance with the plan, you should speak with your landlord or the City.*
10. Q: What happens if my landlord loses his/her licence?
A: *Continued operation of a Residential Rental Unit without a licence may result in charges under the City Licensing By-law.*
11. Q: As a tenant, what should I look for in my house to ensure my safety?
A: *Tenants should look for a Residential Rental Unit Licence which will be posted within one metre of the interior main entrance door. Concerns regarding violations of the Residential Rental Unit Licensing By-law may be referred to Municipal Law Enforcement & Licensing Services, City Hall, 50 Centre Street, Oshawa or Oshawa Fire Services at 1550 Harmony Road North, Oshawa.*