

# WARWICK PERRIN

## Ontario Association of Property Standards Officers

### Question #1

Should there be mandatory periodic inspection of all buildings? If so, by whom (province, municipality or building owner)? How often? What kinds of buildings.

*It is felt that should mandatory inspections be imposed, they should be the responsibility of the property owner, who should be required to make them available for the authority having jurisdiction. It was felt that only buildings of a certain type, capacity or occupancy would be required to comply with this requirement. It is also recommended that, where a deficiency is noted in a report, it should be mandatory that such report be forwarded to the Property Standards Officer.*

### Question #2

Should there be mandatory minimum property standards for all buildings? If so, who should establish them (province or municipality?) How should they be enforced?

*It is felt that should mandatory inspections be established; minimum levels of inspection should also be established by the province for those classifications of buildings. Beyond that, the municipalities should retain autonomy to establish whatever minimum standards of maintenance and occupancy they deem necessary, based on the unique nature of the individual municipality.*

### Question #3

Should those who have responsibility for public safety in buildings (municipalities, MOL etc.) have the power, or be required, to force owners to retain a professional (engineer or architect) to approve proposed repair's or maintenance to existing buildings? Should a record be kept of all remedial actions taken by the owners.

*It is felt that even though section 15.8 of the Ontario Building Code Act does provide the authority to Order a Property Owner engage the services of a Professional (Engineer or Architect) to evaluate the condition of a building. There is no clear authority for a Property Standards Officer to require that the action plan to address the required work in the Property Standards Order be approved by a professional. It is further felt that in the event a repair is recommended by a professional and that repair is accepted by the Property Standards Officer, that the professional of record be required to certify that the repairs are adequate, and that the Property Standards Officer require the professional accept the repair before any issued order be considered as satisfied.*

### Question #4

Should clear guidelines be established in the regulations governing the Chief Building Officials in cases where public safety may be at risk based on the degree and imminence of the threat and the response of the owner, making it clear that in cases where an owner is either unwilling or unable to take steps necessary to avoid risks to human safety that (a) an order be promptly issued; (b) a clear period of time be allowed for compliance; (c) at the end of that time, the city must take further enforcement steps to prosecute, conduct the work at the owner's expense or to close and condemn the structure.

*It is felt that in the event an inspection schedule for certain categories of buildings and building occupancies was established, and that one of those inspections revealed an issue that was identified as an imminent hazard that the issuance of an Emergency Order under the authority of sec 15.7 or 15.9 of*

*the Ontario Building Code Act provides sufficient authority for the municipality to take any necessary remedial action.*

Question #5

Is the training for building officials, in particular, for property standards officers sufficient? Should there be mandatory training, competence qualifications and certification of property standards officers. What degree of independence should property standards officers have from other municipal officials? Should building officials, including property standards officers, be regulated as a profession.

*It is felt that there should be provincially accepted training for all building officials including property standards officers, recognizing that property standards enforcement is a diagnostic discipline whereas building inspection is a prescriptive discipline. It is further also felt that all building officials including property standards officers be recognized and regulated as a profession. The standards for the professional designation be established through a consultative process between the Ministry, the Ontario Building Officials Association and the Ontario Association of Property Standards Officers.*

Question #6

Considering the information you have gleaned from the proceedings of the Elliot Lake Commission of Inquiry, can you provide your top five recommendations as to what should be done to ensure that a similar tragedy does not occur again in Ontario or Canada? If possible, identify the sort of buildings or occupancies which should be the highest priority?

1. Minimum standards for certain classes/occupancies of buildings across the province,
2. Mandatory property standards enforcement across the province
3. Mandatory inspections, relating to the established minimum standards, required by the property owners, reports with identified deficiencies to be filed with the municipality
4. Minimum standards for training/certification for Property Standards Officer's, and certification maintenance.