Dear Mayor Paterson/Councillor,

I am writing in regards to Report 22-070 that is scheduled to come before Council on February 15th with the intent of amending Bylaw Number 2018-53 ‘A By-Law to Regulate Nuisance Parties within the City of Kingston’.

On page 6 of this report it states:

*“Enforcement against Property Owners - Currently, the Nuisance Party By-Law states that the owner of a property where a nuisance party occurs can be charged for permitting a nuisance party if the City issues a warning notice to the property owner after the occurrence of a nuisance party, and a subsequent nuisance party occurs at the same location within two years.*

*This provision was added to the Nuisance Party By-Law as a result of feedback received through online channels and discussions with stakeholder groups and was intended, in part, to place an emphasis on education and prevention during the initial implementation of the by-law.*

*The Nuisance Party By-Law has now been in effect for almost four years. In that time, information has been made available to property owners regarding steps they can take to mitigate nuisance behaviours from occurring on their property. Accordingly, it is now appropriate to remove the provisions from the Nuisance Party By-Law that require the City to deliver a warning notice to owners after the occurrence of a nuisance party.”*

I have a number of concerns about the proposed amendments. First and foremost, it appears to be predicated on a falsehood. The report claims that “information has been made available to property owners regarding steps they can take to mitigate nuisance behaviours from occurring on their property.” This is simply not true. Not only has the City utterly failed to make such information available, in fact, it almost certainly doesn’t exist at all.

All rentals in Ontario are governed by the Residential Tenancies Act and property owners are constrained to use a ‘standard lease’ provided by the Ministry of Municipal Affairs and Housing. Any provisions added to the lease that would seek to curtail a tenant's right to enjoy their use of their home would most certainly be unenforceable, and even if they were enforceable, the property owner would only have recourse to those processes set out by the Residential Tenancies Act. This would require the intervention of the Landlord and Tenant Board which currently takes many months to have a matter heard.

Quite simply the proposed amendments to Section 4.6 and 6.3 of the Nuisance Party Bylaw are punitive against property owners for actions entirely outside of their ability to regulate. This is incredibly unjust, and I strongly urge you to reconsider these proposals. **As a responsible landlord/property owner, I do not condone or approve of nuisance parties, and believe there are better solutions than passing along these costs to me.**

Sincerely,

Name

Address