

FALL 2008

Guide for Students, Residents
& Landlords

Good Neighbour Guide

Student Off-Campus Housing Information



An information publication from the
Corporation of the City of Welland
Living and Learning as a Community United



Students... Welcome to the City of Welland! We congratulate you on selecting Niagara College as your educational institution and the City of Welland as your community. Everyone recognizes this is an important time in your life as you prepare the foundation for your future.

Your decision to live off-campus means you will be a great part of our community. The house you rent or board at may be the first place/home of your own, and with that privilege comes responsibility.

Be a good neighbour, respect others, and please understand many neighbours have lived in this area their entire lives.

Most City residents are friendly and welcome the changing student population each year, as many residents were once students themselves. Learn who your neighbours are, introduce yourself, talk to them.

It is advisable to **read this pamphlet in its entirety including the sections for residents and landlords** to gain a broader perspective of the issues.

Residents... Please join us in welcoming new and returning college students to our great City! Students are our future and can be great citizens while a part of our community. Many students bring a lot more than a passionate and active lifestyle to our City. Many are active volunteers, and participants in local clubs, churches and charities.

Niagara College has flourished in the last decade, and it owes its success to the student population. The positive impact of the College and students on the local economy cannot be understated. Students supply a vital labour need of our community during their years of study and as post graduates.

Most students are friendly and optimistic about their life and their surroundings. Much of how they respond in their new residence depends upon the fit that results in their neighbourhood. Communication between student tenants and residents plays an important role in how the fit develops.

It is advisable to **read this pamphlet in its entirety including the sections for students and landlords** to gain a broader perspective of the issues.

Landlords... As a landlord of tenants including student tenants you are providing a great service to our community and the college. Niagara College and the socio-economic spinoff from the college has flourished in part due to the supply of affordable housing available to students while selecting their college of choice.

Tenant behaviours vary from tenant to tenant, and from student to student. Your assistance is welcomed in ensuring a smooth transition for the students and the local residents during the rental period.

As you are well aware, landlords have many legal responsibilities associated with owning and supplying rental accommodation. Whether you are a homeowner renting only a room or 2 within your house to students, or you are renting an entire house to a group of students, many of the responsibilities are the same.

It is advisable to **read this pamphlet in its entirety including the sections for students and residents** to gain a broader perspective of the issues.

The City's Goal

If landlords, local residents and student tenants all work together and the responsibilities of each group are clearly defined and known to all, the influx of student tenants into a community (and more importantly into a neighbourhood), will become a win-win situation.

INFORMATION FOR STUDENTS:

Tips on being a good neighbour

- ⇒ Be friendly, say hi everyday.
- ⇒ Talk to your neighbours – you may find you have much in common.
- ⇒ Keep the yard and outside of the property clean and reasonably tidy – furniture outside, window signs, beer bottles, garbage and litter can have a big negative impact on your presence in the neighbourhood.
- ⇒ Discuss yard maintenance such as lawn mowing, leaf raking and snow shoveling with your landlord to see who is responsible and ensure it gets done.
- ⇒ You may wish to help elderly residents or other neighbours who may have difficulty with yard maintenance – such a gesture is truly appreciated in any neighbourhood.
- ⇒ Keep excessive noise to a minimum – this is one of the largest neighbourhood nuisances to residents and it can truly disrupt their right to peace and quiet – music, partying, and alcohol abuse all lead to increases in noise which can become intolerable.
- ⇒ Party responsibly – if you need to let off steam or party large, visit a campus sponsored event or pub, or local popular commercial venue. If you do decide to have a party at your off-campus house talk to your neighbours about it – they may be more tolerant if informed. Keep all parties inside later in the evening and above all, keep noise to a minimum, eliminate offensive behaviour and clean up afterwards.
- ⇒ Adhere to parking by-laws – see below.
- ⇒ Take a stand against other students in your own house or elsewhere who push the reasonable limits of acceptable behaviour.
- ⇒ Don't escalate problems by confrontational approaches – this method always makes a problem worse.
- ⇒ Respect neighbours rights to peace and enjoyment of their own property.

Legal Issues

When neighbours don't respect each others rights, the City receives complaints and takes action if a City By-law is contravened. After all, City by-laws were designed to help when one neighbour does not maintain their legal responsibilities.

There are several laws affecting some of the above issues - some criminal, and some considered provincial offences.



Police Enforced Laws

- Criminal and Provincial Offences
- Disturbing the peace, public mischief, alcohol or drug related, profanity, public sexual behaviour, vandalism, theft, noise

Keg parties and public intoxication will not be tolerated by the Police

City Enforced By-laws and Provincial Offences

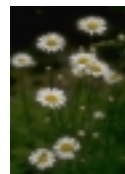
Noise By-law

- ⇒ One of the most frequent complaints – parties, yelling, music, honking horns
- ⇒ Police have indicated they will be taking a strong stand this year – fines have just been increased to \$360 and can be levied on the spot as noise is a ticketable offence
- ⇒ For repeat offenders charges can be laid and the matter can be brought to court where fines are a maximum of \$5000.

Police enforce the by-law at night and have indicated they will be issuing tickets to offenders, and getting serious with repeat offenders

Clean Yards By-law

- ⇒ Keep property clear and free of waste, including furniture, derelict/unlicensed vehicles, rubbish, appliances, yard waste, etc.
- ⇒ Keep garbage waiting to be put at the curb away from neighbouring properties and in air tight containers
- ⇒ Keep grass cut to less than 8" in height
- ⇒ Cannot dump waste on others property or any public property including the road allowance
- ⇒ This by-law is enforced by tickets in the amount of \$120 or by bringing the matter to court where fines are a maximum of \$5000.



Parking By-laws

Parking Enforcement Operations are conducted 7 days a week, 24 hours a day.

The following are parking infractions subject to fine:

- ⇒ Facing the wrong way
- ⇒ Too far from edge of road/curb
- ⇒ Stopped on a sidewalk
- ⇒ Parked within 5 feet or obstructing driveway/laneway
- ⇒ On street if parking signs are posted (as per

posted regulation)

- ⇒ Within 10' of a fire hydrant or 33' of an intersection
- ⇒ Parked on boulevards
- ⇒ On private property using more than 50% of the width of the front yard (which includes the driveway)
- ⇒ In a driveway within 12" of a city sidewalk, and between the sidewalk and the road
- ⇒ On city roads in the same location for more than 12 hours
- ⇒ On city roads from November 1- April 30 for snow removal purposes (unless road exempt in the by-law)
- ⇒ Parked within a signed disabled parking spot without a valid permit



All of the above are ticketable offences with fines varying from \$14 to \$300

Rental Unit Land Use Zoning By-law

- ⇒ Learn about your building and your rental unit – is it a single detached dwelling, a semi-detached dwelling, a basement dwelling unit, a main floor dwelling unit, a room within a boarding house, a room within a detached dwelling, or another type of unit?
- ⇒ Some rental units are illegal – call the City to discuss the legality of your unit (905) 735-1700 ext. 2247.
- ⇒ To learn more about rental housing types contact the City or read the brochure "Residential Housing Alternatives" which is available on the City website at <http://www.welland.ca/development/ResHousingAlt.html>

Property Standards By-law

- ⇒ Sets minimum standards for rental units – plumbing, lighting, etc – the landlord is responsible under the by-law unless the lease makes the tenant responsible
- ⇒ City will not enforce property standards in an illegal rental unit
- ⇒ Call the City if you suspect your rental unit is substandard – a Property Standards Officer will be sent out to investigate, inspect and take appropriate action.

Fire Prevention – Ontario Fire Code

- ⇒ Working smoke alarms must be installed on every floor level and be located between each sleeping area and the re-

mainder of the dwelling unit and where the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallways. Tenants are responsible to ensure smoke alarms are not disabled – fines are \$235.00

- ⇒ Maintain carbon monoxide detectors if installed
- ⇒ Keep exits free from obstruction
- ⇒ Have a portable fire extinguisher available
- ⇒ Do not overload electrical circuits or overuse extension cords
- ⇒ Do not leave lit candles or cooking food unattended
- ⇒ Prepare and practice a Fire Safety Plan
- ⇒ The Fire Code has specific fire safety requirements for houses with more than 1 dwelling unit – protective fire separations, proper exits and/or interconnected smoke alarms may need to be provided by the landlord – call the Fire Department at (905) 735-9922 and talk to a Fire Prevention Officer at extension 229 or 224.

Regional Niagara Laws

Garbage/Recycle Pickup

- ◆ For garbage and recycling collection dates, talk to your neighbour, visit Niagara Region's website at <http://www.regional.niagara.on.ca/living/recycling/April-to-December-NF-FE-PC-W.aspx> and <http://geosmartniagara.ca/WasteManagement/> or call 905-356-4141 or 1-800-594-5542
- ◆ Garbage and recycling must be at the curb by 7:00 a.m. on pick up day and must not be at the curb prior to 8:00 p.m. on the day before pick up day.
- ◆ 2 container limit for garbage
- ◆ Know what can be recycled and when
- ◆ If garbage or recycle is not picked up call the Region, if it should not have been put out find out why and take it back in, do not leave it at the curb

For contact information on the above issues, please refer to the Residents section of this pamphlet.

It has been said that education is good thing and we want that saying to continue. We have provided information on numerous laws which govern these important issues. Most are intended to help you know your rights and your responsibilities. If you have read this, it is more likely than not that you have learned something. Now it is up to you as an individual to apply what you have learned.

Good luck in your educational pursuits and your future! We hope you enjoy your stay in Welland. Perhaps you will find a permanent residence in our fair City!



INFORMATION FOR RESIDENTS:

Tips for Residents With Student Neighbours

- ⇒ Treat new student neighbours as you would any new neighbour – welcome them in the way best suited to you – this may involve offering to help them move in, giving a small welcome gift or meal, or simply introducing yourself and family.
- ⇒ If you give a new neighbour the names and telephone numbers of family members residing in your home, you may be surprised when they reciprocate.
- ⇒ Be friendly, say hi everyday.
- ⇒ Talk to your student neighbours – you may find you have much in common.
- ⇒ Discuss your experiences as a student with them – they may be surprised by your openness.
- ⇒ If you have a problem with a student neighbour, talk to them about it – if you are open and communicative you may find the problem can be resolved easily – many times a student neighbour does not realize a problem exists if they are not informed.
- ⇒ Use this information pamphlet when discussing issues with students – if something is officially issued by an enforcement agency it becomes more of a justifiable concern.
- ⇒ Ask to be informed about upcoming parties and express your concern if you have had bad experiences with previous student neighbours – if you have parties planned you may wish to do the same for them as students do require quiet study time for exams and homework.
- ⇒ If you have developed a friendship with a student neighbour and a behavioural problem has been observed as a result of alcohol abuse you may find the friendship has changed. Depending on the behaviour and the friendship, you may want to consider talking to them about it as a friend – it may be they are too embarrassed to discuss the issue with you first.
- ⇒ Don't escalate problems by confrontational approaches – this method always makes a problem worse.
- ⇒ Respect the students right to live within a residential area as you would any other neighbour.

Reporting Problems

If problems with neighbours persist and your communication efforts are not effective, please report these issues to the appropriate authorities.

Become familiar with the laws affecting the problems, to know if a law can be applied. There

may not be laws for all behaviours and issues. The laws are listed under the Student section of this pamphlet.

Police/Criminal Matters

Serious matters such as alcohol and drug problems, sexual behaviour, vandalism, theft, public mischief, and loud noisy parties should be reported to the Police by calling (905) 735-7811. Do not call 911.

City Matters

Parking Problems

All parking problems on City property (which excludes parking in the front yard or lawn or number of vehicles on private property) should be reported to City Hall during the day by calling (905) 735-1700 ext 2211. Calls after 4:30 pm should be directed to our nighttime enforcement number at (905) 735-1700 ext. 3000.

Parking problems on private property such as parking in the front yard or on the lawn should be reported to the By-law Enforcement Officer by calling (905) 735-1700 ext 2251 or 2257.

Noise Problems

Noise problems occurring at nighttime such as shouting, yelling and loud parties should be directed to the Police at (905) 735-7811. Do not call 911.

Minor repetitive noise problems during the day such as barking dogs or other noises can be reported to the City By-law Enforcement Officer by calling (905) 735-1700 ext 2251 or 2257.

Clean Yards Problems

Problems with unkept yards including excessively high, uncut grass should be reported to the By-law Enforcement Officer by calling (905) 735-1700 ext 2251 or 2257.

Rental Property Land Use Issues

In general, a home owner can rent an entire house (single detached or semi-detached) to a group of students who live together as a single housekeeping unit. Current laws in Ontario permit this use and recent court decisions have made the law clear on this issue. Please refer to the City's website address <http://www.welland.ca/development/ResHousingAlt.html> dealing with various housing types, or obtain a hard

copy of the info before calling the City.

Where you believe a rental unit is illegal, please report the matter to the By-law Enforcement Officer by calling (905) 735-1700 ext 2251 or 2257.

If you wish to investigate the permitted use on a property please call a Planning Assistant at (905) 735-1700 ext 2247.

Property Standards By-law

To lodge a complaint about the condition of a building or rental unit, City policy requires a written and signed letter clearly listing the various problems. If the condition is found deficient pursuant to the Property Standards By-law, the landlord will be required to correct the problems. Typical problems are structural problems and safety related items within a dwelling.

Written complaint letters can be directed to the Property Standards Office at City Hall, 60 East Main Street, Welland, ON. L3B 3X4.

Fire Code Violations

Concerns relating to Fire Safety should be directed to the City Fire Prevention Office by calling (905) 735-9922 ext 229 or 224.

Niagara Region Matters

Garbage Collection Problems

If a neighbour consistently puts out garbage for pickup at curbside too early or improperly, please contact the Niagara Region Solid Waste Management Services Info line at (905) 356-4141 or 1-800-594-5542.

While the above laws have been identified, the hope is you won't need to use the telephone numbers provided. Student tenants usually change from year to year and hopefully a bad experience one year won't tarnish your view of college students for the next year.

If you have done your part by meeting your new neighbours and being friendly, open and communicative, there is an excellent chance this year will be a positive experience. Good luck with your new friends!

INFORMATION FOR LANDLORDS:

Tips for Landlords

- Ensure your rental dwelling units are both safe and legal - this will benefit student tenants and landlords and provide some comfort for local residents.

- Ensure the property is kept up to standards on the outside, including yard maintenance, garbage disposal and parking – it is the landlords responsibility unless the lease provides otherwise.
- Develop and maintain quality tenancy agreements which clearly outline your responsibilities and those of the tenant and make sure the tenant understands all clauses before signing the agreement – items such as parking, noise, yard maintenance, and garbage disposal should be properly addressed.
- Learn and understand all laws which govern private property including those listed in the Student and Residents sections of this pamphlet.
- Realize the concern and anxiety of local residents about new neighbours, in particular short stay tenants.
- Have a presence at the property – tenants tend to be better neighbours and more respectful of your property when you are around.
- Consider allocating a portion of rental revenue towards property improvements for the benefit of residents, tenants and your future marketing of the property.
- Meet and discuss any issue of mutual concern with local residents – exchange names and phone numbers – they may be of great assistance in minding your property and reporting incidents of concern to you during your absence.

Learn the Laws

Laws affecting properties are numerous as you have come to realize, if you have prior experience as a landlord. As you may or may not be aware, you can be held accountable for the result of some actions of your tenants simply by virtue of being the property owner. Please take the time to read the Student and Residents section of this pamphlet dealing with many such laws and call the numbers listed for more information.

Laws which you are directly responsible to comply with include:

Rental Property Land Use Zoning By-law

Ensure the property and building are properly zoned for the proposed use. Be clear on whether you are renting a room in a boarding house or an entire house. Fines for contravening the Zoning By-law are to a maximum of \$25,000, if convicted.

Ontario Fire Code

Landlords are responsible to provide and maintain working smoke alarms on every floor level in residential units. Fines for not doing so are \$235, if ticketed, and \$25,000 maximum if convicted in court. Landlords are responsible to keep a rental property safe with respect to fire separations, exits and electrical wiring, subject to maximum fines of \$25,000 if convicted.

Property Standards

Any building or property owned must be kept in compliance with the Property Standards By-law by the owner subject to a maximum fine of \$25,000 if convicted.

Laws which you may be responsible for depending on your lease agreement are as follows:

Clean Yards By-law
Noise By-law
Parking in Front Yard
Garbage By-laws

Recovery of Costs

The Municipal Act and the Fire Protection and Prevention Act give municipalities the authority to have a matter remedied where a City by-law or the Ontario Fire Code require such thing to be done. The authority allows municipalities to enter private property, hire contractors and cause physical changes to the property to effect compliance. The cost of the work is charged to the property owner and if unpaid become municipal taxes owing on the property.

Landlords have a special place

in the issue of off-campus housing. You have the ability in your rental agreement to control some of the behaviours and responsibilities of your tenants. How your tenants interact in the neighbourhood can be seen as a reflection of your care about the issues.

