

## Property Standards Committee

Meeting held February 13, 2024

A meeting of the Property Standards Committee is held this day commencing at 10:00 o'clock a.m. in Room 407, 400 City Hall Square East, there being present the following members:

Councillor Ed Sleiman, Chair  
Councillor Fabio Costante (via conference phone)  
Councillor Mark McKenzie  
Michael George  
Dan Lunardi

### ***Appellants in attendance:***

Rashpal Singh Suri and Vivek Suri, regarding ***Item 5.1***

### ***Also, present are the following City of Windsor resource personnel:***

Rob Vani, Deputy Chief Building Official - Inspections  
Michael Forte, Building By-law Enforcement Officer  
Karen Kadour, Committee Coordinator

### **1. Call to Order**

The Chair calls the meeting to order at 10:00 o'clock a.m. and the Property Standards Committee considers the Agenda being Schedule A attached hereto, matters which are dealt with as follows:

### **2. Disclosure of Interest**

None disclosed.

### **3. Adoption of the Minutes**

Moved by Councillor Mark McKenzie, seconded by Dan Lunardi,  
That the minutes of the Property Standards Committee of its meeting held August 1, 2023, **BE ADOPTED** as presented.  
Carried.

#### 4. Request for Deferral, Referral or Withdrawal

None.

#### 5. Appeals

Rashpal Singh Suri and Vivek Suri appear before the Property Standards Committee against an Order to Repair VY 23 49015 issued December 1, 2023, regarding property at 3141 Donnelly Street, Plan 42 N Pt Lot 37. The Notice of Appeal dated December 27, 2023, was received within the 14-day time frame.

Michael Forte, Building By-law Enforcement Officer provides a Presentation entitled "3140-03143 Donnelly Street Order to Repair 23-49015", **attached** as Appendix "A". He indicates that because of a compliant, a site inspection was conducted on November 17, 2023. The Inspection revealed nine (9) violations of the City's Property Standards By-law for a legal two (2) Unit Semi-Detached Dwelling. A follow-up inspection conducted February 6, 2024, found that of the nine (9) defects, only two (2) defects were in compliance – the front window and the smoke alarms were addressed for compliance. Officer Forte adds that three tenants still reside at this property.

Appellant Mr. Rashpal Singh Suri expresses concern that the city entered his property without consulting or obtaining consent from him (property owner). Further indicates they are not tenants as they have not paid rent for some time, but confirms they still reside in the building.

Committee member Dan Lunardi asks Building Administration to explain the process of entering an occupied dwelling/space legally. Rob Vani explains that for rightful entry into an occupied dwelling/space under the Building Code Act and the Municipal Act, it is the occupant of the dwelling unit/space that has the right to refuse access or to allow informed and voluntary consent for an Officer to enter. An Officer does not need consent of the property owner to lawfully enter the owner's property if they are not an occupant. Mr. Vani advises the committee that Officers inform all residential occupants of their right to refuse access.

In response to a question asked by Councillor Mark McKenzie to the appellant regarding if he has filed eviction requests with the Landlord Tenant Board, Mr. Rashpal Singh Suri responds affirmatively.

Rob Vani states that the City of Windsor's position is that the Order was issued lawfully and asks that the Property Standards Committee confirm the Order as issued with an appropriate compliance date at the discretion of the Committee.

Moved by Councillor Mark McKenzie, seconded by Councillor Fabio Costante,  
That the Order to Repair VY 23 49015 regarding property at 3141 Donnelly Street,  
Windsor Ontario **BE CONFIRMED** with a deadline of 30 days from the date of this  
decision – **MARCH 15, 2024**.

Carried.

## 6. Adjournment

There being no further business, the meeting is adjourned at 10:18 o'clock a.m.