



# Hamilton

## Safe Apartment Buildings Program Building Owner Reference Guide

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# Table of Contents

Contact Information .....	3
About This Guide .....	3
Program Overview .....	3
Program Fees .....	4
Step 1: Building Registration .....	4
Payment .....	5
Required Plans .....	5
1. Integrated Pest Management Plan .....	5
2. Waste Management Plan .....	6
3. Cleaning Plan .....	6
4. State of Good Repair Plan .....	6
5. Electrical Maintenance Plan .....	7
6. Vital Service Disruption Plan .....	7
Step 2: Comply with the By-law After Registering .....	8
Changes in Ownership .....	9
Restriction on Renting Vacant Units .....	9
Voluntary List of Tenants Needing Special Assistance .....	9
Tenant Service Requests .....	9
Record Keeping .....	10
Implementing the Plans .....	10
Retaining Certified Tradespersons and Licensed Professionals .....	10
Tenant Notification Board .....	10
Building Evaluations .....	11
Scoring .....	13
Scheduling .....	13
Building Audits .....	13
Related Legislation and By-laws .....	14
Municipal By-laws .....	14
Provincial Legislation .....	14

# Contact Information

Hamilton Safe Apartment Buildings Program  
City of Hamilton, Licensing and By-law Services Division  
330 Wentworth Street North  
Hamilton, ON L8L 5W3

Phone: **905-546-2782 (option 1)**  
Email: [SafeApartments@hamilton.ca](mailto:SafeApartments@hamilton.ca)

For the most up-to-date information, visit: [hamilton.ca/SafeApartments](http://hamilton.ca/SafeApartments)

## About This Guide

This guide provides apartment building owners and operators an overview of the [\*\*Safe Apartment Buildings By-law 24-054\*\*](#). It explains how to register your building and what to do after registration to meet the by-law requirements.

Owners should review the full by-law and seek legal or professional advice as needed.

In addition to this by-law, owners must follow all applicable laws, including:

- Public Health Regulations
- Ontario Building Code
- Ontario Fire Code
- City of Hamilton's Property Standards By-law 23-162
- Vital Services By-law 23-161

If there is any difference between this guide and the by-law or other laws, the by-law or law will apply.

## Program Overview

The Safe Apartment Buildings By-law applies to apartment buildings in Hamilton with:

- Two (2) or more storeys, and
- Six (6) or more rental units that share a common area

The by-law does **not** apply to:

- Condominiums
- Long-term care homes
- Licensed residential care facilities
- Licensed retirement homes
- Lodging homes
- Housing cooperatives

# Program Fees (2026)

Fees are payable annually upon registration or renewal and are subject to annual adjustments under the City's User Fees By-law.

## Social Housing Providers:

- Registration and renewal fees are waived for units receiving a rent supplement under the Housing Services Act.
- Market-rate units without a supplement are not exempt.
- Audit administration fees and penalties for non-compliance apply to all providers.

## Fee Schedule

- **Registration/Renewal:** \$60 per unit (plus HST) – annually
- **Audit Administration:** \$2,123 (plus HST) – per audit  
Audit fees apply only if the building scores 50% or less during evaluation.

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## Step 1: Building Registration

Under the Safe Apartment Buildings By-law 24-054, every apartment building with two (2) or more storeys and six (6) or more rental units must be registered.

### How to Register:

- Complete registration through [My.Hamilton.ca](http://My.Hamilton.ca) (create an account and sign in).

### What You'll Need:

- Contact details for the building owner, secondary contact, and operator or property manager
- Legal property description
- For partnerships: registered partnership number, business name; and partner contact details
- For corporations: registered corporation number, business name, head office address, directors/officers contact details, articles of incorporation, certificate of status issued by the ministry of government and consumer services
- Building details: year built, number of rental units, unit sizes or room counts, and summary of other building features or amenities (including security features)
- Proof of general liability insurance with a minimum per occurrence limit of \$2,000,000
- Copies of all required plans (Cleaning, Electrical Maintenance, Vital Services, State of Good Repair, Pest Management, Waste Management)
- Authorization letter if registration is completed by a third party

### Important:

- The City will send written communication and schedule evaluations using the primary contact email provided. Keep this email accurate and up to date.
- If you own more than one apartment building, register each building separately.
- Notify the City in writing within seven (7) days of any changes to registration details or ownership.

- Providing false or incomplete information is a violation of the by-law and may result in fines or penalties.

Questions: Email [SafeApartments@hamilton.ca](mailto:SafeApartments@hamilton.ca)

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## Payment

After registration is complete, an invoice for the registration fee (based on the number of rental units) will be emailed to the primary contact.

You can pay in person by credit card, cash, or cheque at:

### **City Hall - Business Licensing**

1st Floor, 71 Main Street West, Hamilton, ON  
Monday to Friday, 8:30 am to 4:30 pm

### **Licensing and By-Law Services**

330 Wentworth Street North, Hamilton, ON  
Monday and Wednesday, 8:30 am to 4:30 pm

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## Required Plans

The by-law requires every apartment building to have written plans. These plans set minimum maintenance standards and help keep buildings in good condition.

In addition to creating the required plans, building owners, operators, or landlords must:

- Hire certified tradespeople where required by law (for heating, ventilation, air conditioning, plumbing, etc.).
- Keep records of all maintenance activities to show the plans are being followed.
- Provide copies of plans to tenants upon request or before repairs or treatments occur.

### **1. Integrated Pest Management Plan**

This plan explains what owners, operators, landlords, and tenants must do to prevent and manage pest infestations.

Your plan should include:

- **Inspection Schedule:** Preventative inspections every three months in all common areas and units as needed.
- **Response Time:** Action within 72 hours of a Tenant Service Request regarding pests.
- **Treatment Protocols:** Standard treatment steps for each pest type (e.g. ants, bed bugs, cockroaches, fleas, hornet/wasp, rodents)
- **Containment Measures:** Procedures to prevent pests from spreading to other units.
- **Follow-Up:** Inspection within 15-30 days after treatment.

- **Record Keeping:** Maintain logs of inspections, treatments, and tenant notifications.
- **Tenant Communication:** How tenants will receive a copy of the plan and educational materials before treatment.
- **Tenant Responsibilities:**
  - Report pests immediately.
  - Avoid creating conditions that attract or harbour pests (e.g. clutter, food waste).
  - Treat pets for fleas, lice, or ticks.

## 2. Waste Management Plan

This plan explains how your building will meet City requirements for garbage, recycling, organics, bulk items, and other waste types. It shows compliance with the Property Standards By-law 23-162 and Solid Waste Management By-law 20-221.

Your plan should include:

- **Collection Schedule:** Dates and times for garbage, recycling, organics, and bulk items.
- **Noise Compliance:** Do not load waste after 10:00 p.m. or before 7:00 a.m.
- **Waste Sorting Areas:** Show where bins and containers are located inside and outside the building.
- **Bulk Item Process:** Storage and disposal procedures between collection days.
- **Waste Chutes and Loading Areas:** Include details about waste chutes and loading areas if applicable.
- **Tenant Education:** Place posters in common areas showing sorting instructions.
- **Resources:** Sample posters and guidelines at [hamilton.ca/apartmentwaste](http://hamilton.ca/apartmentwaste).
- **New Buildings:** Those built or approved after November 2021 must follow the City's Waste Requirements for Design of New Developments and Collection.

For more details, visit [hamilton.ca/apartmentwaste](http://hamilton.ca/apartmentwaste) or email [wasteeducation@hamilton.ca](mailto:wasteeducation@hamilton.ca).

## 3. Cleaning Plan

This plan explains how you will keep the building clean and safe.

Your Plan should include:

- **Inspection Schedule:** Frequency of checks for cleanliness in common areas.
- **Cleaning Schedule:** How often common areas will be cleaned, and methods used.
- **Emergency Cleaning:** Steps for addressing spills, hazards, or health risks promptly.
- **Documentation:** Logs of inspections and cleaning activities.

## 4. State of Good Repair Plan

This plan lists major repairs and improvements needed to keep the building in good condition.

Your plan should include (but is not limited to):

- Roofs
- Elevators
- Building exterior (facades)

- Windows
- Major mechanical systems (heating, cooling, ventilation)
- Garages
- Interior flooring and wall finishes
- Balconies
- Guardrails
- Stairwells and handrails
- Building access and emergency exits

A sample **State of Good Repair Plan template** is available on the Safe Apartment Buildings webpage.

## 5. Electrical Maintenance Plan

This plan explains how the building's electrical systems will be safely inspected, maintained, and monitored. This plan must be developed and maintained in collaboration with a licensed electrical contractor holding a valid ECRA/ESA licence.

Your plan should include:

- Working with a licensed ECRA/ESA electrical contractor to develop and update the plan.
- A schedule for regular inspections, testing, and maintenance of electrical systems and equipment.
- Up-to-date records for all inspections, maintenance activities, and repairs, which must be provided to the City upon request.
- Procedures for monitoring electrical system conditions and identifying issues proactively.
- Tenant notifications for any planned electrical work or service interruptions.

Guidance on how to develop your plan is available on the Electrical Safety Authority (ESA) website: <https://esasafe.com/business-and-property-owners/aging-multi-unit-residential-buildings/>.

## 6. Vital Service Disruption Plan

This plan explains how you will ensure tenants have continuous access to vital services as required by the Vital Services By-law 23-161.

Vital Services include:

- Hot and cold water (continuous and uninterrupted hot water must be at least 43°C)
- Fuel
- Electricity
- Gas
- Heat (minimum of 20°C from September 15 to May 15)

Your plan should include:

- How you will communicate service disruptions to tenants.
- Preventative measures to reduce the risk of disruptions.
- Steps to restore services quickly and keep tenants safe during outages.

A sample **Vital Service Disruption Plan template** is available on the Safe Apartment Buildings webpage.

## Fire Safety and Emergency Preparedness

The Ontario Fire Code (O. Reg. 213/07) includes additional requirements building owners and operators must follow.

For full details, refer to the specific Part, Section, Subsection, or Article of the Ontario Fire Code at:  
<https://www.ontario.ca/laws/regulation/070213>

Key areas include:

- Fire Safety Plans
- Smoke Alarms
- Carbon Monoxide Alarms
- Portable Fire Extinguishers
- Fire Alarm and Voice Communications Systems
- Standpipe and Hose Systems
- Sprinkler Systems
- Emergency Power Systems
- Integrated Fire Protection and Life Safety Systems
- High Buildings (over 6 storeys)

For more information:

- Visit [hamilton.ca/fireprevention](https://hamilton.ca/fireprevention)
- Email [fire.prevention@hamilton.ca](mailto:fire.prevention@hamilton.ca)
- Share resources: [hamilton.ca/emergency-preparedness](https://hamilton.ca/emergency-preparedness)

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## Step 2: Comply with the By-law After Registering

Once your building is registered under the Safe Apartment Buildings Program, you must ensure ongoing compliance with the by-law. Building owners, operators, and landlords are responsible for always maintaining these standards.

### Compliance Checklist

- ✓ Notify the City of any changes to registration or ownership within seven (7) days.
- ✓ Do not rent units that fail property standards, have orders, lack vital services, or have pests.
- ✓ Manage Tenant Service Requests with a clear process:
  - ✓ Track all requests
  - ✓ Prioritize urgent issues
  - ✓ Respond within 24 hours for urgent requests and five (5) days for non-urgent requests
- ✓ Maintain a list of tenants who require assistance.
- ✓ Post updates on a Tenant Notification Board in a common area.
- ✓ Use certified professionals for HVAC, plumbing, and pest control services.

- ✓ Follow required plans (pest, waste, cleaning, repairs, electrical, vital services).
- ✓ Keep records of service requests and plan activities for 30 months.
- ✓ Provide plans and evaluations to tenants upon request or when work occurs.
- ✓ Allow City staff access for inspections, evaluations, and compliance checks.
- ✓ Renew registration annually.

## Changes in Ownership

If building ownership or registration details change, you must notify the City within seven (7) days.

To update your information:

- Email [SafeApartments@hamilton.ca](mailto:SafeApartments@hamilton.ca)
- Call **905-546-2782 (option 1)**

New owners must register the building and pay the annual fee when they take ownership.

## Restriction on Renting Vacant Units

Before advertising or renting a vacant unit, make sure it:

- Meets minimum maintenance standards Property Standards By-law 23-162.
- Has an adequate and suitable supply of vital services.
- Is free of pests or suspected infestations.

## Voluntary List of Tenants Needing Special Assistance

Building owners, operators, or landlords must keep a list of tenants who may need extra help during:

- Building evacuations
- Elevator disruptions
- Temporary vital service outages

Tenants can choose to add themselves to this list.

Important:

- Post information about the list and how tenants can join on the Tenant Notification Board.
- Do not post names or personal details of tenants on the board.

A sample **Tenant Assistance Form template** is available on the Safe Apartment Buildings webpage.

## Tenant Service Requests

The Safe Apartment Buildings By-law 24-054 requires building a process for tenants to report concerns about their rental unit or the building.

Response timeframes:

Type of Request	Description/example	Required Response Time
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Urgent	Loss or interruption to vital services, security breach	Within 24 hours of the request being made
Non-urgent	Repairs, graffiti, long grass, weeds, litter, waste issues	Within 5 days of the request being made
Pests	Signs of infestation	Inspection within 72 hours of the request being made

A sample **Tenant Service Request template** is available on the Safe Apartment Buildings webpage.

## Record Keeping

- Keep records of all Tenant Service Requests and actions taken for 30 months from the date the record was created.
- Records must:
  - Be stored securely and accessible.
  - Include all activities related to implementing plans and handling Tenant Service Requests.
- Municipal Law Enforcement Officers will review records during evaluations or audits to confirm compliance.

## Implementing the Plans

Failing to implement any required plans can result in fines or penalties for non-compliance with the Safe Apartment Buildings By-law 24-054 or other municipal by-laws.

## Retaining Certified Tradespersons and Licensed Professionals

Building owners, operators, or landlords must:

- Hire certified tradespeople when required by law for heating, ventilation, air conditioning, plumbing, etc.
- Use a licensed pest management operator or exterminator (licensed by the Ministry of Environment) for pest extermination or elimination.

Note:

Minor repairs or maintenance (such as plumbing, electrical, pest prevention) may sometimes be completed without a licensed professional. Owners are responsible for reviewing legislation and seeking legal advice before doing work without a licensed contractor or tradesperson.

## Tenant Notification Board

Every apartment building must have a Tenant Notification Board in a central, easy-to-see location, such as a common area visible to all tenants and prospective tenants.

Digital display boards and QR codes can also be used to share information or link tenants to online resources.

## What to Post (Required by By-law 24-054)

### **Building Information:**

- A copy of the Safe Apartment Buildings By-law registration
- The most recent building evaluation results
- General information about the Safe Apartment Buildings By-law (poster)
- Emergency contact information (available 24/7)

### **Tenant Resources:**

- Instructions on how to request copies of required plans
- Instruction on how to submit and follow up on Tenant Service Requests
- How to report unresolved issues to the City (email, phone, online form)
- Information about the voluntary assistance list, including its purpose and how to join
- Information about tenant rights, eviction prevention, and support resources
- How to access information in multiple languages

### **City Updates and Notices:**

- Information on City air-conditioned locations
- Notices about audits, vital service disruptions, major projects, or orders
- Any Property Standards or Vital Services orders or notices issued by the City
- Any notice of appeal to an order
- Information about any violations of the Ontario Fire Code

### **Additional Notices (as needed):**

- Notice of upcoming building audits
- Details of planned or unplanned disruptions to vital services (nature, duration, affected units)
- Information about major capital projects (nature, duration, affected units)

### **Language Access:**

The City of Hamilton's website can be translated into multiple languages using online translation tools.

Visit: [Hamilton.ca/translate](http://Hamilton.ca/translate)

Note: Accuracy is not guaranteed as this is a third-party tool.

### **Notes:**

- Some documents will be provided by the City of available online
- Additional notices may be posted if issues arise (e.g., audits, orders, fire code violations).

## Building Evaluations

After registration, Municipal Law Enforcement Officers from the Rental Compliance section will inspect:

- Exterior and interior common areas
- Building maintenance and cleaning practices
- Health, safety, and security

- Customer service practices
- Overall compliance with City by-laws

Officers will identify deficiencies and, if required, issue Orders to Comply identifying the required repairs or modifications.

During the building evaluation, Officers will inspect building elements as applicable, included but not limited to:

Category	Examples of Elements Evaluated ( <i>not limited to listed items</i> )
Exterior Grounds	Signage & addressing; vehicle areas (driveways, curbs, parking; pedestrian areas (walkways, stairs, guards); landscaping & seasonal maintenance; fencing & barriers; drainage; litter & debris; inoperable vehicles; waste collection areas; accessory structures
Exterior Building Surface	Balconies & guards; building façade & finishes; awnings/canopies; doors/windows/screens; foundations; drainage systems (eavestroughs/downspouts); exterior venting /airflow openings
Building Entry and Exits	Entry/exit doors; exterior stairs/ramps; handrails & guards
Building Safety and Security	Doors & locks; windows security; intercom & access systems; security cameras (if present); safety lighting
Waste Storage Area	Waste rooms/areas; bins/containers; waste chutes; enclosed waste spaces; exterior bin screening
Other Property or Building Amenities	Play areas; pools & enclosures; recreation/amenity rooms; accessory buildings
Graffiti	Graffiti presence; hate-motivated markings
Lighting	Interior common-area lighting; exit/egress lighting; exterior lighting & light spill
Elevators	General operation; doors & controls; indicators & lighting; ventilation; cab interior
Stairwells	Doors; surfaces; stairs/handrails/guards; lighting
Roof	Roof access; roof surfaces/components; roof-level walls; rooftop equipment; loose materials
Interior Commons Areas	Surfaces; stairs & handrails; doors/hardware; windows; lighting/electrical; HVAC; moisture/mold
Laundry Room and Common Bathrooms	Surfaces; appliances/equipment; plumbing; lighting/electrical
Storage Areas and Locker Rooms	Surfaces; lighting/electrical; HVAC; plumbing (if present); storage safety
Mail Areas and Rooms	Mailboxes/slots; collection points; mailroom access/security
Underground Parking Garage	Doors/security; structural surfaces; signage; stairs/handrails; lighting/electrical; HVAC/Ventilation; plumbing; communication systems; debris; inoperative vehicles; parking markings

Mechanical Equipment and Service Areas	Surfaces; electrical systems; plumbing; HVAC & mechanical equipment
Presence of Pests	Pest evidence; prevention; treatment practices
Tenant Notification Board	Emergency contacts; evaluation results; service request info; City complaint process; access to required plans; Voluntary Tenant List; program/tenant resources; cooling centres; service disruptions; capital projects; audits; City orders; Fire Code violations
Procedures	Tenant Service Requests; Voluntary Tenant List; certified trades; pest management procedures; non-compliant unit practices
Required Plans	Waste Management; Cleaning; State of Good Repair; Electrical Maintenance; Vital Services Disruption; Integrated Pest Management

## Scoring

Buildings are scored based on maintenance practices and standards using evaluation criteria and a scoring formula developed by the City of Hamilton.

Scores will be posted on the Tenant Notification Board and made available online.

Evaluation schedule:

- **85% or higher:** Next evaluation in 3 years
- **51-84%:** Next evaluation in 2 years
- **50% or lower:** Audit triggered
- Audits can also be triggered at any time if deemed necessary by a Municipal Law Enforcement Officer

## Scheduling

The primary building contact will be notified in advance of the evaluation date and time.

The building owner, property manager, superintendent, or authorized representative must be on-site during the evaluation to provide access to Municipal Law Enforcement Officers.

## Building Audits

A comprehensive building audit is triggered when a building receives a failing score (50% or lower) during an evaluation.

- Building owners and tenants will receive 30 days' notice before the audit date.
- The audit includes:
  - A full inspection of the property
  - Tenant engagement through door knocking
  - Identification of any Property Standards violations in common areas and rental units
- Violations may result in progressive enforcement, including Orders to Comply and/or fines.

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# Related Legislation and By-laws

## Municipal By-laws

For the most current version of each by-law, visit: [hamilton.ca/by-laws](http://hamilton.ca/by-laws).

Key by-laws include:

- **Adequate Heat By-law 04-091:** Requires a minimum temperature of 20°C in all habitable spaces.
- **Business Licensing By-law 07-170:** Regulates businesses, including trades and short-term rentals.
- **Fire Route By-law 01-217:** Establishes fire routes for emergency vehicle access.
- **Noise Control By-law 11-285:** Prohibits unreasonable noise unless exempted.
- **Property Standards By-law 23-162:** Requires property owners to maintain and repair property.
- **Public Nuisance By-law 20-077:** Prohibits behaviours harmful to health or enjoyment of property.
- **Renovation Licence and Relocation By-law 24-055:** Requires landlords to apply for a renovation licence within seven days of serving an N13 notice to tenants.
- **Responsible Animal Ownership By-law 12-031:** Outlines responsibilities for animal owners.
- **Smoking in Public Places and Workplaces By-law 02-054:** Prohibits smoking/vaping in common areas.
- **Snow Removal By-law 03-296:** Requires snow and ice removal from sidewalks surrounding the property within 24 hours after a storm.
- **Solid Waste Management By-law 20-221:** Regulates waste collection for multi-residential properties.
- **Vital Services By-law 23-161:** Requires landlords to provide adequate fuel, electricity, gas, heat, hot water, and potable water.
- **Yard Maintenance By-law 10-118:** Requires yards to be kept clean and free of overgrown vegetation, noxious weeds, inoperative vehicles/machinery, graffiti, litter, or waste.

## Provincial Legislation

- **O. Reg. 163/24: Building Code** – Updates for fire safety, occupant safety, and accessibility. Questions: [building@hamilton.ca](mailto:building@hamilton.ca).
- **O. Reg. 213/07: Fire Code** - Requires the building's life safety devices to be kept in working condition. Owners must inspect and repair; tenants must report issues. Questions: [fire.prevention@hamilton.ca](mailto:fire.prevention@hamilton.ca).
- **Residential Tenancies Act, 2006** – Protects tenants from unlawful rent increases and evictions; sets rules for landlord and tenant rights. Questions: [tenantsupport@hamilton.ca](mailto:tenantsupport@hamilton.ca).
- **Smoke Free Ontario Act, 2017** - Prohibits smoking and vaping of tobacco and cannabis in indoor common areas in. Questions: [tobacco@hamilton.ca](mailto:tobacco@hamilton.ca).
- **Accessibility for Ontarians with Disabilities Act, 2005** – Sets accessibility standards for buildings and services.