

The Health Unit's Role in Housing Complaints

Kim McCann

Manager of Community Health Protection

The Health Protection and Promotion Act

The Health Unit enforces the Health Protection and Promotion Act (HPPA) and its regulations including food premises, personal service setting, public pools and spas and small drinking water systems

“The purpose of this Act is to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario. R.S.O. 1990, c. H.7, s. 2”.

Risk Assessment

Housing complaints are received daily by the Health Unit. When a complaint is received Public Health Inspectors are required to conduct a risk assessment to determine:

- whether a health hazard exists, and
- Whether the health hazard is affecting the public, a nuisance, or if it affecting an individual?

The risk assessment will help us determine our next step which may include:

- Conducting an inspection or
- Making a referral to another agency with legislative authority

Risk Assessment

A health hazard is define as:

health hazard” means,

- (a) a condition of a premises,
- (b) a substance, thing, plant or animal other than man, or
- (c) a solid, liquid, gas or combination of any of them,

that has or that is likely to have an adverse effect on the health of any person; (“risque pour la santé”)

Note: Any person in case law means the public and not an individual

Where Can Public Health Help?

- The HPPA specifically states that “Every person who owns a residential building shall provide potable water” therefore Public Health can address drinking water safety complaints received from tenants or occupants of residential facilities.
- Public Health has a duty to inspect licensed lodging homes on a complaint basis. This includes congregate living settings such as nursing and retirement homes, group homes, treatment centers etc.

What Can Public Health Do?

- Health hazards orders can be written under the Health Protection and Promotion Act when a hazard is affecting or could potentially affect the public:
 - Operating an uninspected food premise in a private dwelling
 - Operating an uninspected personal service setting in a private dwelling
 - Providing unsafe water drinking water to the residence of a building.
- Provide education to the client through telephone conversations by providing fact sheets and credible websites.
- Provide information for local support services and agencies that have direct authority over a housing concern.

Regulatory Limitations

- Public Health Inspectors do not enforce the Residential Tenancies Act.
- Public Health Inspectors do not have rights of entry into a private dwelling unit i.e. apartment buildings or unorganized communal living situations without cause.
- Health Units do not have the authority to remove occupants or to condemn houses/units.

Our Partner Agencies

Sewage/septic system complaints:

- Municipal building departments or their contracted authority for Part IIIIV services under the Ontario Building Code

Number of animals/pets or related nuisance odour complaints:

- Municipal by-law or in the case of animal abuse/neglect: Animal Welfare Services, OAPCC
1-833-9-ANIMAL

Fire prevention related complaints:

- Local fire departments

Maintenance Standards Issues:

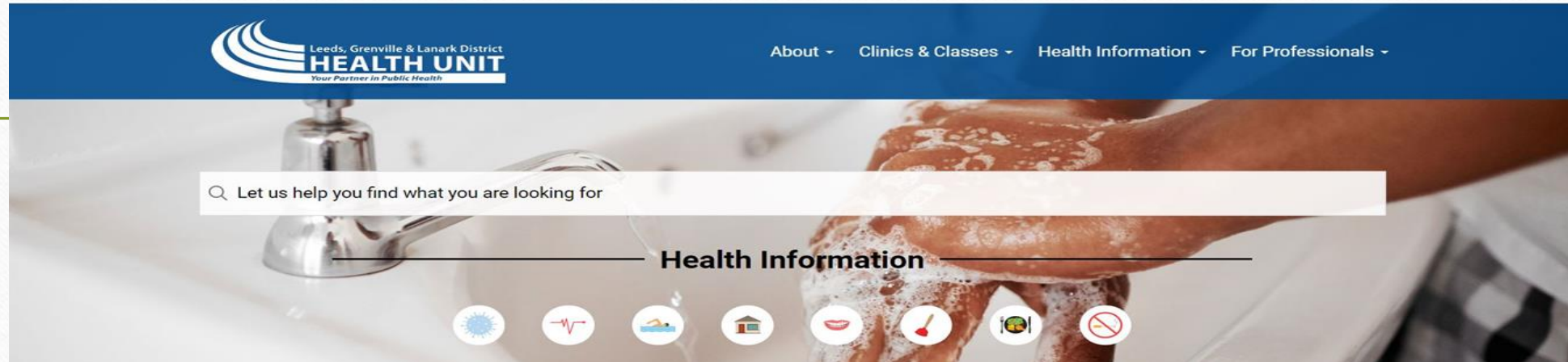
- Local municipalities or to the landlord and Tenant Board of Ontario

[LTB | Maintenance and Repairs Brochure \(tribunalsofntario.ca\)](http://tribunalsofntario.ca)

Our Asks Short-Term and Long-Term

- If you receive residential housing complaints, refer clients to the Landlord Tenant Board website for information about the Residential Tenancies Act.
- Consider creating and adopting property standards by-laws for rental homes, create zoning bylaws to prevent over crowding and possible health and safety issues.

Thank you



Visit our website:

www.healthunit.org

Call our Toll-Free Line at:

1-800-660-5853

or email us at:

contact@healthunit.org

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