



Report
Staff Report
The Corporation of the City of Brampton
10/16/2024

Date: 2024-10-16

Subject: **Suspension and Revocation of Short-Term Rental Licenses (RM 59/2024)**

Contact: Genevieve Scharback, City Clerk

Report number: Legislative Services-2024-841

RECOMMENDATIONS:

1. That the report from Genevieve Scharback, City Clerk and Allyson Sander, Strategic Leader, Project Management to the City Council Meeting of October 16, 2024, re: **Suspension and Revocation of Short-Term Rental Licenses (RM 59/2024)** be received.

OVERVIEW:

- On September 11, 2024, staff were directed to provide a report outlining the procedure for revoking short-term rental business licenses in cases where such revocation is deemed to be in the public interest based on the health and safety of residents.
- The Short-Term Rental By-law 165-2021 delegates the power to revoke or suspend licenses to the City Clerk, or their designate.
- A license may be suspended or revoked under the By-law based on violations of license terms, non-compliance with laws, and threats to public safety.
- The City Clerk reviews requests to suspend or revoke a licensed using a severity matrix to determine if it is in the public's interest to do so.
- Licensees can appeal decisions made to revoke or suspend a license to the Brampton Appeal tribunal.

BACKGROUND:

In the City of Brampton, all short-term rental hosts must obtain a licence issued in accordance with the provisions of the [Short-Term Rental By-law 165-2021](#). Under the By-law, the licence issuer (City Clerk, or designate) has the power to refuse, cancel, revoke, suspend or impose conditions on a licence. In accordance with resolution C175-2024, this report provides a comprehensive overview of the procedures and conditions governing the revocation or suspension of licenses issued under the By-law (RM 59/2024)

CURRENT SITUATION:

A process for revocation and suspension of short-term rental licenses has been established, with a focus to ensure that a fair, equitable and consistent approach is taken when reviewing requests.

Complaints

All short-term rental hosts are responsible for ensuring that all short-term rental guests comply with applicable laws. Where Enforcement and By-law Services receives a complaint about a nuisance at a licensed short-term rental, staff will attempt to contact the host, applicant or property owner to inform them of the conduct using the name and telephone number of the host or the 24-hour emergency contact person listed on the license application.

The procedure respecting licence suspension or revocation provides that where a complainant has information that warrants a review of a license, they are required to provide the information on a form approved by the City Clerk prior to commencing a review.

The City Clerk will then undertake a review of the evidence and contact all parties necessary, such as Peel Regional Police, Peel Public Health, Fire and Emergency Services, Enforcement and By-law Services, and/or any other party. Based on the evidence and information gathered, the City Clerk will decide if it is in the public's interest to suspend or revoke the license.

Grounds for License Revocation or Suspension

The City Clerk may revoke or suspend a licence for any one or more of the grounds listed in subsections 25 to 29 of the By-law including, but not limited to:

- **Contrary to Public Interest:** In respect of the health and safety of any person, nuisance affecting any land or person or the protection of the consumer.
- **Violation of License Terms:** The licensee has failed to comply with the terms and conditions of the license.
- **Non-Compliance:** The Licensee has violated the By-law or other applicable laws or regulations.

Temporary Suspension for Immediate Danger

Where the City Clerk is satisfied that the continuation of a short-term rental poses immediate danger to the health or safety of any person or property, the City Clerk may suspend a licence for a up to 14 days while the matter is investigated.

Review and Decision

Where the matter does not post immediate danger, the City Clerk will first undertake an investigation into the complaint. Where an investigations results do not warrant the revocation or suspension, the City Clerk will reinstate the license if it was suspended. Where the review and investigation prompt further action, the action (notice/warning, order, penalty or revocation) will be based on the severity of the violations, the licensee's history, and the potential impact on the public interest.

Once the decision is made to revoke or suspend a license, written notice is provided to the licensee within 10 days that sets out the grounds for the decision.

A licensee whose licence has been revoked is not entitled to make a new application for the same or similar type of licence for a period of at least 12 months from the date of the refusal or revocation. The licence issuer must reinstate any licence that has been suspended upon satisfactory proof that the administrative requirements have been met.

Appeal to the Brampton Appeal Tribunal

The licensee may write to the City Clerk requesting a hearing by the tribunal within 15 days of receiving written notice or the suspension or revocation. The tribunal may confirm the decision to revoke, suspend the license or order that the license be reinstated and may change any conditions imposed. The decisions made by the tribunal become final and binding.

CORPORATE IMPLICATIONS:

Financial Implications:

There is no financial impact resulting from the adoption of the recommendations in this report.

STRATEGIC FOCUS AREA: The process outlined in this report aligns with the City's Strategic Focus on Healthy and Well-being by protecting the health and safety of communities.

CONCLUSION:

By-law 165-2021 provides the authority to suspend and revoke short term rental business licenses. The process to do so has been formalized internally through the drafting of a new standard operating procedure that will ensure requests and complaints are reviewed and investigated systematically, consistently and impartially.

Authored by:

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Reviewed by:

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Attachments

Appendix 1 – Revocation and Suspension Process Map