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CoWH
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Unightly Property Complaint Process and Background on Case Management

STEP 1: Call/email complaint received.

STEP 2: Inspection completed, photos taken, etc.

STEP 3: If Act contravened, letter of notification sent to property owner/responsible party with deadline.

STEP 4: If clean up deadline in letter is not met, Department considers severity of complaint and property condition, visibility to public, etc.

STEP 5: If case warrants further action, Inspector issues clean-up Order with prescribed deadline.

STEP 6: If Order not complied with, Department considers a summary offence ticket (and possible court proceedings) or if complaint warrants immediate action, clean-up may be done by the Department with an Order for Costs filed as a judgment against the property owner.

Challenges

- Many cases are non-resident landowners or properties left in estates where responsible parties are difficult to contact or feel little obligation to maintain their properties.
- Occasionally, properties are in the process of mortgage repossession or tied in legal restraints where responsible parties are difficult to direct.
- Low-income property owners with limited expendable finances are a high percentage of the complaints. Inspectors are advised to use compassion and work with these individuals to make progress on cleaning up their properties however resistance often occurs.
- Inspectors apply the powers of the Act with a certain threshold and consistency whereby some properties with general "untidiness" versus defined unsightliness as per the Act are likely to be given more leniency.
- Occupied properties are more difficult to clean up than orphaned or abandoned properties due to the perception of government's infringement of privacy and personal rights or likelihood that the property will return to an unsightly state after a clean-up has occurred.

Budgetary and Case Load

- In 2011/2012, the Department did have a budget amount of \$70,000 to conduct clean ups. This amount did cover a back log of historic files where no responsible party had come forward.
- With the current budget of \$25,000/year, the Department now selects approximately 2 sites per year to conduct clean-ups on.
- On average, five Orders are issued per/year for property clean ups and 80 complaints are received by two inspectors.