

June 25, 2012

Office of the Fire Marshal
5775 Yonge Street, 7th Floor
Toronto, Ontario
M2M 4J1
Attention: Fire Safety Standards

Emailed to: FireSafetyStandards@ontario.ca

Re: Commentary on proposed changes to the 2007 fire code

On behalf of the Federation of Rental-housing Providers of Ontario, I am pleased to provide comments on proposed changes to the 2007 Ontario Fire Code. Our comments related specifically to impacts on rental housing buildings.

Division A. 1.4.1.2 – Refuse Storage Rooms

The new defined term “refuse storage room” clarifies that the fire separation retrofit requirements for refuse storage rooms in applicable residential buildings apply to rooms that store recyclables. Recently, more apartment buildings have increased their waste diversion efforts, and this change could have an impact on landlords who have utilized separate rooms for recycling storage that are not currently fire separated and/or sprinklered. FRPO has no issue with change provided that requirements for recycling storage rooms are consistent with existing requirements for refuse storage rooms.

Division B. 2.6.3.4 (1) – Cooking Fires

The proposed change provides further clarification on the limitation of the size of open air cooking fires. This will have an impact on landlords who will be required to advise their tenants and staff of this change, as well as on existing policies regarding barbequing operations. FRPO has no issue with this change, and has already advised its landlord members to utilize a tenancy lease provision that prohibits barbequing on balconies or the making of fires.

Division B. 2.13.2.1 (6) – Smoke Alarm Standards

This proposed change updates the minimum compliance standard for existing smoke alarms from the 1978 to the 1987 edition of the CAN/ULC-s531 *Standard for Smoke Alarms*. This change could require landlords to replace older smoke alarms with newer units. However, as it is generally recommended that smoke alarms be replaced every 10 years, FRPO expects that most landlords will conduct the replacement of older smoke alarms as part of regular building maintenance. FRPO has no issue with this change.

Division B. 6.3.3.3 – Smoke Alarm Notification Requirement

This change will require tenants to immediately notify the landlord of any smoke alarms that are inoperable, disconnected or otherwise non-functioning in their units. As a result of this change, landlords will have to notify their tenants of this requirement. The proposed change refers to the term “occupant”. FRPO recommends that the term “tenant” specifically be used in this instance, as the word “occupant” has a very specific meaning under the Residential Tenancies Act, and normally refers to persons who the landlord has no knowledge of, and in some cases are unauthorized to live in the unit. The “tenant” refers to persons named on the lease agreement, or otherwise are the residents that landlord has normal dealing with. The proposed change should also specifically note that “tenant” means “tenant” as defined in the Residential Tenancies Act, 2006.

Division B. 6.3.3.4 – Disabling Smoke Alarms

This change proposes to remove the term “intentionally” from the prohibition of persons disabling smoke alarms. This change will allow better enforcement as prosecutors will not have to prove intent, only that the smoke alarms were disabled. This change will impact landlords by requiring them to advise their tenants and staff of this change. FRPO has no issue with this change.

Division B. 6.3.3.6 – Testing of Smoke Alarms

This change proposes to require annual testing of smoke alarms in dwelling units by the landlord. As a result of this change, testing will also be required after battery replacement, changes to the electrical circuit serving the alarm and at each change in the tenancy. Landlords will now have to notify their building management staff of this new requirement. FRPO has no issue with this change, as most landlords already conduct such tests as a part of normal maintenance or on tenancy turnover.

Division B. 6.4.1.4 – Notification of Standpipe/Hose System Shut Down

This proposed change clarifies that in addition to the supervisory personnel, the fire department and the building occupants are to be notified of a standpipe and hose system

shut down. This change may impact landlords if they are required to revise their Fire Safety Plans and incorporate new procedures on-site.

Division B. 6.2.4.5 – Hose Inspection Method

This proposed change introduces clarification of the inspection methods for the standpipe hose. This change could impact service contracts for landlords, and building management staff will also have to be made aware of this requirement.

Recommended Change: FRPO recommends that an additional change to the Code be included that allows for the removal of the fire hoses from all the fire hose cabinets within multi-unit rental housing properties. The policy of removing fire hoses from fire hose cabinets has also been adopted by other jurisdictions such as the City of Victoria. Removing hoses does not compromise the fire & life safety of occupants. Tenants will likely never use this equipment and the responding fire crews will use their own hoses. Fire extinguishers are supplied in all fire hose cabinets and are available to occupants if needed in an emergency condition. Few, if any, occupants are trained in the proper use of fire hoses. Untrained people who attempt to use these hoses could put themselves at increased risk of injury or even death if they attempt to re-enter a fire area to extinguish the fire. For these reasons, FRPO recommends allowing the removal of fire hoses in rental housing buildings.

Division B. 6.4.3.8 – Dry Standpipe System Checks

This is a new requirement to require weekly checks of an automatic dry standpipe system by the building owner. Landlords will now be required to conduct weekly checks where the building incorporates a dry standpipe system, such as in unheated garage areas. Maintenance personnel will be required to be made aware of this requirement and document such checks when performing inspections.

Division B. 6.5.2.4 – Notification of Sprinkler System Shut-Downs

Regarding sprinkler system shut-downs, this change requires landlords to notify the fire department and building occupants, in addition to supervisory personnel, of shut-downs. As a result of this change, landlords will be required to revise the Fire Safety Plans of their buildings to include this required notification. FRPO has no issue with this change.

Division B. 9.3.3.8 - Self-closing and Latching Devices

This change adds a requirement to closures in fire separations in boarding, lodging and rooming houses, referred to the existing Sentence (1), that such doors shall be equipped with self-closing and latching devices. This will be a retrofit requirement for some landlords of smaller buildings who may have to equip closures with the appropriate door hardware. It is our understanding that many building owners have already installed the

necessary hardware in order to improve safety. As proposed FRPO has no issue with this change.

About FRPO

The Federation of Rental-housing Providers of Ontario (FRPO) is the province's leading advocate for quality rental housing. We represent a wide range of multi-residential housing providers who supply and manage homes for over 350,000 households across Ontario. We are promoting a healthy and competitive rental housing industry by ensuring the impact of legislative and regulatory changes serve the best interests of landlords and tenants.

Sincerely,



Mike Chopowick
Manager of Policy