

As a resident of the downtown core area and condo owner, and I want to express my support for regulation of the short-term rental industry. I however several concerns regarding the proposal being presented to the Executive Policy Committee that fail address the primary risks voiced by our condo community that are imposed when STR businesses are established in residential condo buildings.

While entrepreneurship should be celebrated when their impacts to the community are positive, they should not be allowed to operate when their businesses are a detriment of the community and public safety. By the various levels of government failing to regulate this industry with already existing laws, we seen these businesses change the culture of our communities overnight. Those that could afford to leave our community based on the problems created by STRs left, sometimes with huge losses only to be replaced by another STR. Our neighbours formerly consisted of professional hockey players, healthcare workers, bankers, retirees and even law enforcement. Many of these people after numerous attempts to have the various levels of government hold these operators accountable have now left.

Living next to an STR in a condominium with only inches separating homes however can be unbearable when guests behave in a manner that does not respect the community and residents that reside there. Even an STR rented for a stag party or concert can be problematic when interfering with their neighbours ability to sleep. It was only several years ago that frontline workers were celebrated yet these businesses made it increasingly difficult for those very people to complete their duties when parties and disturbances are the norm when living next to an STR. An STR is even more problematic if you are a law enforcement officer or justice worker with the courts that may have professional dealings with criminals within the community and then an STR is rented in close proximity to your home, resulting in a potential threat to an entire family.

My biggest concern regarding the proposal to the City Hall regarding regulation is that we feel there are large gaps that will fail to protect the community without a primary resident requirement in place for all homes. This proposal is overly dependent on the services of the Winnipeg Police Service by requiring the police with establishing records of problem suites such as those with noise violations for the purpose of evaluating whether a short-term rental license should be removed. Currently, the demands for the services of the Winnipeg Police Service exceed their capabilities. The police may have time to enforce noise by-laws in the suburbs but the police in the downtown area do not have the capabilities to take on this extra responsibility. In the downtown core, police are dispatched based on immediate safety risks and do not have the capabilities or the resources to police short-term rental licenses and municipal by-laws. Calls to the police for noise complaints in downtown apartments and condominiums cannot always be addressed as police resources can be exhausted for other needs.

The Winnipeg Police Service in our neighborhood are frequently needed to be dispatched for incidents that present an immediate threat to life or safety such as those that involve weapons such as a gun or a knife. We have had incidents in STRs in our building that have fit that criteria but are less frequent than the out-of-control parties which can occur on any night. On the weekend, the police are frequently unable to respond to assaults if the person has been able to secure themselves safely in their unit as the immediate threat is no longer present. On a busy night, the police may arrive the next morning to take a statement and provide a police report number. Without a police report number or a police presence at the time of the incident, I fear the worst Ghost Hotel operators will just use this to deny that a problem ever occurred.

While we experienced some of our worst experiences being neighbours with STRs during the pandemic when STR operators were renting their suites to host COVID parties, the City of Winnipeg frequently recommended the solution that residents call Public Health to enforce the health measures, which could shut down the parties. Public Health however never showed a presence in our building to stop or even act as deterrence for COVID parties. City employees with new positions created for the purpose of regulation could fill that function, but they need to be available 24 hours a day as most problems occur in the more inconvenient times such as in the later evening and early morning. While many of owners of STRs in our building have taken the time to present to City Hall, I have yet to have a single operator or an employee of their operations come to the building to deal with an issue created by their business.

For limits and rules to having effective, those limits need to be enforceable. If the city through licensing is to put a cap on the number of adults per bedroom, this rule will only help if the City of Winnipeg provides the staffing and manpower to enforce the rules in their regulation proposal. As this is not a matter involving the criminal code, the police will not prioritize enforcing this and will have zero effectiveness to stop the kind of guests that cause the biggest problems for the neighbours next to these STR businesses. Without a primary resident requirement, hosts truly do not know how many people are in their suite, the identities of their guests and whether fraudulent rentals using stolen or borrowed identities are occurring.

To keep our communities safe, we require a primary resident requirement for all STRs as these businesses are attractive for the use of organized crime, human traffickers and gang members looking to escape the supervision of the police as hosts provide no supervision or presence in their suites. While putting up pamphlets from the Joy Smith Foundation are well intentioned, this does not enough responsibility of the STR investors for creating a situation that allows these crimes to be occur in close proximity to their neighbours. It also does not protect our family members from coming into close contact with the most violent and exploitive elements operating in Winnipeg.

I also feel that by allowing condominium boards the power to grant approvals for STRs to operate in our buildings undermines our municipal levels of democracy. Each condo unit represents 1 vote so in a condo such as ours, the developing corporation from Toronto holds roughly 30 votes based on unsold units and rental properties and do not share the same interests and values as the people actually living condo units. As well, the individuals renting in long-term rental suites, do not have voting rights with condo boards, the same way they would with municipal elections. Our municipal elections function on 1 vote per constituent and voting power should not be dictated by a person's personal wealth. Companies such as Urban Capital however have no voting rights in our municipal elections as they operate out of Toronto. Our condo board used to be resident based but when residents attempted to improve safety in the building that interfered with profit levels, they dissolved our board and established their own paid employee to operate and hold the balance of power as resident interests were in conflict with potential STR investors. This is one of the many reasons that you will see so many submissions to City Council as the developer has used their economic strength to undermine any sense democratic voice within our community. Constituents residing in condominium buildings have been one of the most vocal segments regarding the problems with STRs, a condominium developer like Urban Capital can simply undermine the will of constituents as they control the condominium board. It would be a mistake for the City Council to allow the will of the constituents to be undermined by handing to

powers to investors and corporations that control our condominium boards and do not reside in our electoral riding.

Creating a direct line for STR operators can only be meaningful if the City of Winnipeg actually has a way to measure and follow-up that operators are monitoring their phone lines to manage their problems. It however does not hold operators to a level of responsibility where problems would be prevented. STR operators are only reacting to complaints but not preventing incidents from happening. This can only be down with a physical presence in our building such as having a primary resident requirement to ensure the safety of the neighbours. As neighbours, we have no investment in these businesses and it should not be our responsibility to monitor and police their suites as this takes time away from our family and our own personal pursuits.

The City of Winnipeg should also establish a Code of Conduct for STR operators on how they manage disputes and complaints. In one situation, we had an STR operator inform one of their customers that my wife called the police on a domestic violence incident that made her fear to leave our home for a week as they had no idea when they were checking out of the suite. The City of Winnipeg needs to monitor and ensure that the complaints are being resolved in an appropriate manner, otherwise the City of Winnipeg is leaving it to the discretion of the STR operator to determine what is addressed, how they monitor their phones and to what time frame problems need to be addressed. These problems with STRs however could simply be prevented drastically improving the community's sense of safety and quality of life if the City of Winnipeg followed more progressive solutions such as those being used by New York City where operators are not allowed to rent their suite on an STR platform unless they are present in the suite during rental.

Our family's most recent incident requiring police assistance that occurred in late summer progressed over a 5-hour period from my first message to the STR operator to then calling to 9-11 and then a second call as the situation had escalated until when the police finally arrived. The incident started with 6 people in a 1-bedroom suite presenting as aggressive and heavily under the influence. Several individuals were swearing uncontrollably and throwing beer cans off the balcony while only separated by a floor to ceiling glass window only a meter away from our 3-year-old niece's bedroom which prevented her from being able to be settling in for bedtime. Attempts were made to ask the STR renters to behave and the owner of the STR was contacted whose only solution was to send messages through the Airbnb app to instructing their renters to manage their behaviour. The STR operator provided no presence or follow-up and the STR renter's behaviors escalated and placed the burden on the neighbours residing on the floor to monitor, assess and intervene. Our building security was called and they were required to leave their posts monitoring the entrances. They however have no control of a provide residence and simply can provide a presence for observation and assistance to keep the neighbours safe.

I determined it was necessary to call the police based on that the STR renters were throwing beer cans and objects at the cars and people passing below the balcony. The police demand in our neighborhood was too high to respond as police resources were exhausted as a murder was committed in the street several blocks away. The incident next door was only resolved as it escalated to the point where one individual started to throw the metal and wood patio furniture and the STR renter began to kick and head but the windows and balcony divider between our suites presenting a threat to our safety if he potentially breached onto our property. I had to wait inside my balcony door with a baseball bat to

ensure that my family was safe if they breached. My family was unable to leave our home as members of the STR party were also causing problems in the hallway making it unsafe for us to leave. As the situation had escalated, we called 9-11 again and the police came to the building and managed the situation removing the people from the building.

This is an example of why we think the restrictions do not go far enough and should be for primary residents only. No person operating a business would put risk their family's safety, yet these STR operators put no protections in place to protect the community in the name of profit. They call themselves hosts but they ignore problems their guests bring into the building, as they have no plan in place to deal with them other than deny that a problem exists. These problems could be drastically reduced if the City of Winnipeg made a primary resident requirement with regulation of STRs and in the process, lower the need for police involvement. Our last incident with an STR could have been resolved 5 hours earlier if the STR operators were required to be present living up to their title of host to manage their guests and I suspect would never be allowed if behaving in a similar fashion around their family members. This business however would rather simply collect money remotely as passive income without any employee or presence to deal with the issues they burden the community by ignoring problems.

Incidents such as the last one described are something that everyone living in our building has experienced at some time. We feel vulnerable that one of our neighbours are eventually going to be hurt by the activities in these STR businesses. While STR investors will report that things are getting better, they have done nothing to change their ways to improve the safety from the worst elements of their business. We feel like hostages in our homes as our sense of safety and quality of life can be negatively impacted at any time. Once a person experiences violence close to your home, it makes it hard to ignore the anxiety that it will not happen again when nothing has changed to keep you safe. Living in a multi-level condominium, when incidents are bad, we can't leave our suite as we have to use the same hallways and elevators that problem STR guests use and we can't sleep when our sense of safety has been violated by some of the conduct hosts allow when supervision is not present. While STR operators will present themselves as social workers solving the world's problems and call themselves hosts, it should never be normal to have to call the police on your neighbours, which these hosts claim to be.

I appreciate the time many of those in City Council have taken with investigating how to resolve this issue. Please take into account our experiences when making your decision and regarding the regulation of the Short-Term Rental industry.

Thank you.

Craig Penner

Downtown Resident and Condo Owner