

COMMITTEE OF THE WHOLE**MARCH 7, 2005****MARIJUANA GROW HOMES****Recommendation**

The Commissioner of Legal and Administrative Services and the Senior Manager of Enforcement Services, recommend that this report be received.

Purpose

This report is to advise Council on a new initiative related to marijuana grow homes by the City of Vaughan Enforcement Services Department and York Regional Police.

Background - Analysis and Options

Enforcement Services is often called to deal with residential properties after the police have executed a search warrant and shut down an illegal "grow operation". These properties are often a concern to neighbours due to insecure doors and windows; derelict vehicles on the driveway, uncut yards, and potentially hazardous refuse left outside. Traditionally, Enforcement Services would only be able to deal with the properties after they had been vacant for sometime and deteriorated to the point where a complaint is made as there was no information provided by the police.

A marijuana grow operation in a residential home can cause thousands of dollars worth of damage due to very high humidity levels inside. The humidity creates mould and decay in the wood and frame of the home. This makes the home unsafe and unhealthy for any future residents. There is also a potential loss to local hydro authorities as electricity is routinely stolen to power the high intensity hydroponic lights and fans. The main power source into the house may be crudely tapped into and routed away from the hydrometer to disguise the large power use.

Municipalities have taken little action to protect the future homebuyers when buying these potentially harmful homes. There has not been a significant deterrent to homeowners who rent out their homes to persons who operate illegal "grow operations" inside. Although the homeowner may not be directly involved in the illegal activity, they are still liable for the condition of the property. Also, these homeowners may turn a blind eye to this activity due to rent paid in cash, in advance, and maybe above the market value.

In January 2004 a letter was sent to York Regional Police Chief LaBarge requesting that the police service advise the City of Vaughan after they had executed a search warrant related to marijuana grow operations. This would allow the Enforcement Services Department to be proactive in dealing with these vacant homes before they became problematic to the neighbourhood. In February 2005, York Regional Police agreed to advise the City of the locations once they are finished with the home.

Now, once these addresses are received, an investigation will be undertaken by Enforcement Services with the assistance of Building Standards and Vaughan Fire and Rescue Department. Should a violation of the Property Standards By-law be observed, a Property Standards Order would be issued against the property. This Order, as all other Property Standards Orders, is placed in the Building file. This serves two purposes. Firstly, the homeowner will be held accountable for remedying the problems caused by the illegal activity, or face legal action from the City. Secondly, with an outstanding Order on the Building file, it could make it more difficult for the owner to sell the property, as the Order will show up on any queries made by the purchaser prior to closing the purchase deal.

Vaughan is the first municipality known to commit to this process. The success of this initiative is a cooperative effort with police forwarding the information to Enforcement Services in a timely manner.

Relationship to Vaughan Vision 2007

This is in keeping with the Vaughan Vision 2007 as it is in keeping with the objectives (1.1.6 and 6.4.2) to "Review the level of enforcement, compliance and monitoring of regulations related to public safety" and "Create increased awareness of the City's leadership on key issues and celebrate our successes and achievements."

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

This new joint initiative will help to protect homebuyers from buying potentially dangerous and harmful properties, and serve as a deterrent to those that may rent out their properties to those individuals who may carry out illegal operations inside.

Attachments

None

Report prepared by:

Tony Thompson
Senior Manager of Enforcement Services

Respectfully submitted,

Robert Swayze
Commissioner of Legal and Administrative Services

Tony Thompson
Senior Manager of Enforcement Services