

SCAN in Action

How does SCAN differ from the current *Residential Tenancies Act*, which already gives landlords the power to evict for criminal behaviour, or the *Civil Remedies Act*, which gives police the power to seize properties used for criminal activities?

Answer: Sometimes the problem is not with the tenant, but with their guests.

Scenario: A mother and father live with their teenaged child in a quiet neighbourhood. The teenager has fallen into the wrong crowd and has made new friends who are drug dealers and addicts. These friends have taken over the parents' house; they have moved in without permission and use the home to sell drugs. The parents are too afraid to report this to the police because the friends have threatened retaliation. The community is disrupted by the frequent comings and goings of the group and their loud noises and disruptive behaviour at all hours of the day. Without SCAN, the parents would have to call the police to make a formal complaint. This would result in criminal proceedings where the parents would have to testify before the court and the perpetrators would be aware of the complainant's identity.

Resolution: The parents can confidentially report this property to the SCAN office (section 3). The SCAN office will then work with the property owners for a Community Safety Order to ban the offenders from the property (section 6). If the case had to proceed to court, the identity of the home owners (in this case the parents) would be protected because the SCAN officer would be testifying against the offenders (section 26).

Answer: Sometimes the problem is with the property owner.

Scenario: An individual purchased a home and is now using the property as a brothel. As a result, the house is frequented by dozens of visitors throughout the day who openly use drugs and drink on the streets. There are also prostitutes loitering on the streets in front of homes and community centres. This has created tension in the community; neighbours no longer feel safe walking their streets or sitting out on their patios at night. Without SCAN, the neighbours would be forced to make formal complaints with the Police, thus triggering a criminal investigation. This investigation could take several years before the Police had gathered enough evidence to press criminal charges.

Resolution: After receiving a complaint and attempting to resolve the issue, the SCAN Director is unable to reach an informal agreement with the property owner, so he/she can then issue a Warning Letter to cease the illegal activity (section 7). If the property owner ignores the letter, the SCAN Director can make an application to the courts for a Community Safety Order to close the property (Part IV) for up to 90 days.

Answer: Sometimes the landlord is unaware that the tenants exist.

Scenario: There is a warehouse in your neighbourhood that has been vacant since the business went bankrupt three years ago. The owner of the business has moved to Florida, but continues to own the property. A local street gang has noticed that the warehouse is vacant and has recently started using the space to store drugs and weapons. They have dozens of people there at all hours of the day that are being loud and disruptive. They are also vandalizing the neighbourhood. Without SCAN, the police would have to begin a formal criminal investigation that could take years to collect enough evidence to press charges.

Resolution: Once the SCAN Director receives the complaint they must first notify the property owner (section 4). In this scenario, the owner might not be aware of the activities at their property, and once informed, might take steps to resolve the situation on their own. If they do not resolve the situation, the SCAN Director can issue a Warning Letter (section 7). If the property owner ignores the warning letter, the SCAN Director can apply for a Community Safety Order under Part IV to close the property for up to 90 days.

Answer: Sometimes the property belongs to a community housing organization.

Scenario: A tenant of a community housing organization has been using their unit to sell drugs. As a result, there are now dozens of people staying in the one bedroom unit for extended times, though they claim that they do not live there. The residents have loud parties at all hours of the day, and their continued drug and alcohol use means that intoxicated guests are often loitering in the hallways of the apartment building. The intoxicated guests often get into violent clashes with each other, which not only frightens the other tenants, but has led to physical damage of the building as well. Without SCAN, the community housing organization would have to contact the police to investigate the alleged activities before taking action to resolve the situation.

Resolution: A concerned neighbour, or the housing corporation, can report the unit to the SCAN Director, who will then work with the housing organization to resolve the issue (section 4).