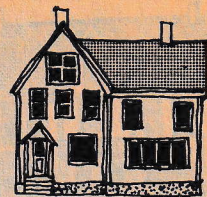


# \* We live in SUMMERSIDE and we're fighting the slumlords



**P**REMIER ALEX CAMPBELL is fond of saying that although Prince Edward Island is small in area and small in population, it is afflicted with every problem that plagues Canada as a whole. One can cite poverty, pollution, economic underdevelopment, inadequate educational levels and opportunities, and agricultural troubles. And slums. Not slums on a large scale, as in a great city, but undeniably slums.

Whatever the status of the other problems, something is being done about slums. They are being cleaned up. And the way in which this is happening could be instructive for anyone faced with similar problems in the Atlantic Provinces.

The concern of some of its citizens and the power afforded them by the town's Act of Incorporation enabled the town of Summerside, for instance, to carry out an effective campaign against substandard housing even before the recent proclamation of province-wide housing regulations. In the last four years, 24 dilapidated buildings have been razed and 12 low-rental family units have been built in a cooperative effort involving the town, the P.E.I. Housing Authority, and the Central Mortgage and Housing Corporation.

As early as May, 1962, seven Summerside clergymen — the Right Reverend J. P. O'Hanley, Canon Mark Ferguson, Dr. C. R. Webber, and the Reverend Keith Hobson, D. L. Howlett, Donald MacKay and P. Chatto — complained about poor housing conditions in a letter to the town council, and requested that a "citizens' committee" be appointed to take action. However, no committee was appointed and nothing further developed.

There the matter rested until, in February 1966, the Reverend Robert Tuck in a sermon broadcast over radio station CJRW, described the firetrap condition of an apartment in the old Eastern School on Ottawa Street. A steep outside staircase was, he pointed out, the only access to this apartment, and at the top it opened on a narrow landing largely occupied by a drum of stove oil. The tenants, he observed, had some justification for their fear of being trapped if the building ever caught fire.

The broadcast created some interest, and the Summerside *Journal-Pioneer* asked for a copy of the sermon. Its story on it pitched the issue of substandard housing right into the middle of the civic election campaign then being waged.

The candidate for mayor who eventually proved successful, George Key (now P.E.I. provincial Tory leader), lost no time in promising a committee to survey the housing situation in Summerside. And when elected, he appointed one, consisting of a Town councillor, Milton Mellish; the town Welfare Investigator, Gordon Rogers; an engineer, Tom Richardson; a medical doctor, Jim Saunders; the director of the Prince County Welfare Agency, Lorne Murphy; and Mr. Tuck. They in turn compiled a list of 41 slum properties in the town, and began investigating the situation.

It turned out that nine of the dwellings were owner-occupied, six were vacant, and 26 were landlord-owned. Many of the landlords were leading

citizens of Summerside; the list included respectable members of churches, service clubs and the professions — themselves, of course, all well housed.

Among the worst properties was an old railway car which for years stood as a landmark and an eyesore on the west side of town. A former smelt fishing shack, slightly enlarged, was the home of a family of six whose mother, understandably enough, suffered from headaches. This house was burned, along with its large population of bedbugs, on March 5, 1970, under the direction of Gordon Rogers, now a town councillor. Many of the others have suffered a like fate, or have been replaced or renovated.

**M**UCH OF THE CREDIT for the success of the town's campaign against substandard dwellings must go to Gordon Rogers. Among other things, he has purchased a number of properties himself and thoroughly modernized them. Some formerly unhappy slum dwellers whose homes he was instrumental in having demolished are now contented tenants in more decent surroundings owned by him. One former resident of a short and shabby thoroughfare called Alley Street (now renewed and renamed MacFarlane Street) was helped by Rogers and a local Credit Union to purchase and thoroughly renovate one of the few Alley Street dwellings worth saving, after she was moved out of her former home.

Charlottetown mayor Dorothy Corrigan has told Summerside mayor Ross MacKenzie that she wished she had Rogers on her council; to which His Worship replied (mindful of Rogers' talent for stoking controversy), "So do I!"

Perhaps inspired by actions like Rogers' and the committee's, the town began taking actions to harass unscrupulous real estate practices. By interfering in the sale or rental of unsuitable accommodations, for instance, the town makes it harder to play the game of multiple sales.



*This house, which bears a sign, "Condemned property, by the town of Summerside" is being demolished by its owner.*



The game works like this. The owner of a slum property sells the property by a bill of sale to a person who wants to own his own home but can't afford even a slum dwelling. When the purchaser defaults on his payments the property and the amount paid on it reverts to the original owner, who has retained the deed. He is then ready to play another round. In effect this type of selling is rental of housing accommodation in which there is no obligation on the landlord to maintain the property. One landlord, a Summerside lawyer, has sold a number of properties several times over in this fashion.

Till recently, the town's powers to act in such matters have resided in Summerside's Act of Incorporation. Under the Act power is given to the medical officer, the Fire Chief and the Building Inspector, either jointly or severally, to inspect a building during vacancy to ascertain the degree of detriment to a tenant inherent in the building's condition. If they decide not to allow tenancy, they recommend to Council that the building be condemned. If council follows the recommendation the owner is notified by registered mail. He has 10 days in which to file an appeal with the County Court.

Most landlords accept the verdict of condemnation and the matter proceeds with the owner being told to remove the offending building and level the lot within a certain time period. If he fails to comply with the notice the town carries out the demolition itself and the costs are charged against the owner.

There are two obvious limitations to this procedure. The town usually cannot move against a dwelling unless and until it becomes vacant; and the orders of condemnation can be contested in the courts. The lawyer-landlord just mentioned, for instance, has in fact contested such orders and been upheld by the County Court, much to the chagrin of the Council and the Prince County Welfare Agency.

Some of these problems may well have been solved by the proclamation, on February 4, of what have come to be known as the Howatt regulations. The story behind these regulations is one that will be familiar, in broad outline, to most people who have had anything to do with housing ordinances. Most such stories, however, do not end as pleasantly as Prince Edward Island's seems to have done.

**E**ARLY IN THE DELIBERATIONS of the Summerside committee they came into possession of a document entitled the "Howatt Housing Accommodation Regulations." This had been prepared in 1963 by the assistant deputy minister of health for enactment as an amendment to the P.E.I. Public Health Act, but was never submitted to the legislature to be made law. It is one of the mysteries of the east why it was never submitted. Some things are pretty clear, though; for instance, you can be pretty sure that it was not an organization of tenants who might have opposed such an action.

At any rate, the committee recommended that the Howatt regulations be adopted by Summerside as a town bylaw, but the Council decided that the regulations were a provincial rather than a municipal responsibility.

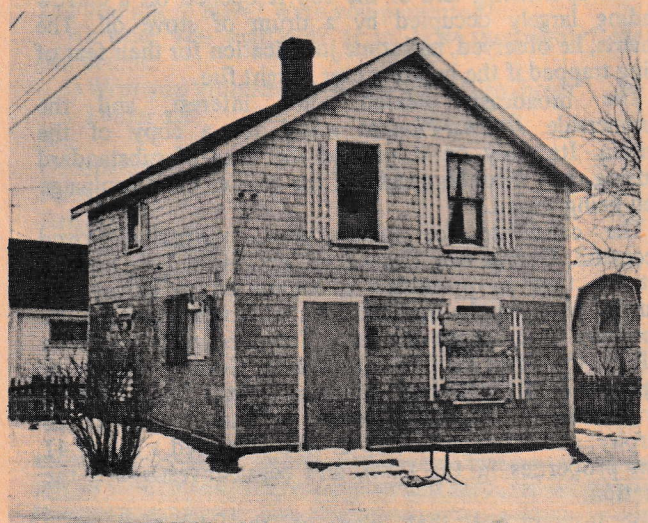
Then, late in 1969, a Tenants' Union sprang up in Charlottetown (see the article on the Charlottetown Tenants' Union in the February-March *Mysterious East*) and, under the leadership of Alex Burke, began to stir public opinion in favor of better rental housing. The Union resurrected the Howatt regulations, revised them, and demanded that they be made law. This was done at a public meeting which was fully reported on the front page of the Charlottetown *Guardian*, and which made news across Atlantic Canada and as far away as Toronto.

The minister responsible for housing, Education Minister Gordon Bennett, asked the Tenants' Union and the Property Committee to meet with government groups immediately to review and revise the regulations and bring them back in a form ready to be enforced within three weeks.

This process was most instructive to those in Summerside who had been involved with the problem, because in 1968 a similar request had been made by the Anglican Diocesan Church Society. Why had nothing been done until February of 1970?

The Diocesan Church Society had debated the merits of the Howatt regulations at length, and had finally decided that the proper course would be to send a small delegation to see the minister. It was felt that a quiet friendly chat would be better appreciated and more effective than a noisy campaign conducted in public. So the Reverend E. J. Fiander, then rector of St. Mark's parish, Kensington, and the Reverend Robert Tuck, visited the minister, and were offered assurances that although certain aspects of the Howatt regulations were unrealistic, that he would see that something was done about rental accommodation minimum standards.

However, events seem to many of those concerned to demonstrate that there is little use in talking quietly to



*This house has passed through the hands of several of Summerside's landlords, and is now vacant.*

politicians. Their ears seem to be sensitive only to public uproars, such as those created by the original radio sermon and by the Tenants' Union meetings.

In fact, the Charlottetown *Guardian* pointed out in its editorial of February 5, "The regulations can mean major improvements in the housing situation in the Province, but one wonders how long they might have stayed on the shelf gathering dust if it had not been for the action of the Poverty committee and Tenants' Union is pressing for their approval by the Cabinet."

**T**HROUGH THE EFFORTS of both groups and the daily press at any rate, Prince Edward Island now has a set of housing regulations, imperfect perhaps but without question an improvement. The regulations apply basically to new dwellings built for rental purposes, but apartments to be rented are considered as new dwellings under the regulations. Failure to comply with the regulations may result in fines of from \$25 to \$500, and after a 30-day period in which to comply a persistent violator may be fined from \$1 to \$10 a day after the first penalty.

However, where it is not practical or not possible for a person to meet all or certain of the standards the Health Minister may relax the regulations provided that no health hazard shall result. This loophole in the legislation is probably necessary, but it is hoped by people involved that it won't be administered in such a way as to render the regulations useless.

The regulations themselves provide fairly specific standards to be met by rental housing accommodations with regard to living space, sanitation, heat and dampness (apartments must, for instance, be heated to a minimum of 65 degrees), light and ventilation, basement living and garbage removal. Apartments or housing units must be provided with complete bathrooms including toilet, hand-basin, bathtub or shower, and hot and cold running water. Regulations regarding infestation of rats and pest control apply not only to new or rented dwellings but to all accommodations in the Province.

An interesting feature of the regulations is the emphasis they place on the responsibility of the tenant to the landlord. He is required to maintain sanitary conditions, to notify the landlord of unsatisfactory conditions, infestations and malfunctions. He must report all communicable diseases to the Department of Health. And he may not increase the number of occupants so as to contravene the regulations.

The struggle against substandard housing in Summerside has produced some notable success, but the work is not yet complete. In Charlottetown, where the problem exists on a larger scale, real progress is being made. But the worst slums in Prince Edward Island are to be found in rural districts. Beyond the two urban centers, as yet little has been done to improve housing and thereby to correct the multitude of social and health problems being bred in them. Perhaps the passage of the Howatt regulations and the example of the groups in Summerside and Charlottetown will inspire imitation elsewhere.



## THE RUBBER DUCK AWARD

A few years ago the Stanfield government set up Industrial Estates Limited, a Crown Corporation which was to usher Nova Scotia into the bright new day of industrial development.

Under the dynamic leadership of Frank Sobey, who is believed to have something to do with a chain of food stores, I.E.L. brought to Nova Scotia such corporate good fellows as Deuterium of Canada, who run that splendid heavy water plant in Glace Bay, and the Clairtone Sound Corporation, another operation so efficient that it has been able to absorb almost all the money the Nova Scotia government can afford to give it.

Recently Frank Sobey retired, after a brilliant career in which he spent two hundred million dollars in public funds, a triumph of private enterprise if ever there was one. On the auspicious occasion of his retirement, we would like to offer him a Rubber Duck Award on behalf of the people of Nova Scotia, and to wish him similar success in whatever enterprises he may undertake in his retirement.

And a Souvenir Rubber Duck to reader John Earl for his nomination.