



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Jaime and Ryan Patillo (the "**Appellants**") as Owners/Applicant of 123 Howe Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020 to cease operating and advertising this property as a Short Term Rental Unit Licence.

On March 8, 2024, the Appellants as Owners/Applicant of the Property, were issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-003, in the amount of \$1,500.00.

On April 23, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owners/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 23, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"MY HUSBAND AND I WERE NOT AWARE OF THE NEW LAW. WE DID NOT RECEIVE THE FIRST 2 WARNINGS AS THEY WERE SENT BACK TO THE TOWN. WE ARE CURRENTLY IN THE PROCESS OF THE SHORT TERM RENTAL APPLICATION."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reasonable Notice

By this Statement, Jaime and Ryan Patillo, Owners/Applicant of 123 Howe Avenue, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

| | | |
|--------|--------|--------|
| s.1.23 | s. 2.1 | s. 3.1 |
| s. 7.0 | s. 8.0 | s. 9.0 |



STATEMENT OF APPEALS COMMITTEE HEARING

History

On January 8, 2024, Devon Elaine DeVogelaere (the "**Appellant**") as Owner/Applicant of 687 Sunset Avenue, Harrow, Ontario (the "**Property**") was ordered by Order Reference Number 08-Jan-2024-020, to cease advertising a Short-Term Rental Unit without a licence.

On March 8, 2024, the Appellant as Owner/Applicant of the Property, was issued an Administrative Monetary Penalty by Formal Notice (the "**Formal Notice**"), Reference Number 08-March-2024-002, in the amount of \$1,500.00.

On April 19, 2024, by Appeal Request Form (the "**Appeal Request Form**"), the Appellant as Owner/Applicant of the Property, in accordance with s. 2.1 a) of By-Law 2025, submitted a Request for Appeal to the Formal Notice.

Grounds for Appeal

By Appeal Request Form, dated April 19, 2024, the Appellant as Applicant/Owner of the Property, Request for Appeal to the Formal Notice on the following ground(s):

"ON APRIL 11, 2024 AN INFRACTION NOTICE WAS POSTED ON THE DOOR OF MY PROPERTY AT 108 ADELAIDE NOR1G0. THIS PROPERTY HAS BEEN RENTED LONG TERM SINCE THE END OF 2023 AND THE TENANTS RESIDING THERE DID NOT MAKE ME AWARE OF THIS POSTED NOTICE UNTIL APRIL 16, 2024. I IMMEDIATELY CALLED TO LEAVE A MESSAGE AT THE TOWN OF ESSEX BY-LAW DIVISION AND WAS ABLE TO SPEAK WITH RENE TAMMINGA END OF DAY APRIL 17, 2024. HE DIRECTED ME TO COME TO THE OFFICE LOCATED AT 2610 COUNTY ROAD 12 TO COLLECT OTHER NOTICES THAT HAD BEEN SENT TO ME VIA REGISTERED MAIL IN JANUARY 2024, FEBRUARY 2024 AND MARCH 2024, ALL OF WHICH HAD BEEN RETURNED TO SENDER AND NEVER RECEIVED BY ME. ONCE IN POSSESSION OF THESE PAPERS I FILED THE APPROPRIATE APPEALS WITHIN THE STATED TIMELINES.



THE ORIGINAL NOTICE WAS SENT ON JANUARY 8, 2024 AND RECEIVED BY ME ON APRIL 18, 2024 GAVE ME A 16 DAY PERIOD TO TAKE THE REQUIRED ACTION (CEASE OPERATING AND ADVERTISING THIS PROPERTY AS A SHORT TERM RENTAL UNIT IMMEDIATELY). AFTER FINALLY RECEIVING THE NOTICE I COMPLIED WITH THE REQUIRED ACTION WITHIN 24 HOURS. I DO NOT BELIEVE THE FINES THAT RESULTED IN FEBRUARY 2024, MARCH 2024 AND APRIL 2024 ARE JUST AS IT WAS CONFIRMED BY RENE TAMMINGA THAT I HAD NOT RECEIVED AND WAS NOT AWARE OF THE ORIGINAL OR FOLLOWING NOTICES UNTIL COLLECTING THEM ON APRIL 18, 2024 AND I HAVE SINCE COMPLIED."

Convening of Appeals Committee

According to s. 7.4 of By-Law 2025:

Where a request for an appeal is received in accordance with subsection 7.2 of this By-Law, a hearing of the Appeals Committee shall be convened, and the Applicant or Licensee shall be provided with reasonable written notice thereof.

Reasonable Notice

By this Statement, Devon DeVogelaere, Owner/Applicant of 108 Adelaide Street, Harrow, Ontario, take notice that the Appeals Committee Hearing with regard to the Appeal Request Form will take place at 33 Talbot Street South, Essex, Ontario, on **July 16, 2024** at **5:00 PM**.

Relevant Sections of By-Law 2025

| | | |
|--------|--------|--------|
| s.1.23 | s. 2.1 | s. 3.1 |
| s. 7.0 | s. 8.0 | s. 9.0 |



RECEIVED
APR 23 2024

APPEAL REQUEST FORM
Town of Essex Appeals Committee

Property Standards Appeals must be submitted using the Property Standards By-Law Notice to Appeal Form which can be obtained by contacting By-Law Enforcement at bylaw@essex.ca or 519-776-7336 ext. 1409.

The undersigned hereby requested the Appeals Committee of The Corporation of the Town of Essex to consider this application in respect to the following, as amended:

- | Appeals | Fee to appeal (Must accompany request) |
|---------------------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Animal Care and Control By-Law No. 1966 | <input type="checkbox"/> No Fee |
| <input type="checkbox"/> Kennel Licensing By-Law No. 2221 | <input type="checkbox"/> \$300.00 |
| <input type="checkbox"/> Short-Term Rental Unit By-Law No. 2025 | <input type="checkbox"/> \$150.00 |
| <input type="checkbox"/> Taxicab Licensing By-Law No. 1052 | <input type="checkbox"/> \$150.00 |
| <input type="checkbox"/> Fortification By-Law No. 2210 | <input type="checkbox"/> \$300.00 |
| <input type="checkbox"/> Tree Management By-Law No. 2205 | <input type="checkbox"/> \$300.00 |
| <input checked="" type="checkbox"/> Administrative Monetary Penalty | <input checked="" type="checkbox"/> No Fee |

Order provided on March 8
in regard to 08-March-2024-003

The undersigned certifies that the information contained herein, on which this request is based, to be true and the owner is aware of this appeal request.

Applicant Information

Applicant/Agent: Jaime Patillo

Address: 180 Patillo Rd Tecumseh, ON
NOR1G0

Telephone Number: [REDACTED]

Property Owner Information

Owner(s): Jaime and Ryan Patillo

Address: 180 Patillo Rd Tecumseh, ON
NOR1G0

Telephone Number: [REDACTED]

Subject Property Address:

123 Howe Ave, Harrow, ON
NOR1G0

Provision(s) of By-Law for Requested Appeal:

Advertising a short term rental unit
without a licence
- Section 2.2d.

Reason(s) for Appeal:

My husband and I were not aware of
the new law.
We did not receive the first 2
warnings as they were sent back to
the town.
- We are currently in the process of
the short term rental application.

For the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body any information contained in respect to this request for the purposes of processing this request.



Signature of Applicant/Agent

June 23, 2024

Date

NOTE: Please attach further information, if required.

Completed Appeal Request Form will only be accepted as follows:

By Mail or In-Person to:

Town of Essex

Legal and Legislative Services

33 Talbot Street South, Essex, ON N8M 1A8

By email to:

clerks@essex.ca

Appeal Requests will not proceed without payment of the applicable fee. Cheque or money order is to be made payable to The Town of Essex.



CORPORATION OF THE TOWN OF ESSEX

33 Talbot Street South, Essex, Ontario, N8M 1A8
p: 519.776.7336 f: 519.776.8811 | essex.ca

Reference Number
08-March-2024-003

FORMAL NOTICE
Short-Term Rental Unit Licensing By-Law 2025
Issuance of Administrative Monetary Penalty

| |
|--------------------------------------------------------------------------------------------------------------|
| Name of Person Served with Penalty Notice: Patillo, Jaime Lynn; Patillo, Ryan George |
| Municipal Address or Legal Description of Property: 123 Howe Ave, Harrow On NOR 1G0 PLAN 1507 PT LOT 2 |
| Roll Number: 3754 640 000 02200 0000 |

TAKE NOTICE THAT the above noted person is liable to pay to the Town of Essex the following administrative penalty(s) for the following reason(s) prescribed in Schedule "E" to By-Law Number 2025 of The Corporation of the Town of Essex:

| Infraction | Offence Section | Administrative Penalty |
|--------------------------------------------------------|-----------------|------------------------|
| Advertising a Short Term Rental Unit without a licence | Section 2.2 d) | \$1,500.00 |

The above noted administrative penalty will, unless cancelled or reduced pursuant to the appeal process, constitute a debit of the person to the Town, and if not paid by April 08, 2024, on which date the administrative penalty shall become due and payable, it may be collected in the same manner as municipal taxes for the above noted property.

Appeal – In accordance with Sections 7.2 and 7.3 of By-Law Number 2025, a person upon whom this penalty notice has been served may make a request to the Appeals Committee within seven (7) days after service of the penalty notice is given, using the attached form, setting out the reasons for the appeal. In the event that a request for an appeal is not received, the decision of the Town of Essex shall be deemed to be confirmed.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer, including by posting the order on the property.

Questions regarding this order should be directed to the Town of Essex By-Law Enforcement Division at 519-776-7336 ext. 1412.

MAR 08 2024
Date Notice Served

[Signature]
Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.



Reference Number

08-Jan-2024-020

ORDER TO REMEDY

**Violation of Short-Term Rental Unit Licensing By-Law 2025
Operating/Advertising Without Licence**

| |
|---------------------------------------------------------------------------------------------------------------------|
| Municipal Address or Legal Description of Property: 123 Howe Ave. Harrow, Ontario. N0R 1G0 PLAN 1507 PT LOT 2 |
| Roll Number: 3754 640 000 02200 0000 |
| Name of Owner/Occupant (attach separate list if required) Ryan & Jaime Patillo |

TAKE NOTICE THAT Sections 2.1 a) and 2.2 d) of By-Law Number 2025 of The Corporation of the Town of Essex prohibits all individuals, corporations, partnerships, or associations from operating or advertising a premises as a Short-Term Rental Unit within the boundaries of the Town of Essex without a valid Short-Term Rental Unit Licence issued by the Town of Essex.

This property has been identified as a Short-Term Rental Unit and is in contravention of By-Law Number 2025 of The Corporation of the Town of Essex.

REQUIRED ACTION

**CEASE OPERATING AND ADVERTISING THIS PROPERTY
AS A SHORT-TERM RENTAL UNIT IMMEDIATELY.**

There must be compliance with the required action(s) of this order, before **January 24th, 2024**.

Failure to do so will result in enforcement action taken against this property, including the issuance of administrative monetary penalties of \$1,500.00 per violation.

Distribution of Order – Section 10.1 of By-Law No. 2025 permits an order to be served in an approved manner determined by the Officer.

For more information on the application process for a Town of Essex Short-Term Rental Licence, please visit www.essex.ca/STRs or contact the Planning Department at 519-776-7336 ext. 1414. *All licencing fees may be further amended and designated in the Town's Fees and Charges By-Law from time to time.

Questions regarding this Order to Remedy should be directed to the Town of Essex By-Law Enforcement Department at 519-776-7336 ext. 1409.

M. Diemer

Issuing Officer

Jan 08-24

Date Order Served

[Signature]

Signature of By-Law Enforcement Officer

Personal information contained on this order, collected under the authority of the Municipal Act, 2001, as amended, will be used for enforcement purposes relating to Town of Essex By-Law Number 2025. Questions should be directed to the Clerk of the Town of Essex.