

# DAVID STERNS

96 Lowther Avenue, Toronto ON

Tel: (647) 242-6911

Email: [dsterns@sotosllp.com](mailto:dsterns@sotosllp.com)

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## VIA EMAIL AND COURIER

Mayor John Tory  
Chair, Executive Committee  
Office of the Mayor  
City Hall, 2<sup>nd</sup> Floor  
100 Queen Street W  
Toronto ON M5H 2N2

Your Worship:

### **Re: Licensing Exemption for Fraternities and Sororities (EX26.45)**

I am writing to ask you to support Councillor Joe Cressy's motion directing the MLS to study whether to remove the provision from the City's rooming house by-law that exempts fraternities and sororities from regulation.

This exemption has allowed the occupants of the most notorious of these houses to flaunt community standards, disrupt residents and desecrate the surrounding properties with impunity. The exemption also removes fire and safety protection from these old and poorly-maintained structures. This poses a serious hidden risk to the residents and the thousands of young partygoers who frequent these houses.

I live with my wife and two teenaged sons on Lowther Avenue between Huron and Madison Avenues in Toronto. This area of the Annex is home to most of the problem fraternity houses. We have lived here for 11 years and have personally experienced many of the problems posed by unregulated fraternity houses.

Fraternities in Toronto operate in a regulatory vacuum. The University of Toronto refuses to regulate the fraternities despite many marketed affiliations to the University by the houses. Although many of the fraternities regularly host paid-entry parties serving unlimited alcohol to young and under age students, they are beyond the reach of the Alcohol and Gaming Commission of Ontario (AGCO) because they are unlicensed.

They operate as rooming houses and rent to people who both are and are not members of any fraternity. Yet, despite years of documented concerns, they remain exempt from the rooming house by-laws. This perverse exemption means that neighbouring residents can do nothing in the face of constant disruptive conduct but call the police, thereby draining the limited resources of police services. Contacting the City is generally futile since most noise incidents occur outside of the regular hours of by-law officers and other by-law infractions (e.g. litter) are not dealt with on a timely basis.

The fraternities themselves operate as secret societies that are closed to outsiders and indifferent to the concerns of neighbours. Despite years of asking to speak to the governing bodies of the local fraternities or their “Inter-Fraternity Council,” I have never been permitted to do so. The houses themselves are owned by corporations which are in turn owned by former fraternity members.

The following are examples of some of the conduct of fraternity houses in the Annex:

- Parties that are advertised on social media that attract several hundred guests. Often the houses charge admission and promise “all you can drink beer.” These parties attract many first-year (under-age) students who revel in the anything-goes atmosphere but are oblivious to the lack of fire safety or security due to the regulatory exemption.
- Crowds of hundreds will sometimes spill out into the streets. The crowds will usually disperse when the police arrive, but will sometimes congregate again after the police leave.
- A small fire happened at a frat house [a few months ago](#) and a bigger one happened about five years ago. Because the fraternities are exempt from rooming house by-laws they are not required to adhere to fire regulations. Should a fire occur during one of the many fraternity parties, it could result in a terrible loss of life.
- Three people were stabbed outside a frat party over [one year ago](#).
- Police raided a frat house at Lowther and St. George in 2008, netting \$125,000 in drugs.
- During one of the fraternity parties across the street from us, we heard a young women cry “rape” from our driveway between our house and our neighbour’s. We are aware from a Freedom of Information request that other instances of sexual assault at frat houses have been reported to the police. No doubt many others go unreported.
- Drunk party-goers requiring medical assistance have passed out on our front garden and on the sidewalk.
- A young man died after falling from the side of the Beta Theta Pi frat house on Lowther and Huron. This is a chapter of the same fraternity in which 18 of its members are now facing criminal charges over the tragic death of a Penn State freshman who was killed during an appalling hazing ritual this year. Some of the members are also charged with an attempt to cover-up their conduct.
- Hundreds of calls to the police per year – sometimes several times a night – to break up fights, subdue loud music, or disperse crowds congregating on the streets or on porches and front lawns.



- Property destruction during drunken parties. A private investigator that we hired to report on fraternity activities on one night last year recorded such behaviour.
- Constant littering of the neighbourhood with red Solo cups. After a frat party, hundreds of these cups are found in gardens, bushes, gutters and parks. No attempt is made by the frat residents to clean up their debris or prevent their guests from leaving their parties with cups of beer.
- Trash is heaped around bins which are sometimes not brought to the curb for weeks. The fraternity at 22 Madison, which advertises itself as “Club 22” on Facebook and @TDXclub22 on Twitter and hosts massive paid-entry parties, generates so much garbage that its property is constantly strewn with garbage and has a dumpster permanently placed on its front lawn.

Fraternities are inherently dangerous environments. A [New York Times article](#) reported that there had been public reports of at least 84 deaths connected with fraternities between January 2000 and May 2002. The [hazing death](#) at the Penn State chapter of Beta Theta Pi, whose Toronto chapter has been a notorious problem house for decades, shows the serious threat to public safety that these frat houses pose. The cover-up by the fraternity shows the extent to which the fraternity culture will close ranks in order to avoid consequences.

Toronto fraternities successfully defeated an attempt to remove their rooming house by-law exemption in 2011 by stating their desire to work with neighbours and to clamp down on fraternities that gave them a bad name (see [Star article](#) here). This proved to be a hollow promise. As soon as the threat of regulation ended, any talk of working with neighbours ended and things quickly went back to the way they were.

A story in the Annex Residents’ Association’s Newsletter *Voice of the Annex* from June 1985 shows just how long their disruptive behaviour has been going on. It also shows how long they have been promising to change their behaviour and respect the community:

In response to the **perpetual and escalating noise, vulgarity, rowdiness, belligerence, intoxication and harassment**, a group of 80 Annex residents met on May 23 (1985) with aldermen Ron Kanter and Ying Hope and the Metro Police to voice once again their concerns and discuss possible solutions.

... Residents and tenants from the various buildings represented at the meeting agreed to form an anti-noise association having building and block representatives whose mandate is to control unacceptable fraternity conduct. This will be accomplished through two simultaneous actions: **It is intended that a resident-fraternity committee be formed by the end of June, which will provide means for exchanging ideas and grievances and encouraging the fraternities to control their troublesome members. The fraternities have expressed willingness in principle to a meeting. Secondly, fraternity actions will be monitored and deviant behaviour prosecuted.** Through these actions, residents hope to solve this problem permanently. (Emphasis added)

Many of the neighbours that we have spoken with over the years are beyond frustrated. Most are aware of the failed attempts to address this problem and are well acquainted with the fraternities' previous success in thwarting attempts to address the problem. Some of these individuals are so affected by the poor frat behavior that they have had to seek medical attention for stress and/or sleeping issues.

In summary: the City declined to regulate these houses in 2011 on the basis of hollow promises of reform and self-governance that were never acted upon. The AGCO cannot regulate them because they are unlicensed. The University of Toronto [disclaims any responsibility](#) for frat houses and refuses to govern them. Even the Fire Marshal cannot inspect these houses for fire safety because they are considered "private dwellings". Meanwhile, they operate booze cans under the nose of the police who refuse to take action

In light of all of this, it is willful blindness by the City to continue to exempt these houses from the regulatory framework that would otherwise apply. We therefore ask that you adopt Councillor Joe Cressy's recommendation on this matter.

Removing the rooming house exemption will finally provide a mechanism for regulating these problem fraternity houses. This will be a relief to neighbouring residents who are entitled to the same quiet enjoyment of their properties as any other citizens. It will reduce the burden on the police and the City. Perhaps most importantly, it will promote the safety of the young residents and guests of these houses and prevent tragedy.

Yours truly,



David Sterns