



# Government Programs and Regulations

## Marijuana Grow Houses - Municipal Inspections

### What is a Marijuana Grow House?

A grow house is a home that has been leased or bought by persons in the drug trade and used as an indoor nursery or hydroponics operation to grow marijuana plants. These operations often involve significant alteration to the dwelling structure and electrical system, which can compromise structural integrity and pose safety and fire hazards. Furthermore, marijuana growing operations can result in significant mould growth.

### Municipal Obligations

- Under provincial legislation that became effective on August 1, 2006, municipal officials are required to inspect marijuana grow houses once they have been identified and shut down by police.
- When police inform a municipality that a property contained a marijuana grow operation, the local municipality is required to ensure that an inspection of the building is conducted within a reasonable time.
- In addition, the municipality is required to take whatever action it is authorized by law to take in order to make the building safe and protect the public. This could include issuing orders under the Building Code.
- Specific procedures and protocols for complying with these obligations may vary according to municipality. For example, under the City of Toronto's protocol, orders resulting from municipal inspections of a property that contained a grow house may be registered on the title

of the property until outstanding issues have been addressed.

### Resources for REALTORS®

- **Clauses for Agreements of Purchase and Sale:** Clauses are available through TREB and OREA for use within Agreements of Purchase and Sale, as follows: Environmental Clause # 7, Growth or Manufacture of Illegal Substances – Acknowledgement; Environment Clause # 8, No Growth or Manufacture of Illegal Substances – Warranty.

- **Address Information of Known Grow Houses:** In response to Member requests, TREB has asked the provincial government to facilitate a comprehensive list of known former grow houses in the interest of consumer protection. The provincial government is considering this action and has appointed a working group, co-chaired by the Ontario Real Estate Association, to develop policy related to establishing a centralized registry of known marijuana grow houses.

- **Background Information:** The Canadian Real Estate Association has produced a publication (“Grow Ops – What REALTORS® Need to Know”) that provides comprehensive background information on various issues associated with grow houses, including tips and legal considerations for REALTORS®. This publication is available on TorontoMLS by linking to Board Info / Toronto / Government Relations / Government Programs.

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