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Scarborough grow houses listed on-line

The Toronto Police Service has begun to publish the exact street addresses of marijuana grow operations at least in Scarborough's 42 Division. This brave move by police superintendent Gary Ellis makes 42 Division what I believe to be only the third police force in Canada to publish the addresses of marijuana grow operations after London and Winnipeg.

The listing of a total of 109 marijuana grow operations busted in 42 division last year is contained in the division's February 2006 Community Bulletin. It's on the website of the Toronto Police Service at http://www.torontopolice.on.ca/d42/20060220-d42_community_bulletin.pdf. or http://www.aaron.ca/scarboroughgrow-op_bulletin.pdf (and see below for list of houses).

The existence of the list came to light last week after I received an email from Tom Brown outlining his close call with two local grow house operations.

"I am about to buy my first house," Brown wrote, "and after looking at a few properties settled on two choices to choose between... Neither my agent, nor the listing agents warned me about grow houses, nor did they tell me they had suspicions of these two places being grow houses.

"Now I see both houses had the signs that I never noticed before hydro tampering, vent holes cut in the drywall. It was only after I spent many hundreds of dollars on home inspections that I discovered not one but *both* were marijuana grow houses. And not just a couple of plants we are talking major grow-ops.

"Both agents pleaded no knowledge or suspicion (of course). Now the homes are re-listed with a new selling agent, and no mention is made on the <http://www.mls.ca> website about any problems.

"If it wasn't for a home inspection, I'd have never known, and the owner would have my money (\$300,000-plus worth of highly mortgaged dollars).

"I think the lists of houses should be made public, and clauses put in purchase agreements or else the city/police/etc. are just protecting the growers and encouraging these grow-ops."

Brown's local city councillor in Ward 39 is Mike Del Grande. On his website he publishes the street names of many grow-ops but not the exact addresses. Del Grande referred me to the 42 Division website where the 109 addresses are listed.

I was unable to locate a similar list on the websites of any other division of the Toronto Police Service.

Last July, I suggested in this column that there should be public disclosure of the addresses where police have found grow operations. The typical answer I received in response is that the locations are protected by federal and provincial privacy legislation, even though London and Winnipeg police publish those lists on their websites.

Now that the Toronto police's 42 Division has effectively answered the privacy argument, there can be no excuse for any Canadian police force to refuse to publicize the locations of local grow houses.

In my view, the reasons for disclosure are grounded in public health and safety. Alterations made to houses, apartments and condominiums frequently affect the electrical wiring and the structural integrity of the building. The mould resulting from the high humidity levels needed for growing can permeate the walls and create a toxic environment long after the new owners have moved in.

In Winnipeg, the local real estate board strongly supports the actions of the Winnipeg Police Service in making public its list of identified grow-ops. Whether the Toronto Real Estate Board follows suit remains to be seen. I tried to reach TREB president John W. Meehan last week, but he was away on holiday.

In any event, now that grow-op addresses have been made public for a huge chunk of Scarborough, there can be no excuse for a real estate agent failing to disclose whether a property was a marijuana grow operation. Hopefully, the remaining Toronto police divisions will follow suit.

Although real estate agents are obliged to disclose whether a house has been a grow-op, vendors are not under any similar requirement unless they are asked directly.

That's why I recommend that resale home offers always contain a clause drafted by the Ontario Real Estate Association (OREA).

The clause has the seller warrant and represent that the building was not used for the growth or manufacture of any illegal substances during his or her period of ownership, and that to the best of the seller's knowledge and belief, the use of the property and the buildings and structures thereon has never been for the growth or manufacture of illegal substances.

Some day, OREA might even make the clause part of its standard form.

Bob Aaron is a Toronto real estate lawyer. www.aaron.ca ©Aaron & Aaron. All Rights Reserved.

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Marijuana Grow Operations busted in

42 Division in 2005

ADDRESSES

80 Milner Ave. Unit #10

74 Belgreen Ave
14 McClure Cres
137 Lionhead Trail
2050 Bridletowne Circle, Apt 2009
123 Bellamy Road North, Apt 717
328 Passmore Ave, Unit 6
25 Cougar Court, Apt 809
25 Cougar Court, Apt 709
293 Coronation Drive
77 Fieldside Drive
4 Stonefield Cres
335 Nugget Ave. Un 3
7 Susan St
79 Buckhurst Cres
75 Rainier Sq
300 Alton Towers Cir. Apt 1411
5 Partridge Lane
12 Shallowford Crt
18 Greenleaf Terrace
40 Carabob Crt, Apt 1405
14 Staley Terrace
16 Buena Vista Drive
20 Carabob Crt, Apt 1404
177 Huntsmill Blvd
430 McLevin Ave, Apt 1211
145 Grenbeck Dr
27 Sandyhook Sq
17 Huntsmill Blvd
26 Frank Rivers Dr
24 Garden Park Ave
31 Garden Park Ave
25 Silver Springs Blvd, Apt 1608
20 Major Oak Terr
40 Lofthouse Sq
38 Pineslope Cres
61 West Burton Court
10 Kentish Cres
560 Sewells Road
34 Eaglestone Rd
4 Big Red Avenue
189 Roxanne Cres.
45 Silver Springs Blvd. Apt 1403
106 Grenbeck Drive
24 Oakhaven Drive
52 Greybeaver Trail
160 Finchdene Ave, unit 8
100 Echo Point, apt 709
50 Melford Drive
110 Silver Star Blvd
33 Sonmore Dr

2 Abbeville Road

69 Newdawn Crescent

20 Carabob Court, Apt 1210

32 Garden Park Ave

106 East Ave

53 Horseshoe Cres

214 Roxanne Cres

120 Clappison Blvd

65 Reidmount Rd

20 Stonehill Court #508

21 Hoshlega Ave

14 Sesame St.

75 Blue Eagle Cres

5001 Finch Ave. E. #112

38 Rooksnest Trail

419 Markham Rd. #806

274 Pitfield Rd

131 Grenbeck Dr

70 Momelle Court, #1718

15 Sewells Rd #602

38 Moraine Hill Dr

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51 Morecambe Gate Un 25

110 Silver Star Blvd

10 Albacore Cres

15 Leeswood Cres

24 Pelmar Place

16 Shadowood Court

22 Chapelton Cres

29 Roxanne Cres

19 Baylawn Ave

343 Port Royal Tr

11 Grayson Cres

5600 Sheppard Ave. E. Apt 317

28 Valley Stream Drive

75 McCool Court

3 Pebblewood Avenue

6 Belinda Square

63 Fulbert Cres

46 Sonmore Drive

21 Windover Drive

20 Stonehill Court, Apt. 1103

47 Jacob Fisher Drive

39 Shepmore Terrace

110 Ironside Crescent, Unit 16

38 Lofthouse Square

100 Silver Star Blvd, Unit 208

116 Fawndale Cres.

9 Good Road

7 Longbow Square

29 Andes Road

350 Alton Towers Cir. Apt #1201

143 Oakmeadow Blvd.

78 Ambercroft Blvd.

452 Brimorton Drive

15 Briarscross Blvd

18 Rossander Court

28 Wandering Trail

67 Saintsbury Square

Bob Aaron is a Toronto real estate lawyer.

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