

## GUIDE TO MUNICIPAL TENANT PROTECTIONS IN THE LOWER MAINLAND

	<b>Tenant Relocation Policy</b>	<b>Penalizing Renovictions</b>	<b>Right of First Refusal</b>	<b>Vacancy Controls</b>	<b>Rental Only Zoning</b>
<b>Provincial</b> (applies to all municipalities in B.C.)	<p>A formal process that forces landlords who want to redevelop their property to help re-house their tenants and/or compensate them for having to leave</p>	<p>Policies, such as fines, that discourage landlords from “renovicting” tenants in bad faith in order to raise rents on a suite</p>	<p>Landlords must offer a renovicted/demovicted tenants the right to return to their suite after work is complete - ideally at a similar rent as before</p>	<p>Limited annual rent increases (rent control) is tied to the <i>unit</i>, instead of the tenant</p>	<p>Designating parts of a city so that any new development must be for rental housing</p>
	<p>Limited;</p> <ul style="list-style-type: none"> <li>- Four month Notice to End Tenancy for Renoviction/Demoviction</li> <li>- Two month Notice to End Tenancy for Landlord use of property</li> <li>- Final month is rent-free</li> <li>- No moving costs, no relocation assistance.</li> </ul>	<p>No;</p> <ul style="list-style-type: none"> <li>- Landlords must only give four months' notice (<a href="#">on proper form</a><sup>1</sup>) to end tenancy for demolition, renovation or repair, or conversion. Tenants have 30 days to dispute the notice</li> </ul>	<p>Limited;</p> <ul style="list-style-type: none"> <li>- Only applies if building containing 5 or more units</li> <li>- Landlords must offer this if renovicting or demoviction, but they do not have to offer an affordable rent; New rent can be determined by the landlord</li> </ul>	<p>No;</p> <p>Annual Allowable increases set by the Residential Tenancy Branch are only tied to a tenancy. If a tenant moves or is evicted, landlord has no limit on rent increases</p>	<p>No;</p> <p>In 2018 the Province <a href="#">gave municipal governments the authority</a><sup>2</sup> to enact rental only zoning, but the province cannot legislate local zoning laws</p>
<b>Vancouver</b>	<p>Limited;</p> <ul style="list-style-type: none"> <li>- <a href="#">Tenant Relocation and Protection Policy (TRPP)</a><sup>3</sup> applies to buildings with <u>6 or more units in specific geographic areas</u> and to <u>land assemblies</u>.</li> <li>- Compensation for tenants to leave ranges from <u>4-24 months</u> rent, depending on the length of tenancy</li> <li>- Assistance relocating tenant to <u>comparable unit in size and rent in the same neighbourhood</u></li> <li>- Does not apply to renovations involving building permits (small scale reno's)</li> </ul>	<p>Limited;</p> <ul style="list-style-type: none"> <li>- Collaboration with provincial Residential Tenancy Branch to penalize illegal behaviour</li> <li>- Landlord must disclose of scope of work to to city to provide clarity on whether the unit must be vacated</li> <li>- Notifying tenants of their rights in cases where a building is sold</li> </ul>	<p>Limited;</p> <p>In cases where the TRPP applies, tenants are entitled to a 20% discount on starting market rents on the new unit</p>	<p>Limited;</p> <ul style="list-style-type: none"> <li>- Vacancy controls will apply to 20% of the units in new private rental developments that are built under the <a href="#">Moderate Income Rental Housing Pilot Project</a><sup>4</sup> (MIRHPP)</li> <li>- These vacancy controlled suites are priced at rents meant to be affordable to household incomes of \$30-\$80K</li> </ul>	<p>Limited;</p> <ul style="list-style-type: none"> <li>- Preservation of existing rental stock is ensured through 1:1 replacement under <a href="#">Rate of Change bylaw</a><sup>5</sup> and RHS ODP</li> <li>- Only applies to about 78% of the rental housing stock. Rentals along arterials excluded. No affordability requirement for replacement units.</li> </ul>

<sup>1</sup> RTB Form 29 <https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/forms/rtb29.pdf>

<sup>2</sup> [https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/residential\\_rental\\_zoning\\_bulletin1.pdf](https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/residential_rental_zoning_bulletin1.pdf)

<sup>3</sup> 2019 City of Vancouver TRPP Amendments: <https://council.vancouver.ca/20190611/documents/rr1complete.pdf>

<sup>4</sup> MIRHPP Factsheet: <https://vancouver.ca/files/cov/pds-mirhpp-fall-2018-fact-sheet.pdf>

<sup>5</sup> City of Vancouver Rate of Change regulation bylaw: <https://council.vancouver.ca/20070417/documents/p4.pdf>

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<b>Burnaby</b> <sup>6 7</sup>	<p>Yes;</p> <ul style="list-style-type: none"> <li>- Applies to buildings with <u>5 or more units</u></li> <li>- Offers a rent "top up" on a privately owned unit during reno's or construction. Upper limit of top up determined by CMHC median rent +30%: \$1545 for a one-bedroom and \$1840 for a two bedroom.</li> <li>- Moving expenses of \$900 1 Bdrm and \$1400 for 2 Bdrm</li> </ul>	<p>Yes;</p> <p>(Further analysis required to enforce through Business Licenses)</p>	<p>Yes;</p> <ul style="list-style-type: none"> <li>- Right of first refusal to a replacement unit at the same rent as if tenancy was uninterrupted</li> <li>- Priority placement in unclaimed replacement units on other properties</li> <li>- Applies to tenants evicted up to 24 months prior to rezoning application submittal (which means all of the people displaced through developer buyouts will be eligible)</li> </ul>	<p>Limited;</p> <p>On new private rental developments only.</p>	<p>Yes;</p> <ul style="list-style-type: none"> <li>- New developments must have 20% of their units as rental.</li> <li>- Density offsets can be used to achieve affordability of 20% below CMHC</li> <li>- 1:1 replacement of rental units lost in demolition</li> </ul>
<b>New Westminster</b>	<p>Yes;</p> <p><a href="#">Tenant Relocation Policy</a><sup>8</sup> (for Demovictions)</p> <ul style="list-style-type: none"> <li>- Applies to buildings with <u>6 or more units</u></li> <li>- Compensation is <u>three months rent</u>, regardless of the length of tenancy</li> <li>- <a href="#">Bylaw 8085, 2019</a> (For Renovations)</li> <li>- Landlord must also provide alternate accommodations for the tenant during the renovations</li> </ul>	<p>Yes;</p> <p><a href="#">Bylaw 8085, 2019</a></p> <ul style="list-style-type: none"> <li>- Fine ranging from \$500 - \$1000 for eviction without permits; eviction without relocating tenant; failure to provide relocation agreement; failure to provide relocation documentation or an excessive rent increase</li> </ul>	<p>Yes;</p> <p><a href="#">Bylaw 8085, 2019</a><sup>9</sup></p> <ul style="list-style-type: none"> <li>- Following renovations, Landlord must allow the tenant to return to the renovated unit without a rent increase, (beyond provincial annual increase)</li> </ul>	<p>No</p>	<p>Yes;</p> <p><a href="#">Bylaw 8078, 2019</a><sup>10</sup>:</p> <ul style="list-style-type: none"> <li>- Currently applies to 6 properties 12 city-owned properties</li> <li>- <a href="#">Ban on strata conversion</a><sup>11</sup> (turning rental buildings into condos)</li> </ul>
<b>Port Coquitlam</b>	<p>Yes;</p> <p><a href="#">Business Bylaw 3725</a>:</p> <p>As an alternative to right of first refusal, landlords may relocate displaced tenants to a comparable unit in the building at the same rent.</p>	<p>Yes;</p> <p><a href="#">Business Bylaw 3725</a>:</p> <ul style="list-style-type: none"> <li>- Fines for violating Bylaw 3725 are up to \$10,000</li> </ul>	<p>Yes;</p> <p><a href="#">Business Bylaw 3725</a>:</p> <ul style="list-style-type: none"> <li>- Applies to buildings with 5 or more units</li> <li>- Landlords who require their tenants to vacate a unit for renovations must provide alternative accommodation and let tenants move back in without a rent increase.</li> </ul>	<p>No</p>	<p>No</p>

<sup>6</sup> Burnaby Mayor's Taskforce on Housing <https://www.burnaby.ca/Our-City-Hall/Mayor---Council/Boards--Committees---Commissions/Mayor-s-Task-Force-on-Community-Housing.html>

<sup>7</sup> [City of Burnaby Revised Tenant Assistance Policy](#) (Nov 27, 2019)

<sup>8</sup> New Westminster Tenant Relocation Policy [https://www.newwestcity.ca/database/files/library/Tenant\\_Relocation\\_Policy\\_\(June\\_2018\)\(1\).pdf](https://www.newwestcity.ca/database/files/library/Tenant_Relocation_Policy_(June_2018)(1).pdf)

<sup>9</sup> New Westminster Bylaw 8085, 2019 <https://www.newwestcity.ca/housing/renovictions-tenant-protection-and-resources>

<sup>10</sup> New Westminster Bylaw 8078, 2019 <https://www.newwestcity.ca/2019/05/03/faqs-zoning-amendment-bylaws-no-8123-2019-and-no-8078-2019.php>

<sup>11</sup> New Westminster website <https://www.newwestcity.ca/housing/rental-housing>