

GUIDE TO MUNICIPAL TENANT PROTECTIONS IN THE LOWER MAINLAND

	Tenant Relocation Policy	Penalizing Renovictions	Right of First Refusal	Vacancy Controls	Rental Only Zoning
Provincial (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>
Vancouver	<p>Limited;</p> <ul style="list-style-type: none"> - Four month Notice to End Tenancy for Renoviction/Demoviction - Two month Notice to End Tenancy for Landlord use of property - Final month is rent-free - No moving costs, no relocation assistance. 	<p>No;</p> <ul style="list-style-type: none"> - Landlords must only give four months' notice (on proper form¹) to end tenancy for demolition, renovation or repair, or conversion. Tenants have 30 days to dispute the notice 	<p>Limited;</p> <ul style="list-style-type: none"> - Only applies if building containing 5 or more units - 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 	<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 gave municipal governments the authority² to enact rental only zoning, but the province cannot legislate local zoning laws</p>
	<p>Limited;</p> <ul style="list-style-type: none"> - Tenant Relocation and Protection Policy (TRPP)³ applies to buildings with <u>6 or more units in specific geographic areas</u> and to <u>land assemblies</u>. - Compensation for tenants to leave ranges from <u>4-24 months</u> rent, depending on the length of tenancy - Assistance relocating tenant to <u>comparable unit in size and rent in the same neighbourhood</u> - Does not apply to renovations involving building permits (small scale reno's) 	<p>Limited;</p> <ul style="list-style-type: none"> - Collaboration with provincial Residential Tenancy Branch to penalize illegal behaviour - Landlord must disclose of scope of work to to city to provide clarity on whether the unit must be vacated - Notifying tenants of their rights in cases where a building is sold 	<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"> - Vacancy controls will apply to 20% of the units in new private rental developments that are built under the Moderate Income Rental Housing Pilot Project⁴ (MIRHPP) - These vacancy controlled suites are priced at rents meant to be affordable to household incomes of \$30-\$80K 	<p>Limited;</p> <ul style="list-style-type: none"> - Preservation of existing rental stock is ensured through 1:1 replacement under Rate of Change bylaw⁵ and RHS ODP - Only applies to about 78% of the rental housing stock. Rentals along arterials excluded. No affordability requirement for replacement units.

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

² https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/planning-land-use/residential_rental_zoning_bulletin1.pdf

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

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

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

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Burnaby ^{6 7}	<p>Yes;</p> <ul style="list-style-type: none"> - Applies to buildings with <u>5 or more units</u> - 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. - Moving expenses of \$900 1 Bdrm and \$1400 for 2 Bdrm 	<p>Yes;</p> <p>(Further analysis required to enforce through Business Licenses)</p>	<p>Yes;</p> <ul style="list-style-type: none"> - Right of first refusal to a replacement unit at the same rent as if tenancy was uninterrupted - Priority placement in unclaimed replacement units on other properties - 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) 	<p>Limited;</p> <p>On new private rental developments only.</p>	<p>Yes;</p> <ul style="list-style-type: none"> - New developments must have 20% of their units as rental. - Density offsets can be used to achieve affordability of 20% below CMHC - 1:1 replacement of rental units lost in demolition
New Westminster	<p>Yes;</p> <p>Tenant Relocation Policy⁸ (for Demovictions)</p> <ul style="list-style-type: none"> - Applies to buildings with <u>6 or more units</u> - Compensation is <u>three months rent</u>, regardless of the length of tenancy - Bylaw 8085, 2019 (For Renovations) - Landlord must also provide alternate accommodations for the tenant during the renovations 	<p>Yes;</p> <p>Bylaw 8085, 2019</p> <ul style="list-style-type: none"> - 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 	<p>Yes;</p> <p>Bylaw 8085, 2019⁹</p> <ul style="list-style-type: none"> - Following renovations, Landlord must allow the tenant to return to the renovated unit without a rent increase, (beyond provincial annual increase) 	<p>No</p>	<p>Yes;</p> <p>Bylaw 8078, 2019¹⁰:</p> <ul style="list-style-type: none"> - Currently applies to 6 properties 12 city-owned properties - Ban on strata conversion¹¹ (turning rental buildings into condos)
Port Coquitlam	<p>Yes;</p> <p>Business Bylaw 3725:</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>Business Bylaw 3725:</p> <ul style="list-style-type: none"> - Fines for violating Bylaw 3725 are up to \$10,000 	<p>Yes;</p> <p>Business Bylaw 3725:</p> <ul style="list-style-type: none"> - Applies to buildings with 5 or more units - 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. 	<p>No</p>	<p>No</p>

⁶ 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>

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

⁸ New Westminister 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)

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

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

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