

## GUIDE TO MUNICIPAL TENANT PROTECTIONS IN THE LOWER MAINLAND

Updated in 2022

	<b>Tenant Relocation Policy</b>  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	<b>Penalizing Renovictions</b>  Policies, such as fines, that discourage landlords from “renovicting” tenants in bad faith in order to raise rents on a suite	<b>Right of First Refusal</b>  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	<b>Vacancy Controls</b>  Limited annual rent increases (rent control) is tied to the <i>unit</i> , instead of the tenant	<b>Rental Only Zoning</b>  Designating parts of a city so that any new development must be for rental housing
<b>Provincial</b> (applies to all municipalities in B.C.)	Limited;  - 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.	Limited;  - A of <a href="#">July 1, 2021</a> <sup>1</sup> landlords must apply to the Residential Tenancy Branch in order to end a tenancy for the purpose of repairs. <a href="#">RTB Policy Guideline 2b</a> outlines the scope and conditions required for approval - There are still no procedural penalties for illegal renovictions.	Limited;  - 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	No;  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	No;  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
<b>Vancouver</b>	Limited;  - <a href="#">Tenant Relocation and Protection Policy (TRPP)</a> <sup>3</sup> applies to buildings with <u>5 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)	Limited;  - Collaboration with provincial Residential Tenancy Branch to penalize illegal behaviour	Limited;  - In cases where the TRPP applies, tenants are entitled to a 20% discount on starting market rents on new units - Along the Broadway Corridor tenants in buildings covered by TRPP have the right to return at the same rent they were previously paying, and interim rent top ups during construction (similar to Burnaby).	Limited;  - 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) - These vacancy controlled suites are priced at rents meant to be affordable to household incomes of \$30-\$80K	Limited;  - 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 - Only applies to about 78% of the rental housing stock. No affordability requirement for replacement units.

<sup>1</sup> RTB “Renovictions” <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/ending-a-tenancy/renovictions>

<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> 2022 City of Vancouver TRPP Amendments Bulletin: <https://vancouver.ca/files/cov/tenant-relocation-and-protection-policy-process-and-requirements.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>

## GUIDE TO MUNICIPAL TENANT PROTECTIONS IN THE LOWER MAINLAND

	Tenant Relocation Policy	Penalizing Renovictions	Right of First Refusal	Vacancy Controls	Rental Only Zoning
<b>Burnaby</b> <sup>6 7</sup>	Yes;  - <a href="#">Tenant Assistance Policy</a> applies to buildings with 5 or more units - 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	No	Yes;  - 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)	Limited;  On new private rental developments only.	Yes;  - 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
<b>New Westminster</b>	Yes;  <a href="#">Tenant Relocation Policy</a> <sup>8</sup> (for Demovictions) - Applies to buildings with 6 or more units - Compensation is <u>three months rent</u> , regardless of the length of tenancy	Yes; <i>but voided due to provincial changes</i>  <a href="#">Bylaw 8085, 2019</a> - Fine ranging from \$500 - \$1000 for eviction without permits; eviction without relocating tenant; failure to provide relocation agreement or an excessive rent increase	Yes; <i>but voided due to provincial changes</i>  <a href="#">Bylaw 8085, 2019</a> <sup>9</sup> - Following renovations, Landlord must allow the tenant to return to the renovated unit without a rent increase, (beyond provincial annual increase)	No	Yes;  <a href="#">Bylaw 8078, 2019</a> <sup>10</sup> : - Currently applies to 6 properties 12 city-owned properties - <a href="#">Ban on strata conversion</a> <sup>11</sup> (turning rental buildings into condos)
<b>Port Coquitlam</b>	Yes;  <a href="#">Business Bylaw 3725</a> : As an alternative to right of first refusal, landlords may relocate displaced tenants to a comparable unit in the building at the same rent.	Yes;  <a href="#">Business Bylaw 3725</a> : - Fines for violating Bylaw 3725 are up to \$10,000	Yes;  <a href="#">Business Bylaw 3725</a> : - 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.	No	No

<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 <https://www.burnaby.ca/our-city/programs-and-policies/housing/tenant-assistance>

<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>