

**MINUTES OF THE
RENTERS' ADVISORY COMMITTEE MEETING
JANUARY 18, 2022**

Councillor Potts offered to host an "Ask Us Anything" for RAC members on Housing Policy.

1. Ryan Moen called the meeting to order at 6:35pm.

Committee Members: Ryan Moen (Chair)
Alieda Blandford
Leslie Robinson
Azmina Janmohamed
Carrie Chapple
Heather Kirkham
Neha Sharma
Stefanie Hardman

Regrets: Yuka Kurokawa
Amy Dewar

Councillors Present: Councillor Andrew
Councillor Potts

Staff Present: Andrew Cusack – Senior Planner, Housing Policy
Rory Stever – Staff Liaison, Tenant Planner
Margot Thomaidis – Planning Assistant
Ayla Conklin – Planning Secretary

2. Approval of Agenda

Motion:

It was moved by Azmina Janmohamed, seconded by Neha Sharma, that the January 18, 2022 Agenda be approved.

CARRIED UNANIMOUSLY

3. Adoption of Meeting Minutes

November 30, 2021, Meeting Minutes

Motion:

It was moved by Carrie Chapple, seconded by Azmina Janmohamed, that the November 30, 2021 Meeting Minutes be adopted as presented.

The committee discussed:

- Will the motion directing staff to include the *Rental Property Standards of Maintenance Bylaw* in the Connect newsletter be actioned? Minutes noted that staff in attendance are not involved in the creation of the newsletter.
 - Item was added to Item 8 - Parking Lot.

CARRIED UNANIMOUSLY

4. Membership Update

Rory Stever, Tenant Planner, advised that two new members will join the committee in February 2022.

5. Tenant Assistance Policy (TAP) – Updates to Right of First Refusal (RFR), Residential Tenancy Act / Rental Business Licensing Bylaw

Andrew Cusack, Senior Planner – Housing Policy, to dispense information on the *Tenant Assistance Policy (TAP) – Updates to Right of First Refusal (RFR)*.

The committee discussed:

- Support for the proposed change. 10% - 25% below market may be significantly higher than their initial rent, support for the tenant to return to the unit at the same rent.
- Are there incentives for housing for First Nations, Metis and Inuit status? These groups are vulnerable to poverty and often discriminated against.
 - Added to Item 8 – Parking Lot Discussion.
- The proposed change will align with protecting existing rental stock. Developers have implemented this policy and still make their profit while protections are in place.
- Very strong support. It is unjust to deny someone this right due to the unit becoming unaffordable. Market rent is out of pace with the income of residents. 10% below market will often be a significant increase.
- Does TAP apply for minor renovations or only the complete redevelopment of a property?
 - TAP is required for a rezoning. This entails tearing down the building on the property and constructing a new building with increased density. The developer supports displaced tenants and finds them comparable housing options. Once a tenant is in a new unit, the RFR allows them to move back into the apartment they initially left and RFR determines what the new rent would be.
- Councillor Potts – Was outreach solely on RFR? The City is reviewing Market Rental Revitalization Project – this includes seismic upgrades, energy upgrades, and building maintenance. As of July 1, 2021: a new policy allowing landlords to apply for a rental increase. Are these cities applying new policies to support the maintenance of older affordable rental stocks before they go to RFR/development?
 - The engagement didn't include a fulsome discussion. New Westminster is looking for alternatives.
- Is there a guarantee that the displaced tenants find a new unit? It is extremely challenging for tenants to find new units; how does the coordinator ensure the tenant has moved into a new unit?
 - The displaced tenant must be offered a minimum of three units, comparable in size, all in the Capital Regional District and one in the same neighbourhood etc..
 - Developers must hire a Tenant Relocation Coordinator and offer three options. There is a consultation about expectations. If developers are not following through, tenants have reached out to staff to advise.
- What is the guarantee that the landlord will rent to those displaced tenants?
 - There are clauses to ensure tenants are being provided comparable housing. There are several requirements of an applicant as they go through the rezoning process. RFR is built into provincial law. The rate of the new rent is for the City to determine linked to the rezoning application.
- Does the landlord actually provide the City with the list of the three units that they are offering to the tenants?
 - Staff are not provided with the list. The Tenant Relocation Coordinator manages the list. Staff are in touch with the tenant and applicant equally.
- Have staff considered the astronomical demand for rental apartments? It's something to consider to ensure this policy is effective.
- Regardless of a minor/major renovation or rezoning – a tenant is still being displaced without their consent. The reasons for displacement are similar although the protections are different even though the outcome is a tenant being displaced.
- Council will be discussing this topic on Thursday at 6:30pm

Motion

It was moved by Alieda Blandford, seconded by Leslie Robinson, that the RAC endorse the proposal to amend the Tenant Assistance Policy's right of first refusal to the existing rent, rather than 10% below market.

CARRIED UNANIMOUSLY

Andrew Cusack, Senior Planner – Housing Policy, to dispense information on the *Residential Tenancy Act / Rental Business Licensing Bylaw*.

The committee discussed:

- The withdrawn applications could be due to tenants seeking new housing rather than waiting for a hearing.

6. Rental Data from the Housing Strategy Annual Review

Margot Thomaidis, Planning Assistant, presented a summary of the rental housing data from the 2020 Housing Strategy Annual Review.

The committee discussed:

- Who is administering the new low income housing for seniors? BC Housing requires more proof than other providers.
 - Likely through the BC Housing Registry. Some providers may not choose this administrator.
- The Tenant Engagement Toolkit is listed as complete, although this guideline hasn't been followed. Request to discuss this at a future meeting.
- The *Rental Property Standard of Maintenance Bylaw* is also marked as complete although no engagement has been made. Request to discuss this at a future meeting.

7. Subcommittee Presentation – Association of Vancouver Island and Coastal Communities (AVICC) Motions

Subcommittee to present outcome from their discussion on AVICC motions.

Motion

It was moved by Leslie Robinson, seconded by Ryan Moen that Council endorse the following resolution and submit this resolution for consideration at the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities:

WHEREAS the cost of rental housing is increasing at a rate higher than inflation, to which existing legislation is failing to protect against, and;

WHEREAS the loss of stable rental housing stock and displaced renters adversely affects local economy, community, and ability to maintain health and essential services;

THEREFORE BE IT RESOLVED that the AVICC carry forward support to the UBCM requesting the Province immediately amend and add to the RTA allowing individual municipalities powers to enact vacancy control.

Motion

It was moved by Leslie Robinson, seconded by Ryan Moen, for a friendly amendment to rescind this motion.

The committee discussed:

- In support of vacancy control. Why are we advocating for municipalities to enact vacancy control rather than requesting the province to amend the RTA to enact vacancy control?
 - Councillor Potts: the wording requests the province to explore this, not specifically which level of government.
- Councillor Potts: Two pieces of information that assist from the Canada Mortgage and Housing Corporation: there is new reporting for the difference between the average rent for vacant units and occupied units. As of July 1, 2022 - landlords can apply for rental increases above the rate of inflation for capital expenditures.
- Councillor Andrews: Suggestion for the RAC to advocate to the province rather than the municipality.

Motion

It was moved by Alieda Blandford, seconded by Leslie Robinson, that Council endorse the following resolution and submit this resolution for consideration at the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities:

WHEREAS vacancy control does not apply to new construction and developers will still have incentive to build new units;

WHEREAS in B.C. there are mechanisms through which a landlord may apply to the Residential Tenancy Branch for an additional rent increase if they have incurred eligible capital expenditures or expenses to the residential property in which the rental unit is located;

WHEREAS rents continue to rise faster than inflation and the provincially allowable rent increases and the loss of stable rental housing stock and displaced renters adversely affects local economy, community, and ability to maintain health and essential services;

THEREFORE BE IT RESOLVED that for the health of our local economies, AVICC and UBCM advocate that the Provincial Government explore a vacancy control policy that would limit rent increases between tenancies.

CARRIED UNANIMOUSLY

Motion

It was moved by Carrie Chapple, seconded by Alieda Blandford, that Council endorse the following resolution and submit this resolution for consideration at the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities:

WHEREAS to expand the supply of community and affordable housing, experts tasked with delivering the final report of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability recommend that:

The federal and provincial governments independently or jointly create an acquisition fund to enable non-profit housing organizations to acquire currently affordable housing properties at risk of being repriced or redeveloped into more expensive units. Conditions should be attached to this funding that will prevent forced displacement of existing tenants when a building is acquired. The B.C. government should exempt non-profit organizations from the property transfer tax for building acquisitions that will be used to provide affordable housing.

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government support the recommendation of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability, to develop a provincial acquisition strategy and grant program that would

allow non-profit housing providers to purchase and repair ageing rental stock for the purposes of maintaining existing affordable housing.

CARRIED UNANIMOUSLY

Motion

It was moved by Leslie Robinson, seconded by Ryan Moen, that Council endorse the following resolution and submit this resolution for consideration at the Association of Vancouver Island and Coastal Communities and the Union of BC Municipalities:

WHEREAS the Provincial Government has pledged to, alleviate the rental housing crisis, strengthen tenant protections, and expand the efficacy of the Residential Tenancy Branch;

WHEREAS B.C. is in the midst of a housing crisis which has pushed many tenants into vulnerable living situations and legal aid funding for tenancy issues would provide tenants with a fair opportunity to participate in the adjudication of their tenancy issues;

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government reinstate the funding of poverty law legal aid for tenancy issues.

The committee discussed:

- Councillor Potts: Available to discuss any background information on this motion.

CARRIED UNANIMOUSLY

8. Parking Lot Discussion

- Will the motion directing staff to include the RPSOM bylaw in the Connect newsletter be actioned? Minutes noted that staff in attendance are not involved in the creation of the newsletter.

Motion

It was moved by Leslie Robinson, seconded by Ryan Moen that RAC request Council to ensure that the next Connect newsletter include the *Rental Property Standards of Maintenance Bylaw* to inform tenants of the protections being offered with the supervision of the Equity, Diversity and Inclusion office to ensure the language is accessible to all citizens.

CARRIED UNANIMOUSLY

Staff have met with engagement about promoting the RPSOM bylaw in the Connect newsletter. This item will be on the February agenda.

- ~~Are there incentives for housing for First Nations, Metis and Inuit status? These groups are vulnerable to poverty and often discriminated against.~~
Deferred due to time.

9. Adjournment

Motion:

It was moved by Ryan Moen, seconded by Alieda Blandford, that the Renters' Advisory Committee meeting of January 18, 2022 be adjourned at 8:30 P.M.

CARRIED UNANIMOUSLY