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Tenant Relocation Guide

Aligned with the City of Victoria's Tenant Protection During Redevelopment Bylaw No. 25-044

Purpose



This guide is designed to help tenants understand the tenant relocation process, including supports and compensation available during redevelopment. It reflects the standards set out in the **Tenant Protection During Redevelopment Bylaw** (referred to as Tenant Protection Bylaw or TPB), which aims to minimize the impact of displacement and ensure fair treatment of tenants.

All tenants living in a rental unit on a property when a redevelopment application is submitted to the City are eligible for support and compensation under the TPB, with additional assistance considered for tenants facing greater challenges, including households with low income, tenants with disabilities, recent immigrants and refugees, or long-term tenants who are paying significantly below-market rent. The Household Needs Assessment form helps identify household characteristics and potential supports.

Every redevelopment project involving tenants will have a Tenant Relocation Coordinator (TRC) appointed by the owner or developer to coordinate the relocation and compensation process. For projects of 20 or more units, the Tenant Relocation Coordinator must be an independent third party.

Residential Tenancy Act

Residential tenancies are governed by the Province of British Columbia's Residential Tenancy Act (RTA) and administered and enforced through the Residential Tenancy Branch (RTB). The Tenant Protection Bylaw complements existing renter regulations in the RTA. All RTA and RTB requirements must be adhered to.

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TPB Support and Compensation for All Tenants

1. **Financial compensation** based on length of tenancy and provided as free rent, a lump sum payment or a combination of both, at the tenant's discretion[1].

Length of Tenancy	Compensation[2]
1 year or less	2 months rent
Over 1 to 5 years	3 months rent
Over 5 to 9 years	4 months rent
Over 9 to 19 years	5 months rent
Over 19 years	6 months rent

2. **Moving assistance** provided by the owner or developer through either:

   - Professional moving services paid for and arranged by the owner or developer, OR
   - **Flat rate compensation**:
     - $800 for bachelor/one-bedroom units
     - $1,100 for two-bedroom units
     - $1,500 for three-bedroom or larger units

3. **Relocation support** to help find a comparable rental unit. Tenants must be provided with at least three alternate rental unit options that are:
   - Comparable in size and features.
   - Located within Greater Victoria, with one option in the same general area (proximity to work or childcare, etc.).
   - No more than CMHC average rents or, if tenant's current rent is higher, then at a reasonably comparable rate to tenant's current rate.[3]

[1] Compensation required by the Tenant Protection Bylaw includes the amount of compensation required under the RTA.

[2] Calculated at the tenant's actual rent or CMHC average rent for the City of Victoria, whichever is higher. See Affordable Housing Standards Bylaw (Table 3, row 1) for CMHC average rents.

[3] If housing options that meet requirements are not found, an additional month of compensation must be provided to tenants.

4. **Right of First Refusal (RoFR) –** When the new building is a rental property, tenants have priority to return to a comparable unit at 20 per cent below CMHC average rent of new rental stock in the City of Victoria, or at the tenant's current rent, whichever is higher. See Affordable Housing Standards Bylaw Table 3.a. for CMHC average rent of new rental stock.

   Six to nine months prior to the expected occupancy date of the new building, tenants will receive notice and opportunity to express interest in right of first refusal. All tenants who express interest will receive a RoFR offer no less than 90 days prior to occupancy, which will include:

   - Information about available unit type, location within property, rent and availability date.
   - A tenancy agreement with unit details for the tenant to sign if they wish to accept offer.
   - At least 45 days for the tenant to accept the offer.

Household Needs Assessment

The Household Needs Assessment provides information about tenant supports that will be provided with proposed redevelopment and contains a form that helps identify tenant preferences and needs for their future home and for the relocation process. **All tenants should complete the Household Needs Assessment Form and save a copy for their records**.

Tenants requiring additional assistance can provide information about their unique household situation and needs and suggest what support might be helpful. The Tenant Relocation Coordinator and City staff may also provide suggestions.

Role of Tenant Relocation Coordinator

- Main point of contact between tenants and the owner or developer
- Assists with housing searches and applications
- Shares information on community resources
- Provides ongoing communication and support
- Coordinates compensation payments

Communication with Tenants

Keeping tenants informed throughout the redevelopment process is important. The owner or developer, with assistance of Tenant Relocation Coordinator, must:

- Prior to applying to the City for development or other land use permit:
  - Notify tenants of redevelopment plans.
  - Provide each household with the Household Needs Assessment letter and form.

- For projects affecting five or more units, hold an additional all-tenant information meeting (in-person or virtual).
- As the project moves through approval process, provide written updates to tenants every four months.
- No later than one month after Tenant Assistance Plan (TAP) approval, give tenants their individual compensation and support package provided through the TAP.
- Offer translated materials if needed.

All general communications with tenants must be posted in central location on the property, as well as provided in an email or letter to each tenant.

Tenant Assistance and Relocation Process

STEP 1: **Inform**	STEP 2: **Create**	STEP 3: **Confirm**	STEP 4: **Relocation**
			
Before applying for redevelopment, tenants are notified of plans to redevelop and provided with a Household Needs Assessment form. A tenant relocation coordinator (TRC) is assigned.	The TRC develops a Tenant Assistance Plan (TAP), informed by the Household Needs Assessment and in consultation with City staff.	Following TAP and development permit approval, tenants are given a household compensation and support letter.	Relocation can happen anytime a tenant is ready. Compensation is provided whenever a move-out happens. The fourth-month notice to end tenancy can only be issued when all required building permits are in place.

Frequently Asked Questions

1. **If I find my own place and move out prior to being served the four-month notice to end tenancy, will I still get compensated?**
   Once the Tenant Assistance Plan is completed and you have received your compensation and support letter, you can move out at any time and will be fully compensated.

2. **Is the rent compensation provided by Tenant Protection Bylaw (TPB) in addition to the required one-month rent compensation through Residential Tenancy Act (RTA)?**
   No, TPB rent compensation includes the one-month rent compensation required through RTA.

3. **Are there privacy protections regarding my personal information being collected?**
   Yes, your information is collected and protected through Section 26(c) of the Freedom of Information and Protection of Privacy Act and only used for the purpose for which it was obtained. Developers or owners and Tenant Relocation Coordinators must adhere to privacy legislation.

4. **How can I track the project during the development approval process and keep up to date on what permits have been issued?**
   You can view project updates or sign up to receive notifications through the City's Development Tracker. You can also contact staff and inquire at permits@victoria.ca.

5. **Who can I contact at the City with questions or concerns regarding my tenant assistance compensation?**
   The City's tenant assistance planner is available to answer any questions and can be reached at housing@victoria.ca or 250.361.0588.

6. **What if my landlord is not keeping up with significant maintenance issues while waiting for redevelopment permits?**
   Landlords must maintain rental units regardless of future redevelopment. If your landlord is not doing so, please follow the RTB dispute process. Please contact the Tenant Assistance Planner if you require support at housing@victoria.ca or 250.361.0588.

7. **What if my compensation support package does not reflect the needs I identified in my Household Needs Assessment form?**

Please contact the City's Tenant Assistance Planner to discuss your concerns by email at housing@victoria.ca or by phone at 250.361.0588.

8. If I have a question about my general tenancy rights, where can I get support?

Tenant Resource and Advisory Centre, 1-800-665-1185
Together Against Poverty Society, 250-360-3521. In-person legal advocacy.
The Law Centre, 250.385.1221, In-person legal advocacy.
Residential Tenancy Branch, 1-800-665-8779 or HRSTO@gov.bc.ca.

Finding New Housing

The Tenant Relocation Coordinator (TRC) is there to help tenants find new housing. Sharing your needs and preferences with the TRC, as well as your general income level or housing price point, will help them find you new housing.

Subsidized Housing

Long-term, government supported housing operated by a non-profit housing provider.

- Offer rents based on 30 per cent of total income prior to deductions (gross household income).
- Support families with children under 19, seniors, individuals with disabilities and individuals and couples at risk of homelessness or experiencing homelessness.

To qualify, gross household income must be below:

	Studio/One-bedroom	Two-bedroom	Three-bedroom	Four-bedroom
Families and non-seniors	$50,000	$65,000	$82,000	$95,000
Seniors	$57,000			

- Visit the BC Housing Registry to submit or edit your application. The TRC can help you apply.
- When the four-month notice to end tenancy is issued, the BC Housing Supplemental Application Form should be completed, as it can help to shift the application to priority status on the waitlist.
  If you do not have a third-party verifier for the application, contact housing@victoria.ca.

Affordable or Below-Market Housing

Rental buildings owned and managed by non-profit housing providers.

- Rental units are priced lower than similar market rate units.
- Prices range based on the age of the housing unit.
- Units are for low-to moderate-income families or individuals.
- To qualify, please confirm with a non-profit housing provider.

Approximate household income limits:

	Studio/One-bedroom	Two-bedroom	Three-bedroom	Four-bedroom
Minimum income	$50,001	$65,001	$82,001	$95,001
Maximum income	$85,000	$134,000	$134,000	$134,000

Market Housing

Privately owned rental properties, including apartments, houses or suites.

- Range in price, often based on the age of the unit.
- Try searching online rental websites, social media and classified or buy-and-sell websites.

Non-Profit Housing Providers

- **Capital Regional Housing Corporation**
- **M'akola Housing Society** - primarily serving Indigenous people
- **Pacifica Housing**
- **Greater Victoria Housing Society**
- **Victoria Cool Aid Society**
- **Threshold Housing Society** - serving youth 15-24
- **Kiwanis Village Society** - serving seniors 55+
- **Gorge View Society** - serving seniors 60+ and families

Other Resources

Explore BC Housing's rental assistance programs to learn about additional support for low-income working families and seniors.

- Rental Assistance Program (RAP) for low-income working families.
- Shelter Aid for Elderly Renters (SAFER) for low-income seniors 60+ years old).

Contact Information

If you have any questions, comments, or concerns, please contact your landlord or:

Tenant Relocation Coordinator
Email: _____
Phone: _____

City of Victoria Tenant Assistant Planner
Email: housing@victoria.ca
Phone: 250-361-0588

Privacy Notice

The City of Victoria is committed to protecting the personal information of individuals who are eligible for support under the Tenant Protection During Redevelopment Bylaw and supported through a Tenant Assistant Plan (TAP). This privacy notice explains what personal information is collected, why we collect it, how it is used, shared and protected and your rights regarding your information.

Collection Authority

The City of Victoria collects personal information under sections 26(c), which authorizes collection of information that "directly relates to and is necessary for a program or activity of the public body."

The administration of the TAP requires the collection of personal information to assist individuals who have been or will be displaced from their rental units due to redevelopment.

Information We Collect

To oversee the delivery of the TAP, the City may collect the following personal information:

- Name
- Contact information (address, email, phone number)

- Rental unit details, including current rate of rent
- Additional information if you require special assistance (such as income, medical information, etc.)

How Your Information is Used

The City of Victoria uses your information pursuant to section 32(a) of *FIPPA*, as use is consistent with the purpose for which it was obtained. Your information will be used to:

- Determine eligibility under the Tenant Protection During Redevelopment Bylaw
- Oversee and ensure that appropriate tenant relocation support and compensation are provided by the owner or developer (applicant) through the TAP
- Determine additional support requirements for relocation
- Contact tenants with information relating to the redevelopment and TAP

Disclosure of Your Information

Your personal information will only be shared with those who administer the Tenant Protection During Redevelopment Bylaw and oversee the delivery of TAPs (such as City of Victoria tenant assistance staff). This disclosure complies with section 33(2)(d) for *FIPPA*, which permits disclosure only for the purpose for which the information was obtained.

Your information will not be shared for any other purpose.

Accuracy of Personal Information

We make reasonable efforts to ensure the information collected is accurate. You may review your personal information through a freedom of information request. You may also request corrections at any time by contacting the City's tenant assistance planner (see Your Rights below).

Protection of Personal Information

Your information will be securely stored, digitally, on Canadian-based servers. We use a variety of authentication methods to prevent unauthorized access. These methods include securing information with passwords, multi-factor authentication and access based on the principle of least privilege. Any physical documents received will be digitized and stored as previously referenced, and the originals will be securely destroyed.

Retention and Destruction

Your information will be securely stored for as long as it is needed to deliver the TAP. Your information will be retained for one year after a decision has been made and

implemented regarding the assistance you received. Your information will be securely destroyed following the retention period.

Your Rights

Under FIPPA, you have the right to:

- Access your personal information through a freedom of information request.
- Correct your personal information by contacting housing@victoria.ca.

Contact Information

If you have any questions about the collection, use or protection of your personal information, please contact the City of Victoria's privacy officer by email at privacy@victoria.ca.

