

# Tenant Relocation And Protection Policy

Housing Vancouver Strategy

*Approved by Council December 10, 2015.*

*Amended June 11, 2019.*

On June 11, 2019, Council approved amendments to the Tenant Relocation and Protection Policy originally approved by Council on December 10, 2015. The amendments include the following:

- Changes in policy coverage
- Process changes and requirements for the applicant
- Changes to compensation amounts to be provided to market rental tenants
- Changes to requirements for providing relocation options to tenants requesting assistance
- Special requirements for low-income tenants and tenants facing other housing barriers
- An added temporary relocation option to align with the *Residential Tenancy Act*
- New, separate requirements for non-market housing, as well as non-profit co-operative housing

## Contents

1.0 INTRODUCTION.....	3
1.1 AFFORDABLE HOUSING CHOICES.....	3
1.2 RENTAL HOUSING CHALLENGES .....	3
1.3 TENANT RELOCATION RESULTING FROM REDEVELOPMENT OR MAJOR RENOVATION OF THE EXISTING RENTAL STOCK .....	4
1.4 RELOCATION IN NON-PROFIT SOCIAL AND CO-OP HOUSING .....	6
1.5 TENANT WITH LOW INCOMES AND HOUSING BARRIERS .....	6
1.6 POLICIES IN THIS DOCUMENT.....	7
1.7 ROLE OF BRITISH COLUMBIA RESIDENTIAL TENANCY ACT .....	7
2.0 POLICY COVERAGE.....	9
2.1 APPLICABLE HOUSING TYPES AND GEOGRAPHY .....	9
2.2 APPLICABLE PERMITS.....	10
2.3 ELIGIBLE HOUSEHOLDS.....	10
3.0 TENANT PROTECTION FOR MARKET RENTAL HOUSING DEVELOPMENTS .....	11
3.1 PRINCIPLES .....	11
3.2 TENANT RELOCATION PLAN REQUIREMENTS FOR REDEVELOPMENT OR MAJOR RENOVATIONS RESULTING IN PERMANENT RELOCATION .....	11
3.3 TENANT ASSISTANCE FOR RENOVATION WORK WHERE TENANCIES ARE MAINTAINED .....	17
4.0 RELOCATION IN NON-MARKET HOUSING .....	19
4.1 PRINCIPLES .....	19
4.2 PLAN REQUIREMENTS FOR NON-PROFIT SOCIAL HOUSING.....	19
4.3 PLAN REQUIREMENTS FOR RENOVATIONS IN NON-PROFIT SOCIAL HOUSING WHERE TENANCIES ARE MAINTAINED .....	22
5.0 GUIDELINES FOR NON-PROFIT CO-OP HOUSING .....	23
6.0 TENANT RELOCATION PLAN - PROCESS AND TIMING .....	25
7.0 IMPLEMENTATION .....	27

New\* [The Tenant Relocation and Protection Guidelines](https://www.leg.bc.ca/parliamentary-business/legislation-debates-proceedings/41st-parliament/3rd-session/bills/third-reading/gov12-3) have been updated to reflect recent changes to the BC Residential Tenancy Act, which came into force on May 17, 2018. Full text of the legislative changes are available at <https://www.leg.bc.ca/parliamentary-business/legislation-debates-proceedings/41st-parliament/3rd-session/bills/third-reading/gov12-3>

## 1.0 INTRODUCTION

### 1.1 AFFORDABLE HOUSING CHOICES

Vancouver is a growing and diverse city with significant housing challenges. Providing affordable housing choices for all Vancouverites is critical to the social and economic health of the city.

In 2016, 53% of households in Vancouver were renter households.<sup>1</sup> Vancouver provides over half (53%) of the private rental apartment housing in the entire Metro Vancouver region and a third (33%) of all private rental apartment units for all of British Columbia.<sup>2</sup>

Renting allows for moderate income households to live in Vancouver. The median annual income of renters is \$50,250, significantly lower than that of home owners (\$88,431).<sup>3</sup>

### 1.2 RENTAL HOUSING CHALLENGES

Vancouver is an attractive place to live and work. It also has one of the lowest vacancy rates in Canada for private rental apartments – at 0.8 percent in 2018 and an average rate of 0.9 percent from 1990-2018.<sup>4</sup> A healthy vacancy rate is considered to be between three to five percent. With a growing population, limited increases in income and limited new supply of purpose-built rental housing in recent decades, the need for suitable housing choices for low and moderate income households has grown dramatically.

Increasing home ownership costs have been significant in recent years, making it challenging for many households to purchase a home. In April 2010, benchmark price for a Vancouver east side apartment was \$298,900 compared to \$547,900 in April 2019, an 83% price increase over a 9 year period.<sup>5</sup>

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<sup>1</sup> Statistics Canada Census, 2016

<sup>2</sup> CMHC Rental Market Survey, 2018. Consists of any building with three or more rental units, all of which at least one unit is not ground oriented. Owner-occupied units are not included.

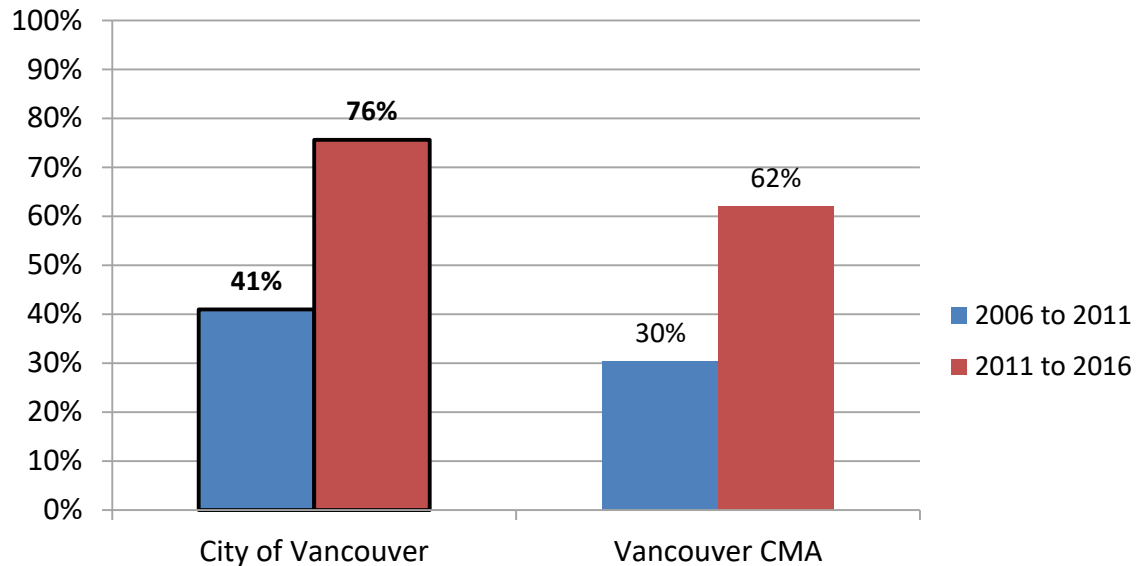
<sup>3</sup> Statistics Canada Census, 2016

<sup>4</sup> CMHC Market Rental Survey, 1990-2018.

<sup>5</sup> MLS Home Price Index, Real Estate Board of Greater Vancouver, 2019.

One impact of increasing home ownership costs is that households that would have previously been seeking to buy a home are now opting to rent. Figure 1 shows that between 2011 and 2016, 76% of net new households in Vancouver were renter households, compared to 41% between 2006 and 2011.<sup>6</sup> This is the trend throughout the Metro Vancouver region, but is heightened in the City of Vancouver.

**Figure 1. Renter Household Proportion of Net New Households**



Source: Statistics Canada Census and

Note: Renter household proportion of net new households is calculated by dividing change in # of renter households by change in # of total private households

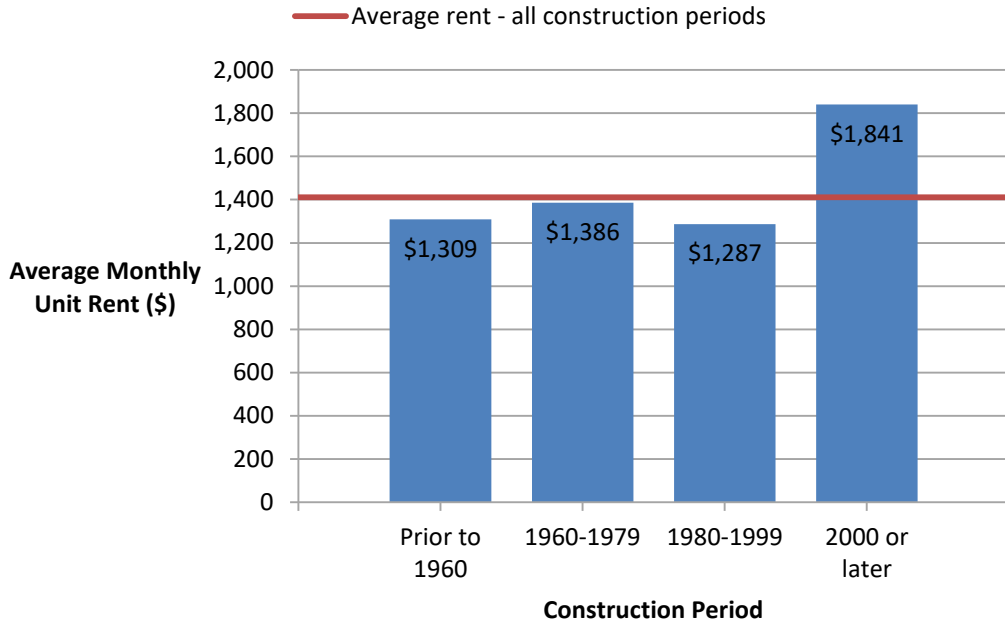
### 1.3 TENANT RELOCATION RESULTING FROM REDEVELOPMENT OR MAJOR RENOVATION OF THE EXISTING RENTAL STOCK

The city's existing rental housing stock provides some of the most affordable housing in Vancouver. Figure 1 shows how in 2018, average rents in private rental 1-bedroom apartments were significantly lower in buildings constructed prior to 2000 compared to buildings constructed after 2000. However, this market rental stock is aging – Figure 2 illustrates that over 3 quarters of the private rental apartment stock is over 35 years old.<sup>7</sup> This older portion of the stock provides affordable rents.

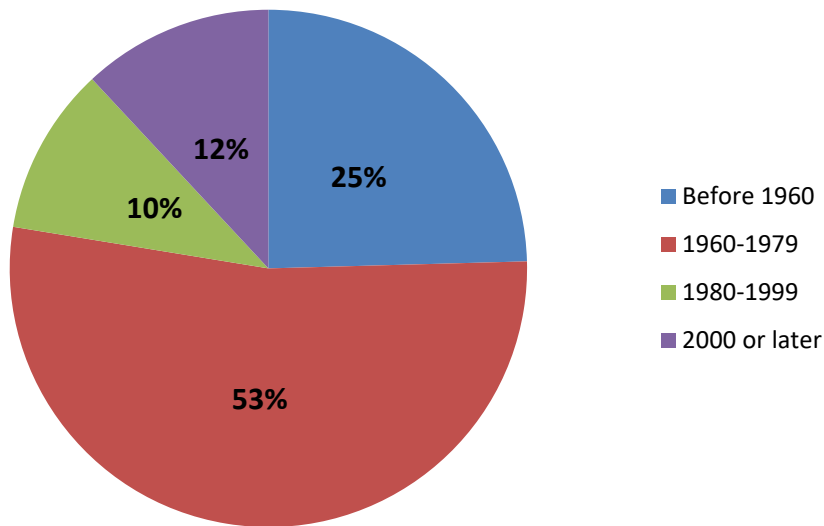
<sup>6</sup> Statistics Canada Census (2006 and 2011) and National Household Survey (2011)

<sup>7</sup> CMHC Market Rental Survey, October 2018

**Figure 1: Private Apartment Average Rents in the City of Vancouver by Construction Date - 1 Bedroom Units<sup>8</sup>**



**Figure 2: Private Rental Apartment Units by Year of Building Construction, City of Vancouver<sup>9</sup>**



Vancouver’s aging stock, combined with very high demand for rental housing, particularly from higher income renter households that are unable to afford home ownership, has led to an increase in redevelopment and renovation in

<sup>8</sup>CMHC Market Rental Survey, October 2018

<sup>9</sup> CMHC Rental Market Survey, October 2018

recent years. While these activities are important for maintaining and renewing the existing rental stock, there are impacts on tenants at risk of displacement. Finding alternate rental accommodation that is suitable and affordable in a city with historically low vacancy rates is challenging. Despite being more affordable than owning, renting is still costly in Vancouver – 35% of renter households pay between 30-99% of their household income on housing, and 13% of renter households pay between 50-99% of their household income on housing.<sup>10</sup> There are also non-quantifiable costs of relocation - the loss of one's home and community networks, as well as the stress involved with the moving process.

#### **1.4 RELOCATION IN NON-PROFIT SOCIAL AND CO-OP HOUSING**

As of 2018, there are approximately 26,000 units of non-market housing in the City of Vancouver, including non-profit social housing and non-profit co-ops. The majority of this housing was constructed prior to 1980, and faces increasing maintenance requirements in order to remain safe and secure for existing residents. In addition, several properties are facing the expiration of existing senior government operating agreements, which means the loss of key subsidies to ensure ongoing affordability.

In order to address these challenges, non-profit social housing and co-ops are considering the option of redevelopment of their existing site. Redevelopment can help non-profit social housing and co-ops ensure safe, quality housing for current and future residents, and may also provide the opportunity to expand the number of units available in order to address the shortage of below-market housing in Vancouver.

A key challenge involved in redevelopment of existing non-profit social housing and co-ops is the need for additional funding to deliver affordability at below market rates. The ability to guarantee the same level of affordability currently being delivered on existing sites is contingent on sufficient funding for the project capital costs and revenue for operating costs.

An additional challenge is the need to ensure that existing residents in non-profit social and co-op housing receive the supports they need during redevelopment. Due to the nature of non-profit social and co-op housing, existing residents are more likely to have extremely low-incomes and face other housing barriers. The City is committed to working with non-profit housing providers to support their residents during redevelopment.

#### **1.5 TENANT WITH LOW INCOMES AND HOUSING BARRIERS**

Tenants with low incomes and/or facing additional housing barriers, such as seniors, persons with disabilities, or those experiencing health issues, are among those most affected by redevelopment or renovation. They often require more assistance in the relocation process as there are fewer choices

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<sup>10</sup> Statistics Canada Census, 2016

available to them. These individuals also tend to be longer-term residents, and the process of moving may be more challenging for them.

## **1.6 POLICIES IN THIS DOCUMENT**

Adopted by Council in 2017, the Housing Vancouver Strategy (2018-2027) details the City's vision for ensuring that Vancouver can be a home for people of all incomes and backgrounds. Housing Vancouver includes key actions to strengthen protections for existing residents at risk of displacement, deliver new market rental and non-market housing supply, and reinvest in preserving existing rental housing.

The policies in this document are intended to protect tenants by mitigating the impacts of displacement resulting from redevelopment activity, while recognizing that some renewal is necessary to maintain the health of the overall rental stock. The City's jurisdiction in relationship to tenancies is primarily through the oversight of permits. The City's Tenant Relocation and Protection Policy is implemented through the development process as conditions of development approvals and permit issuance.

The City has rental replacement regulations contained in the Rental Housing Stock Official Development Plan to protect the existing rental housing stock by requiring one for one rental replacement in certain RM, FM, and CD-1 zones. In addition, the SRA Bylaw prevents the loss of low income housing and the displacement of tenants in Vancouver's Downtown core. Single room accommodation includes single room occupancy hotels (SRO), rooming houses, and non-market housing with rooms less than 320 square feet. The bylaw mitigates tenant displacement and the loss of this housing stock by regulating its alteration, conversion, and demolition.

The Tenant Protection and Relocation Policy will work in conjunction with these existing regulations, but is also part of a larger strategy that addresses the housing needs of low and moderate income households.

## **1.7 ROLE OF BRITISH COLUMBIA RESIDENTIAL TENANCY ACT**

British Columbia's Residential Tenancy Act (RTA) regulates all tenancy agreements in residential rental units across the province. It is essential for both landlords and tenants to understand their rights and responsibilities under the RTA. As described above, there is significant pressure on the city's existing rental stock, resulting in significant challenges for both landlords and renters. The policies in this document are intended to supplement the RTA, while addressing challenges that are unique to Vancouver.

### ***Notice to End Tenancies***

The BC Residential Tenancy Act sets out the minimum notice that a landlord must give tenants to move out in the case of renovations to, or demolition of,

the existing building. Landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice. More information is available from the Residential Tenancy Branch.

If a landlord plans to renovate, demolish, or convert the building, they may issue a notice to end tenancy only after all the necessary permits have been issued by the City.

### ***Renovations and Repairs***

The Residential Tenancy Act and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit. In order to end tenancies for renovations, the renovations or repairs must be so extensive that they require the unit to be empty in order for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating the tenancy. A landlord cannot end a tenancy for renovations or repairs simply because it would be easier or more economical to complete the work.

For more information, please refer to [Residential Tenancy Policy Guideline 2, Ending a Tenancy for Landlord's Use of Property](#).



## 2.0 POLICY COVERAGE

### 2.1 APPLICABLE HOUSING TYPES AND GEOGRAPHY

This policy applies to existing rental housing as follows:

- (a) the “primary” rental stock, where the purpose of the building is to operate rental housing in the long-term. This includes:
- purpose-built market rental housing;
  - buildings with rental units above commercial spaces; and
  - multiple conversion dwellings with five or more units.
- (b) Non-profit social and co-op housing. This includes:
- non-profit social housing, defined as rental housing that is owned and/or operated by a non-profit organization or government partner; and
  - non-profit co-op housing, defined as co-op that meets the terms of section 173 of the provincial *Cooperative Association Act* and Section 149 (1) (l) of the federal *Income Tax Act*.
- (c) the “secondary” rental stock (such as rented houses, secondary suites, laneway houses, rented units in strata developments, etc.) where there is a proposal for a new multiple dwelling (e.g. townhouse, apartment) of five or more units involving the consolidation of two or more lots.

#### Exclusions:

- This policy is applicable in all zoning districts except for agricultural areas
- The policy on the “secondary” rental stock does not apply to:
  - consolidation of contiguous parcels where the principal dwelling straddles the property line(s);
  - instances where a previous owner of a house, strata, or equity co-op unit has sold the property to a developer, and is now occupying the unit as a tenant;
  - tenancies with a length two years or less as of the date of submission of the development permit or rezoning application where the tenancy commenced after transfer of the property;
  - proposed redevelopment or renovation on a single site; and
  - proposed redevelopment of a new multiple dwelling of fewer than five units

**Note:** In cases where there is existing policy on resident relocation in co-ops (e.g. the *False Creek South Provisional Resident Protection and Retention Plan*), the requirements of existing policy supersede these guidelines.

## 2.2 APPLICABLE PERMITS

This policy applies to rezoning and development permit application processes involving existing tenants (see 2.1 above).

**Note:** Stand-alone building and trades permits that are not associated with a development permit are not covered by this policy.

## 2.3 ELIGIBLE HOUSEHOLDS

Regardless of the type of tenancy, all tenants residing in an applicable housing type, as defined in S. 2.1, for one year or more at the time the rezoning or development permit application is opened are eligible for compensation and assistance under this policy.

In cases where tenants move out prior to receiving a notice to end tenancy from the landlord, tenants are still entitled to full financial compensation and additional supports they are eligible for under the Tenant Relocation and Protection Policy.

For all tenants, compensation and assistance is to be provided on a per household basis, where *household* is defined as one or more individuals who have entered into a single tenancy agreement.

In the case of people under a single tenancy agreement who wish to relocate to separate alternate accommodations (e.g. roommates), additional support may be required. For more information, please refer to the Administrative Bulletin: Tenant Relocation and Protection Policy - Process and Requirements.

## 3.0 TENANT PROTECTION FOR MARKET RENTAL HOUSING DEVELOPMENTS

### 3.1 PRINCIPLES

The following core principles shall guide the formation of any Tenant Relocation Plan:

- **Mitigate impacts of the relocation process for existing tenants** by providing financial compensation and the option of additional support based on renter household preferences (e.g. neighbourhood preference, proximity to schools/work/healthcare) wherever possible
- **Prioritize assistance for those who need it most**, including assistance with identifying permanent affordable housing options for low income tenants and additional financial or other support for individuals facing housing barriers - including seniors, people with disabilities, people experiencing health issues, etc.
- **Maintain ongoing communication and engagement** - residents will receive early communication of the intent to redevelop and the supports that will be offered to them, and will get regular updates throughout the development process.

### 3.2 TENANT RELOCATION PLAN REQUIREMENTS FOR REDEVELOPMENT OR MAJOR RENOVATIONS RESULTING IN PERMANENT RELOCATION

#### Tenant Relocation Plan

Applicants seeking a rezoning or development permit for redevelopment or major renovations resulting in permanent relocation of tenants in existing residential rental units will provide a Tenant Relocation Plan. This type of work typically results in the entire building, or part of the building, being demolished or emptied.

At a minimum, the Tenant Relocation Plan must include the following components:

- (a) Early communication with tenants, including:
  - A letter sent by the applicant to all tenants outlining the proposed project and expected timeline, to be pre-approved by City Staff, along with:
    - the City's Fact Sheet on the *City's Tenant Relocation Policy and Information on the Residential Tenancy Act*; and

- the City's Mandatory Needs Assessment to identify specific preferences, special circumstances, as well as any low income tenants or tenants with other housing barriers;
- A mandatory meeting at the outset of the project with tenants and applicant.
  - For proposed rezoning projects, this meeting must be held during the enquiry process, prior to the submission of the rezoning application. For proposed development permit projects, this meeting must be held shortly after the development permit application has been submitted. City Staff are required to be in attendance at these meetings.
  - For projects with fewer than ten existing rental units on site, one-on-one meetings with the tenants and applicant are required.
  - Materials presented at initial mandatory tenant meetings or one-on-one meetings with tenants must be presented to City staff for approval prior to the meetings.
- Ongoing communication regarding the progress of the development and tenant relocation process. This may include letters to tenants with project updates, regular tenant meetings or office hours on site; and
- Provision of a primary point of contact for tenants

**Note:** The Mandatory Needs Assessment and City's fact sheet on the *Tenant Relocation and Protection Policy and Information on the Residential Tenancy Act* will be required to be sent to tenants early in the process, and ideally be coordinated with the mandatory tenant meeting where applicable (in buildings of ten or more units).

(b) Financial compensation provided based on length of tenancy:

- 4 months' rent for tenancies up to 5 years;
- 5 months' rent for tenancies over 5 years and up to 10 years;
- 6 months' rent for tenancies over 10 years and up to 20 years;
- 12 months' rent for tenancies over 20 years and up to 30 years;
- 18 months' rent for tenancies over 30 years and up to 40 years; and
- 24 months' rent for tenancies over 40 years

This can take the form of free rent, a lump sum payment or a combination of both.

(c) Arrangement, at the choice of the applicant, for an insured moving company or a flat rate payout for moving expenses as follows:

- \$750 for bachelor and 1-bedroom units; and
- \$1,000 for two or more bedroom units

(d) Assistance finding new accommodations

All eligible tenants will be offered the option of assistance with identifying alternate accommodations.

- i. Additional support must be provided to low income tenants or tenants facing other barriers to appropriate housing (as defined in S. 3.2 (i)) who request assistance, as follows:
- Assistance in securing an affordable housing option, such as a unit in the applicant’s portfolio, a unit in non-market social/co-op housing, or a market unit. Applicant will be required to provide proof that an affordable housing option has been secured. Note: affordable is generally defined as 30% or less of household income, unless otherwise agreed to with the tenant;
  - Assistance in securing an accessible unit or other appropriate unit type (e.g. supportive housing, assisted living facility) for tenants with other barriers to securing appropriate housing (as per 3.2(ii));
  - If a permanent option cannot be secured immediately, an interim measure may be considered. Interim measures may include providing a rent top-up that bridges the difference between the tenant’s current rent, or what they can afford to pay, and the rent in the tenant’s new housing until a permanent option is secured. The interim housing option must be suitable for the tenant in the same way as required for the permanent option.
    - Moving expenses must be provided for relocation to permanent housing as well as relocation to and from any interim accommodations.
  - The City will not issue an Occupancy Permit until a permanent housing option has been secured. If the General Manager of Arts Culture and Community Services, having considered the interests of the tenants and the applicant, is satisfied that withholding the Occupancy Permit would be unreasonable, the City may accept alternative options to the provision of a permanent housing option, including the continuation of interim measures based on confirmation a permanent option is to be secured in the near-term.

- ii. For all other tenants requesting assistance:

The applicant must demonstrate that all reasonable effort has been made to provide three options that best meet the tenant’s identified priorities as detailed in the Mandatory Needs Assessment and additional one-on-one conversations, such as:

- Stated budget preference
- Neighbourhood
- Specific preferences (e.g. pet-friendly, close to schools, smoke-free, etc.)

All options should be in Vancouver, unless otherwise specified by tenant

- iii. For all tenants requesting assistance:

All options should be in Vancouver, unless otherwise specified by the tenant.

In all cases, applicants should take efforts to minimize disruption to existing residents (e.g. consideration of timing for relocation vis a vis the school year for families).

Staff may also request additional support with alternative accommodations for any/all tenants, such as:

- Assistance with the Provincial SAFER or RAP application process where appropriate; or partnering with health organizations and other non-profit services; and
- a tenant relocation specialist appointed by the applicant. For more information, please refer to the Administrative Bulletin: Tenant Relocation and Protection Policy - Process and Requirements.

If site layout permits, applicants are encouraged to implement a phased redevelopment process whereby residents can be relocated in stages to other units on the site without ending tenancies.

(e) Assistance with relocation

For tenants facing relocation barriers as defined in 3.2 (i), additional supports will be required. The applicant may be required to provide a stipend to offset relocation difficulties (e.g. up to \$2,500) and/or pay for costs related to the relocation, such as unit modifications, etc. Furthermore, relocation supports may be required, such as assistance applying for housing, packing, translation services, etc.

\*Note - some tenants may qualify for both support securing an affordable unit as per 3.2(d) and additional relocation support as per 3.2 (e)

(f) Right of First Refusal

Existing tenants shall be provided Right of First Refusal to move back into the new building with a 20% discount off starting market rents, or at the new non-market rents in circumstances when the replacement unit is social housing, in the following scenarios:

- Projects proposing new secured market rental housing, or where one-for-one replacement of rental units are required under the Rental Housing Stock ODP.
- Projects proposing new below-market rental units. Tenants will be offered Right of First Refusal to below-market units provided they meet the eligibility requirements under those policies.
- Projects that propose new social housing, or where rental units are replaced with social housing (e.g. in certain areas identified in the West End Plan). Tenants will be offered right of first refusal to the new non-profit housing, provided they meet the eligibility requirements for the new non-profit housing unit. If the project also includes secured rental, they will also be offered right of first refusal to the market rental portion.

- Projects that are renovating existing rental housing units that require vacant possession as per Section 49 of the BC Residential Tenancy Act.

In cases where the tenant previously had a pet under a pet-accommodating tenancy, the tenant shall be offered a pet-friendly unit as part of their Right of First Refusal. This requirement shall be waived if the General Manager of Arts, Culture and Community Services deems the nature of the pet(s) to be unreasonably onerous to accommodate.

(g) Requirements for ending tenancies must comply with rules under the RTA

Under the BC Residential Tenancy Act (RTA), there are two ways to end tenancies for the purposes of renovation, demolition, or conversion of an existing rental property - a notice to end tenancy for landlord's use of the property for renovation, demolition, or conversion or a Mutual Agreement to End Tenancy.

- A 4-month Notice to End Tenancy may not be issued until all City permits are issued (e.g. Development Permit, Building Permit, Demolition Permit)
- For applicants offering tenants a Mutual Agreement to End Tenancy, a Tenant Relocation Plan as per 3(a) - 3(f) above, must also be offered to all eligible tenant households at the same time and in a manner that allows the tenant to easily compare the two offers, and must make clear that the tenant may choose which offer to accept.

(h) Interim and final tenant relocation report

- An Interim Report on the Progress of Tenant Relocation must be submitted prior to the issuance of a Demolition Permit in cases where the building is being demolished as a result of redevelopment. In cases of major renovations where the building is not being demolished, the Interim Report will be required prior to the issuance of a Development Permit.

The Interim Report must include:

- Names of tenants who have ended tenancy, the reason for its end (e.g. Tenant Decision or Mutual Agreement to End Tenancy) and the outcomes of their search for alternate accommodation (if assistance requested); and
  - Names of tenants remaining in the building and the status of the applicant's search for relocation options (if assistance requested) and/or additional assistance as required through their Tenant Relocation Plan
- Prior to the issuance of the Occupancy Permit, a Final Tenant Relocation Report must be submitted and include:
    - Names of the tenants;
    - Outcome of their search for alternate accommodation; and
    - A summary of the monetary value given to each tenant (e.g. moving costs, rent, etc.).

- (i) Determining low income tenants and tenants facing additional barriers to relocation or securing appropriate housing:

Existing low income tenants and tenants facing additional housing barriers are identified through the Mandatory Needs Assessment and on-going communication with tenants, as per 3.2 (a) above.

i. Low income tenants: For the purposes of 3.2(d)(i), a tenant is considered to be low income in the following instances:

- Households including singles, couples, and roommates without dependents with (e.g. children under 19, adult children with a disability or senior parent) a gross (before tax) income of \$30,000 or less;
- Households including singles, couples, and roommates with one or more dependents (e.g. children under 19, adult children with a disability or senior parent) with a gross (before tax) income of \$50,000 or less.

The low income thresholds stated above apply for the 2019 calendar year. These income thresholds will be adjusted annually by the same rate as the maximum allowable rent increase under the BC *Residential Tenancy Act*, published for each calendar year by the Residential Tenancy Branch. This maximum allowable rent increase rate is based on the rate of inflation. For details on low income thresholds for the current calendar year, please see Section 3.1(i) of *Administrative Bulletin: Tenant Relocation and Protection Policy - Process and Requirements*.

Self-reported incomes provided via the Mandatory Needs Assessment may be subject to verification by City staff (e.g. provision of tenant household's Notices of Assessment from CRA).

ii. Tenants facing additional barriers to relocation or securing appropriate housing: For the purposes of 3.2(d) and (e), City staff will apply discretion to review information provided by the applicant and tenants (e.g. via the Mandatory Needs Assessment) and identify tenants:

- who face housing barriers apart from, or in addition to, low income that require additional support in securing an appropriate housing unit. These barriers may include: requiring an accessible unit, or having mental or physical health issues that pose a barrier to housing security;
- who may need additional support with the relocation process due to physical, mental or other barriers to relocation (e.g. household requires translation services, is deaf or hard of hearing, is visually impaired, has hoarding issues).

For more information, please refer to Section 3.1(i) of *Administrative Bulletin: Tenant Relocation and Protection Policy - Process and Requirements*.



### 3.3 TENANT ASSISTANCE FOR RENOVATION WORK WHERE TENANCIES ARE MAINTAINED

The Residential Tenancy Act and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit. For more information, please refer to Residential Tenancy Policy Guideline 2, *Ending a Tenancy for Landlord's Use of Property*.

In order to end tenancies for renovations, renovations or repairs must:

- Be so extensive that they require the unit to be empty in order for them to take place; or
- Significantly alter the rental unit to the point of it being fundamentally different than it was at the start of the tenancy.

Many renovations can be done with tenants remaining in their units; however, there are also cases where tenants are required to leave their units temporarily. It is encouraged that renovations be phased within the building, relocating tenants within the building, where possible.

(a) **Temporary Relocation Option** - for renovations where tenants are required to leave their unit for more than one day, but where tenancies do not need to end, the applicant must provide a temporary relocation offer to tenants, including:

- Communication to tenants specifying the scope of work required and length of time the tenant needs to be out of the unit;
- Reduced rent, payment in proportion to the temporary relocation costs incurred by relocating to other suitable accommodation, or provision of temporary accommodation (e.g. in another unit in the building, hotel, etc.)

If the scope of work changes, the applicant will be required to communicate the changes to the tenant. In addition, Staff may require the temporary relocation strategy to be revisited (e.g. provide full Tenant Relocation Plan as per 3.2 above) depending on the new scope of work.

(b) **Non-Impact Statement** - in cases where tenants will not be affected by renovations (e.g. all work can be completed with tenants in place), applicants will be required to provide a Statement of Non-Impact.

The statement will be notarized and include a declaration that tenants will not be required to leave their units and that tenancies will not be affected as a result of the proposed work.

If the scope of work changes and tenants are required to leave their rental unit for more than a day, applicants will be required to provide a temporary relocation offer as per S. 3.3(a) or a permanent Tenant Relocation Plan as described in 3.2, depending on the nature and extent of the scope change.



## 4.0 RELOCATION IN NON-MARKET HOUSING

### 4.1 PRINCIPLES

Acknowledging that non-market housing providers and residents face different needs compared to market housing, the Tenant Relocation and Protection Policy aims to provide a separate framework for resident protection and relocation in non-profit social housing and non-profit co-ops based on meeting a set of core principles.

- **Ensure permanent rehousing options that limit disruption for existing residents:** Relocation plans for non-market housing will minimize disruption for existing residents by providing an alternative accommodation option that involve minimal moves, prioritizes options in the current neighbourhood, and takes into account additional resident considerations e.g. access to schools, transit, etc.
- **Maintain affordability for existing residents:** Due to the low incomes and housing barriers faced by residents in existing social and non-profit co-op housing, emphasis will be placed on providing a suitable permanent affordable accommodation option for all eligible residents.
- **Support with relocation and additional housing barriers:** Residents will be provided support with moving expenses for all moves. Support will be provided for residents with additional needs.
- **Ongoing communication and engagement:** Residents will receive early communication of the intent to redevelop and the support that will be offered to them, as well as regular updates over the course of the development process.

### 4.2 PLAN REQUIREMENTS FOR NON-PROFIT SOCIAL HOUSING

Applicants seeking a rezoning or development permit for non-profit social housing will provide a Tenant Relocation Plan when tenants in existing residential rental or social housing units will be displaced. This work typically results in the entire building, or part of the building, being demolished or emptied.

At a minimum the Tenant Relocation Plan must include the following components:

#### (a) Ensure permanent rehousing options that limit disruption to residents

The applicant should limit the impact of relocation on existing residents by making every effort to secure a permanent replacement option meeting affordability requirements in 4.2 (b) that involves minimal moves for each resident and prioritizes options in the current

neighbourhood:

- If site layout permits, implement a phased redevelopment process whereby residents can be relocated in stages to other properties on the site without ending tenancies
- Identifying available units in other properties in the applicant's portfolio, with preference for the existing neighbourhood
- Contacting other non-profit social and co-op housing operators to identify unit availability within their portfolio in an effort to maintain a similar living environment, with preference for the existing neighbourhood
- Consideration of options for communities of residents to relocate together
- Identifying other suitable accommodation in the existing neighbourhood
- Adding residents to BC Housing registry waitlist

A relocation specialist may also be required to assist with identifying housing preferences and identifying suitable relocation options.

Where the recommendations above have been exhausted and no suitable option has been identified, the applicant will explore other options for suitable alternate accommodation that are affordable to the resident. This may include options in other neighbourhoods or outside of the City of Vancouver if the resident agrees to consider this.

In all cases, applicants should take efforts to time relocations and find relocation options to minimize disruption (e.g. consideration of the school year for families and/or location with respect to school districts, access to transit, etc.).

#### **(b) Maintain affordability for existing residents**

The relocation plan must provide a suitable and affordable replacement accommodation option for all residents that is:

- For existing tenants paying rent-geared-to-income, priced at rents that are no higher than what they are eligible for based on existing subsidy requirements
- For all other existing tenants, priced at rents on the door that are no more than the higher of either 30% of household gross income (based on incomes at time of development application) or the tenant's current rent.
- For tenants eligible for or receiving RAP/SAFER the rent will be set at no more than the regional RAP or SAFER maximum rent.
- Of a unit type in accordance with CMHC National Occupancy Standards, with discretion to accommodate other family arrangements.
- Income testing by the applicant/operator as per standard practice will be required for all units to determine the affordability requirements for

alternate accommodations. Assistance with income testing may be provided as deemed necessary.

**(c) Support with relocation and consideration of special circumstances**

Moving Expenses

- Moving expenses must be provided for relocation to permanent housing as well as relocation to and from any temporary accommodations (i.e. in the case of a phased redevelopment or where a resident is taking up the Right of First Refusal (see Section 4.2 (e) below)):
  - An insured moving company may be hired by the applicant, with all arrangements and costs covered; or
  - A flat rate of \$750 for bachelor and 1-bed; and \$1,000 for 2 or more bed units

Support for special circumstances

- The applicant is encouraged to utilize a Needs Assessment Survey and one-on-one meetings to identify any special circumstances that may need to be addressed as part of the relocation process (e.g. seniors, persons with disabilities, mental health issues, hoarding, etc.).
- In special circumstances additional support, such as partnering with health organizations and other non-profit services, may be requested

Compensation:

- For social housing residents, an amount equal to one month free rent compensation in line with RTA if applicable - i.e. if tenancies are being ended in accordance with S.49.6 (Four Month Notice to End Tenancy For Demolition, Renovation, Repair, or Conversion of Rental Unit)
- The applicant may offer additional compensation as part of a relocation allowance

**(d) Communication and Engagement with Residents**

All residents will be provided with advance notice and ongoing communication of the need to relocate, the relocation process, and any additional moves, including:

- An upfront mandatory meeting with tenants and applicant for projects with ten or more occupied rental units on site. City Staff are required to be in attendance at these meetings.
- For rezoning applications, this meeting will be held during the enquiry process, prior to the submission of the rezoning application. For development permits, this meeting will be held shortly after the development permit application has been submitted.
- For projects with fewer than ten occupied rental units on site, one-on-one meetings with the tenants and applicant are required. Staff may require documentation of materials presented at meetings.
- A Needs Assessment Survey is encouraged to be sent to all tenants to identify specific preferences or special circumstances.
- The City's fact sheet on the *Tenant Relocation and Protection Policy and Information on the Residential Tenancy Act* must be sent to all tenants.

- Ongoing communication regarding the progress of the development and tenant relocation process, e.g. via regular correspondence, tenant meetings or office hours on site.
- Provision of a primary point of contact for tenants.

**Note:** The City’s fact sheet on the *Tenant Relocation and Protection Policy and Information on the Residential Tenancy Act* will be required to be sent to tenants early in the process. It is recommended that applicants send tenants a Needs Assessment Survey to better understand their needs and preferences for relocation ideally be coordinated with the mandatory tenant meeting. The Needs Assessment Survey may be required in certain circumstances.

Proper notice to end tenancies will be provided in accordance with existing Provincial policy.

**(e) Right of First Refusal**

Non-profit housing providers and residents place high priority on ensuring the option for residents to return to the new development at rents that are affordable to them. However, the ability to guarantee this option for all residents is contingent on availability of funding to secure a comparable level of affordability to current rents. Some residents may also prefer to remain in place in a permanent alternate housing option and waive the option to return to the new development.

The applicant will be required to demonstrate that all reasonable efforts have been taken to provide all residents with the Right of First Refusal to return to the new development at rents as per Section 4.3(b). If the applicant demonstrates that this requirement is not feasible for all residents, then the applicant may be required to develop priority criteria for Right of First Refusal (e.g. priority for longer-term tenants or tenants who qualify based on income). Tenants who do not receive Right of First Refusal will be provided a permanent affordable housing option as per 4.2(a).

**(f) Monitoring and Reporting**

For guidance on monitoring and reporting requirements, please see 3.2(h) Final Tenant Relocation Report.

**4.3 PLAN REQUIREMENTS FOR RENOVATIONS IN NON-PROFIT SOCIAL HOUSING WHERE TENANCIES ARE MAINTAINED**

For guidance on Policy requirements for renovations in existing non-profit social housing, please see section 3.3 (Tenant Assistance for Renovation Work where Tenancies are Maintained).

## 5.0 GUIDELINES FOR NON-PROFIT CO-OP HOUSING

Non-profit co-ops have a distinct decision process for redevelopment compared to other non-profit housing, which includes the requirement of member vote on the plan in order to ensure member approval of the redevelopment proposal and plan for member relocation during and after the development process.

Recognizing the unique process for non-profit co-ops during redevelopment, the proposed approach for a resident relocation policy for non-profit co-ops is a set of non-binding guidelines to help shape and frame each co-op's specific relocation plan. This approach intends to provide non-profit co-ops with autonomy to construct their own plan that fits their community while suggesting a baseline level of protection for residents.

The Policy requirements for non-profit co-ops are as follows:

- Non-profit co-ops undertaking redevelopment are required to submit a resident relocation plan to the City. The City's policy will provide general guidance to non-profit co-ops for a resident relocation plan based on the draft principles outlined;
- Meeting these resident relocation guidelines will not be mandatory for non-profit co-ops; however, non-profit co-ops proposing a different approach from these guidelines will be asked to provide a rationale for their decision.
- In areas where there is existing policy or guidance on resident protection and relocation (e.g. the *False Creek South Provisional Resident Protection and Retention Plan*), the requirements of existing policy supersede these guidelines.

Non-profit co-ops are asked to consider the following guidelines:

Guideline	Additional Details
<b>Identify options for interim and final relocation that prioritize maintaining the co-op community</b>	The relocation plan should minimize the impact of relocation on existing members and the co-op community by identifying interim relocation approaches that allow co-op members to move as a block.  Co-op members should have right to return to the new co-op, unless otherwise agreed to.
<b>Maintaining affordability for existing members in the interim and in the new co-op</b>	For existing members paying subsidized housing charges geared to income, priced at levels that are no higher than what they are currently paying.  For all other existing members, housing charges priced at no more than 30% of their incomes, unless otherwise agreed to.
<b>Supporting with relocation and</b>	Moving expenses should be provided <b>both</b> for the initial relocation as well as the return to the new co-op The co-op is encouraged to utilize a member survey and/or

<b>consideration of special circumstances</b>	meetings to identify any special circumstances that may need to be addressed as part of the relocation process (e.g. seniors, persons with disabilities, mental health issues, hoarding, etc.).
<b>Communication and engagement with members</b>	<p>All members will be provided with advance notice and ongoing communication of the need to relocate, the relocation process, and any additional moves.</p> <p>Communications to co-op members should be provided at the following stages:</p> <ul style="list-style-type: none"> <li>• Notification of the intent to vote on redevelopment</li> <li>• Following vote on the intent to redevelop</li> <li>• Prior to submission of a formal application to redevelop</li> <li>• Prior to issuance of development permits</li> </ul>



## 6.0 TENANT RELOCATION PLAN - PROCESS AND TIMING

The following section describes the process to prepare and implement tenant relocation plans in relation to the development process. For a rezoning, as an example, the tenant relocation process begins at the enquiry process and ends when the occupancy permit is issued. In total this could span 2-3 years or more, depending on the development.

The following table illustrates the development process for a typical rezoning application and highlights when various requirements for tenant relocation plans occur.

**Tenant Relocation Plan Requirements - Rezoning Process**

Process	Tenant Relocation Requirements
Pre-Application Enquiry	<ul style="list-style-type: none"> <li>• Applicant sends a letter to tenants notifying them of plans to redevelop (which has been pre-approved by City staff), along with the City’s fact sheet on Tenant Relocation and Protection Policy and Information on the Residential Tenancy Act</li> <li>• Applicant hosts a mandatory meeting with tenants with City Staff present</li> <li>• Applicant distributes Mandatory Needs Assessment at the tenant meeting (required for market TRPs and recommended for non-market TRPs)</li> <li>• Applicant meets with tenants who were not able to make the mandatory meeting and distributes the assessment to these tenants</li> </ul>
Submission of rezoning application	<ul style="list-style-type: none"> <li>• Eligibility for assistance under the TRP is determined at this stage - all tenants residing in the building for at least one year when the rezoning application is opened are eligible for assistance under the TRPP</li> <li>• Applicant collects Mandatory Needs Assessment and sends copies, along with a summary sheet, to City Staff</li> <li>• Applicant submits a draft Tenant Relocation Plan; Staff review and provide feedback to applicant</li> <li>• Applicants provide information on the Tenant Relocation Policy to tenants, initial details of support and compensation to be provided</li> <li>• At this stage, there is often back and forth communication between tenants and</li> </ul>

	<p>applicants regarding the details of the Tenant Relocation Plan</p> <ul style="list-style-type: none"> <li>Note: As of the date of application, all eligible tenants are entitled to full protections offered under the TRP (i.e. if they end their tenancies) even if the project has not yet been approved.<sup>11</sup></li> </ul>
Rezoning report at Council	<ul style="list-style-type: none"> <li>A finalized Tenant Relocation Plan for all tenants is included in the rezoning report to Council for approval</li> <li>The Final Tenant Relocation Plan includes details on additional support to be provided to tenants with low incomes and facing additional housing barriers</li> <li>Tenants are notified in writing of their individual, final approved assistance and compensation</li> </ul>
Development permit application	<ul style="list-style-type: none"> <li>Applicant will continue to implement the Tenant Relocation Plan, including support for tenants who request assistance identifying alternate accommodations.</li> </ul>
Prior to development permit issuance / development permit issuance	<ul style="list-style-type: none"> <li>Tenant Relocation Plan requirements (as per the rezoning report) are carried over into the Development Permit_Prior-to letter to applicants;</li> </ul>
Demolition permit	<ul style="list-style-type: none"> <li>Interim Tenant Relocation Report due prior to demolition permit issuance</li> <li>As per the RTA, the applicant can issue a four month Notice to End Tenancy once all permits are in place.</li> </ul> <p><b>Note: the demolition permit is usually the last permit that is required before a Notice to End Tenancy can be issued and four month notification period begins)</b></p>
Prior to Occupancy permit	<ul style="list-style-type: none"> <li>Applicant submits final Tenant Relocation Report that describes the outcomes for each tenancy.</li> </ul>

**Note on timing of assistance for tenants:** During a typical development process, some tenants choose to remain in their existing unit for as long as possible before moving, until the landlord has all necessary permits in place and can issue a Notice to End Tenancy as per the RTA. Other tenants choose to start their process of relocation early, and may give early notice to end tenancy

<sup>11</sup> If the applicant withdraws the application or the application is refused, tenants are no longer entitled to protections as of that date. On occasion an application may be amended; in the case that an amended application is substantially different than the original application, the TRP must be resubmitted and dated the same as the revised application.

or enter into a Mutual Agreement to End Tenancy based on discussion with the landlord.

Applicants are required to provide compensation as per the Tenant Relocation Policy to all eligible tenants, including all tenants that leave prior to the formal Notice to End Tenancy. Applicants are encouraged to keep tenants informed throughout the redevelopment process, and to provide relocation support and assistance as tenants make the choice to move out on their own volition. It is important that the process respect of tenants' preferences and choices.

## **7.0 IMPLEMENTATION**

Applicants must submit a Tenant Relocation Application Form as part of the rezoning and/or development permit application process. Staff will evaluate each Tenant Relocation Plan based on the policies set out in this document. As much as possible, the Plan should be tailored to the needs of tenants in each project.

Staff will track and monitor the number of rental buildings affected by redevelopment and renovation, including the number of tenant relocation plans. This will contribute to a better understanding of trends in the rental housing stock and its impact on tenants.

For more information about implementation and process, please refer to the Administrative Bulletin: Tenant Relocation and Protection Policy - Process and Requirements.