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To: "Direct to Mayor and Council - DL"
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Subject: Response - Notifying tenants of their rights when their buildings have been sold

Dear Mayor and Council,

We received a Councilor question regarding notifying tenants of their rights when their buildings have been sold, and the staff response is as follows –

Councilor Question:

Status of portion of November 28, 2018 Motion from Council (Motion B.10): "THAT the City devise methods to keep track of all apartment buildings sold in Vancouver and immediately provide affected tenants with information as to their tenancy rights by mail."

Staff Response:

Staff responded to the December 4th Council Motion "Protecting Tenants from Renovations and Aggressive Buy-Outs" as part of the June 10th report to Council titled Actions to Increase Renter Protection and Amendments to the Tenant Relocation and Protection policy. As part of the report to Council, Staff explored options to improve proactive notification of tenants facing displacement due to renovations and redevelopment.

Staff investigated the Council Motion direction to track all apartment buildings sold in Vancouver and to provide affected tenants with information as to their tenancy rights by mail. Several issues and implications were uncovered. First, there is no single source of data that tracks all sales of apartment buildings in Vancouver. It is also important to note that not all sales of rental buildings result in tenants being evicted. Concerns were expressed that sending out a letter to all buildings, some of which may not be planning any redevelopment /renovation activity, can create unnecessary stress on the part of renters. It was also determined that many of the sales that have resulted in redevelopment are going through the rezoning and development permit processes where tenants are covered by the City's Tenant Relocation and Protection Policy, which is accompanied by a robust notification process.

The gap in notification is really around buildings undergoing renovations that require only a building permit. The most comprehensive way to ensure tenants in these buildings are notified and provided with accurate information about the renovation, is to ensure that tenants are notified of the scope of work being proposed when the building permit is being applied for. However, the City does not have authority under the Vancouver Charter to request for this information under building permits. As part of the June 10th report, the following recommendation was adopted by Council to expand our authority to notify tenants of the scope of work being proposed to rental buildings under building permits.

THAT Council instruct the Director of Legal Services, in consultation with the General Manager of Planning, Urban Design and Sustainability, General Manager of Development, Buildings, and Licensing, and the General Manager of Arts, Culture and Community Services, to prepare and submit a formal request to the Province to amend the Vancouver Charter to clarify and broaden the conditions that can be imposed on building or development permit applications submitted for renovations or redevelopment of an existing building that contains rental housing units including, but not limited to, requiring applicants to provide information on existing tenancies and communicating the proposed work related to the requested permit;

The mandatory disclosure requirement would complement the current RTA process and further empower tenants facing evictions due to renovations, since tenants would be informed of the landlord's intent to and justification for ending tenancies, which could be useful information if the tenants or landlord wish to pursue dispute resolution as per the RTA.

The resolution was prepared for UBCM and ultimately referred to the UBCM Executive, which then referred the motion to committee for further consideration and ultimately for decision in February of next year. Staff are in the process of drafting the formal request for authority to the Province. There have also been discussions with the Residential Tenancy Branch to introduce mandatory disclosure of the scope of work and need for vacant possession as part of the Notice to End Tenancy for tenants impacted by renovations, which may include similar notification as what was recommended by Council.

Staff is also continuing to work with Provincial Staff to encourage enhancements to the RTA in order to better address issues related to renovations. Additional work around renter protections and proactive support relate to the newly formed Renter enquiry line and work to establish a community-based Renter Centre. Currently, the City's Renters Enquiry staff are available to answer questions on renter protection policies and assist renters in finding building-specific information, such as the status of redevelopment or renovation permits, as well as help connecting renters to supports and resources in the community. Staff are in the process of developing the community-based Renter Centre (projected opening 2021) that can provide a location to gather key renter-serving organizations, including City services, so that Vancouver renters can access supports, education and legal advocacy in one place.

Should you have any questions, please contact Gil Kelley (Gil.Kelley@vancouver.ca) or Sandra Singh (Sandra.Singh@vancouver.ca).

Best,
Sadhu

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Pronouns: he, him, his



The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the Musqueam, Squamish, and Tsleil-Waututh peoples.