

File No.: 04-1000-20-2021-602

February 22, 2022

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request of October 13, 2021 under the *Freedom of Information and Protection of Privacy Act, (the Act)*, for:

A list of business licenses for short term rentals issued for 1060 Alberni Street, "Carlyle," from June 1, 2018 to October 13, 2021.

The information you are requesting is being withheld under s.15(1), s.19(1) and s.22(1) of the Act. You can read or download these sections here:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Please note: While the City typically posts the names and addresses of business licence holders on its Open Data Set, the City does not currently post this information for short term rental business licence holders due to privacy and safety concerns. This approach is also consistent when handling requests for information from short term rental business licences under the FOI process.

The issue of whether the City is required or authorized to withhold the names and addresses of short term business licence holders is currently before the British Columbia Supreme Court. The Office of the Information and Privacy Commissioner (OIPC) has recently issued an Order* relating to the disclosure of information from short term rental business licences but this Order has been stayed as Airbnb has filed for judicial review. While the Order does not apply directly to the information you have requested, the City is continuing with its current practices relating to information from short term rental business licences until the resolution of the judicial review.

*Order 21-65 is publicly available here: <https://www.oipc.bc.ca/orders/3619>

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2021-602); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signed by Cobi Falconer]

Cobi Falconer, MAS, MLIS, CIPP/C
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If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604-873-7407.

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