



TENANT RELOCATION AND PROTECTION POLICY – PROCESS AND REQUIREMENTS

Authority - Director of Planning

Effective June 11, 2019.

This Bulletin replaces the Tenant Relocation and Protection Guidelines, adopted by City Council on December 10, 2015, amended February 15, 2016, June 22, 2018, and August 15, 2018.

1 Intent

These guidelines are intended to be used in conjunction with the Tenant Protection and Relocation Policy to assess rezoning and development permit applications where tenants will be affected or displaced due to major renovation or redevelopment.

2 Policy Target

2.1 Applicable Housing Types and Geography

This policy applies to the following instances:

- (a) the “primary” rental stock, where the purpose of the building is to operate rental housing in the long-term. This includes existing:
 - 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 existing:
 - 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, laneways, 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

- This policy does not apply to other types of co-ops aside from non-profit co-ops as defined in 2.1(b) (e.g. equity co-ops)
- 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 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

- a) Regardless of the type of tenancy, all tenants residing in an applicable housing type, as defined in 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.

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.

- b) Roommates: In the case of people under a single tenancy agreement who wish to relocate to separate alternate accommodations, additional support may be required. In these cases, City staff will have discretion to require that each person under the tenancy agreement is provided individual assistance. This applies to the following Tenant Relocation Plan components:
- moving expenses (Section 3.1 (c));
 - finding new accommodations if requested (3.1 (d)); and/or
 - determining whether individuals under a single tenancy agreement are low income or facing additional barriers to relocation or securing appropriate housing (3.1(i)) and associated support (3.1(d)).
- c) Timing of assistance: 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.

2.4 Residential Tenancy Act requirements for all residential tenancies

In all cases, including where the Tenant Relocation and Protection Policy does not apply, landlords

issuing a notice to end tenancy for landlord's use for renovation, demolition, or conversion must still provide renters with notice, compensation, and right of first refusal as required by the Residential Tenancy Act.

- As per Section 49(2) of the RTA, a landlord giving notice to end tenancy for landlord's use for renovation, demolition, or conversion may end a tenancy no earlier than 4 months after the date the tenant receives the notice.
- A tenant who receives a notice to end a tenancy for landlord's use of property is entitled to receive from the landlord on or before the effective date of the landlord's notice an amount that is the equivalent of one month's rent payable under the tenancy agreement.
- A tenant has a right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord if the landlord ends their tenancy to renovate or repair the rental unit. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units. Tenants may exercise their right of first refusal using the approved form (RTB 28): <https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/residential-tenancies/forms/rtb28.pdf>.

Note: 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.

More information on these requirements is available on the RTA website (<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/changes-to-tenancy-laws>) and in the following RTA guidelines:

2. [Ending a Tenancy for Landlord Use](#)
50. [Compensation for Ending a Tenancy](#)

3 Tenant Protection for Market Rental Housing Development

3.1 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 projects with ten or more occupied rental units on site. City Staff are required to be in attendance at these meetings.
 - For proposed rezoning projects, this meeting will be held during the enquiry process, prior to the submission of the rezoning application. For proposed development permit projects, 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.
 - Materials presented at initial mandatory tenant meetings and 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 *City’s Tenant Relocation 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 (in buildings of ten or more units). Applicants are required to use the City template form for the Mandatory Needs Assessment.

- (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. This is generally at the discretion of the owner, but tenant may express preference.

In cases where tenants leave the building prior to receiving a notice to end tenancy from the landlord, tenants are still entitled to financial compensation under the Tenant Relocation and Protection Policy, as noted in Section 2.3.

- (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 studio or 1-bedroom households; and
 - \$1,000 for two or more bedroom households.

In the case of roommates under a single tenancy agreement who wish to relocate to separate alternate accommodations, City staff may require the applicant to cover moving arrangements for each tenant relocating separately. Staff discretion will be used to determine cases when separate moving expense coverage for each tenant will be required. Staff judgment will be based on reasonably accommodating the tenants’ wishes.

In cases where tenants leave the building prior to receiving a notice to end tenancy from the landlord, tenants are still entitled to insured moving company assistance or moving expense payment under the Tenant Relocation and Protection Policy.

(d) Assistance finding new accommodations

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

i. Additional support will be required for low income tenants or tenants with other barriers to housing (as defined in Section 3.1 (i)) who request assistance, such as:

- 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 (e.g. documentation that an affordable housing option has been secured through the applicant's portfolio, other options in the market, non-market housing). 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 3.1(i));
- 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 will be required to demonstrate that all reasonable effort has been made to provide 3 options that best meet the tenant's identified priorities as detailed in the Mandatory Needs Assessment and additional 1-1 conversations, such as:

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

With respect to the tenant's stated budget preferences, City staff discretion will be used to assess whether the applicant has identified housing options for the tenant that meets reasonable tenant stated budget preference. Staff will assess reasonable tenant budget preferences for alternate accommodation in relation to average market rent for a private rental apartment for the respective year, as published by the Canadian Mortgage and Housing Corporation in its annual Rental Market Report.

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 (e.g. cases where there are a large number of low income tenants, tenants facing housing barriers, or other circumstances as needed).

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

(e) Assistance with relocation

For tenants facing additional housing or relocation barriers as defined in 3.1 (i), additional supports will be required. The applicant may be required to give a stipend to offset relocation difficulties (e.g. up to \$2,500) and/or pay for costs related to the relocation such as pet deposit payment, 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 3.1(d) and additional relocation support as per 3.1 (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. The new secured market rental housing units or replacement rental units will be secured for a term of 60 years or life of the building, whichever is greater, through legal agreements, or any other legal mechanism deemed necessary.
- 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, provided they meet the eligibility requirements for the new social 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*.

Returning tenants will have first choice of a unit in advance of tenancing to the general public.

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.

Tenants are required to indicate their interest in the taking up the right of first refusal to the applicant via the City Right of First Refusal form prior to vacating their unit. Applicants are required to contact tenants 6 months prior to expected occupancy of the new building to offer tenants to return to the building. Tenants then have 45 days to respond with their continued interest in returning to the building via email, phone, or letter. If the tenant has expressed continued interest, the applicant must arrange for a viewing and lease offer upon building completion. Note: Expressing an interest in returning to the building via the Right of First Refusal form does not require the tenant to return.

(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

- i. 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. For rezonings, the City may request an additional Interim Report after Public Hearing in cases where a significant period of time has elapsed since the Public Hearing.

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.
- ii. 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.).

City staff may require evidence of the outcome of the search for alternate accommodations,

including:

- Proof of options provided;
- Proof of units secured for low-income tenants (e.g. copy of the lease); or
- Proof of other interim assistance provided for low-income tenants.

- (i) Determining low income tenants and tenants facing additional housing 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 3.1 (a) above.

- i. Low income tenants: For the purposes of 3.1(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.

Self-reported incomes provided via the Mandatory Needs Assessment may be subject to verification (e.g. provision of tenant household's Notices of Assessment from CRA) by City staff prior to final approval of the Tenant Relocation Plan. For rezonings, this is prior to public hearing; for development permits, this is prior to Development Permit issuance.

- 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 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).

3.2 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. 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, and;

- The only way to achieve this necessary emptiness or vacancy must be by terminating the tenancy.

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

- 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, provide a temporary relocation option to tenants, including:
 - Communication to the tenant 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.).

Documentation may be required to verify the offer of temporary accommodation or reduced rent.

If the scope of work changes, the applicant will be required to communicate the changes to the tenant. Correspondence with tenants may be requested by Staff. In addition, Staff may require the tenant relocation strategy to be revisited (e.g. provide full Tenant Relocation Plan as per 3 above) depending on the new scope of work.

- Non-Impact Statement - in cases where tenants will not be affected from renovations (e.g. all work can be completed with tenants in place), applicants will be requested 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.

Applicants will also be required to post notices in visible locations and provide each unit with a letter giving information of the ongoing work, expected timelines, and stating that no tenancies will be required to end as a result of the work. Copies of communications will be required by City Staff.

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. These changes will also need to be communicated to tenants in a letter and by posted notice.

4 Resident Relocation in Non-Market Housing

4.1 Plan requirement for redevelopment of 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(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.

City staff will assess the Tenant Relocation Plan by determining that the applicant has made all reasonable efforts to minimize disruption to residents through the redevelopment process. To determine that the applicant has made all reasonable efforts, City staff may request the applicant to provide information outlining the details of the applicant's attempt to identify affordable housing options that limit disruption to tenants and align with tenant priorities identified through the recommended Non-market Needs Assessment. Information may include:

- Documentation of housing search
- Applicant statements detailing rationale of the tenant relocation approach to minimize disruptions to tenants

(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 non-market housing residents paying rent-geared-to-income, priced at rents that are no higher than what they are eligible for under the current subsidy program.
- For all other tenants, priced at rents that are no more than the higher of either 30% of household gross (before tax) 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.

City staff may require proof that an affordable replacement accommodation has been provided to each tenant. Documentation that may be requested by staff includes:

- Details on replacement accommodation, including rent level
- Tenant income levels to determine affordability
- RAP or SAFER proof of application

(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 4.1 (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.).
- When special circumstances are identified, staff may require the applicant to provide additional supports to assist the tenant with any significant additional challenges, such as partnering with health organizations or other services.

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 existing 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 less than ten existing 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* to 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. Applicants are encouraged to use the City template form for the Non-market Needs Assessment.

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

(e) Right of First Refusal

The applicant will be required to demonstrate that all reasonable efforts have been taken to pursue funding in order to provide all residents with the right of first refusal to return to the new development at rents as per Section 4 (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 (a).

Tenants are required to indicate their interest in the taking up the right of first refusal to the applicant via the City Right of First Refusal form prior to vacating their unit. Applicants are required to contact tenants 6 months prior to expected occupancy of the new building to offer tenants to return to the building. Tenants then have 45 days to respond with their continued interest in returning to the building via email, phone, or letter. If the tenant has expressed continued interest, the applicant must arrange for a viewing and lease offer upon building completion. Note: Expressing an interest in returning to the building via the Right of First Refusal form does not require the tenant to return.

(f) Interim and Final Tenant Relocation Report

- i. 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. For rezonings, the City may request an additional Interim Report after Public Hearing in cases where a significant period of time has elapsed since the Public Hearing.

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.
- ii. 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.).

City staff may require evidence of the outcome of the search for alternate accommodations, including:

- Proof of options provided;
- Proof of units secured for low-income tenants (e.g. copy of the lease); or
- Proof of other interim assistance provided for low-income tenants.

4.2 Plan requirement for renovations in non-profit social housing where tenancies are maintained

For guidance on policy requirement for renovations in existing non-profit social housing, please see Section 3.2 (Tenant assistance for renovation work where tenancies are maintained).

5 Guidelines for Non-Profit Co-op Housing

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; and
- In areas where there is existing policy or guidance on resident protection and relocation (e.g. False Creek South), the requirements of existing policy supersede these guidelines.

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

Guideline	Additional Details
Identify options for interim and final relocation that prioritize maintaining the co-op community	<p>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.</p> <p>Co-op members should have right to return to the new co-op, unless otherwise agreed to.</p>
Maintaining affordability for existing members in the interim and in the new co-op	<p>For existing members paying subsidized housing charges geared to income, priced at levels that are no higher than what they are currently paying.</p> <p>For all other existing members, housing charges priced at no more than 30% of their incomes, unless otherwise agreed to.</p>
Supporting with relocation and consideration of special circumstances	<p>Moving expenses should be provided both for the initial relocation as well as the return to the new co-op</p> <p>The co-op is encouraged to utilize a member survey and/or 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.).</p>
Communication and engagement with members	<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"> • Notification of the intent to vote on redevelopment • Following vote on the intent to redevelop • Prior to submission of a formal application to redevelop • Prior to issuance of development permits

6 Vacant Buildings

Special requirements apply where the rental building is vacant at the time of application as a consequence of:

- A vacant possession having been a condition of property purchase; or
- A Notice to Vacate was issued without all proper permits and necessary approvals in place.

In these cases, the application will need to be supplemented by additional information as requested by the General Manager of Arts, Culture and Community Services and Director of Planning detailing and on request providing the supporting documents and legal notices delivered to the tenants so as to afford the General Manager of Arts, Culture and Community Services and Director of Planning the ability to confirm and verify that the process by which the building was vacated was, to the best of their knowledge, carried out in compliance with this Policy and the RTA. The City may require follow-up statements and declarations in these circumstances. Applicants should therefore expect longer application and approval timelines in these circumstances.

7 Submission Requirements

This section describes the tenant relocation submission process and the documentation required.

7.1 For projects where a Tenant Relocation Plan is required:

- A Tenant Relocation Application Form must be submitted with every Rezoning or Development Permit application. All tenants must be included, although the Tenant Relocation Plan requirements will only apply to eligible tenants as described in Section 3.0 above.
- Early Communication with tenants is important. For rezonings, applicants are encouraged to communicate in writing with tenants at the start of the inquiry stage. The objective is to inform tenants about the intent to redevelop and provide information on the process and timelines involved. For development permits, applicants are encouraged to begin written communication with tenants when the application is opened. Note: Notices to End Tenancies are not to be issued at this stage.
- The Tenant Relocation Plan will be evaluated by staff during the rezoning and development permit process. Once the Plan has been agreed to by the applicant and Staff, the applicant should communicate the terms of the Tenant Relocation Plan to all eligible tenants. A notarized declaration must be submitted to the City demonstrating that each tenant has been given written notice of the intent to redevelop the property, the number of units occupied on the date of the notice, and includes copies of a letter addressed to each tenant summarizing the Tenant Relocation Plan offer and signed as received by each tenant.

Applicants are strongly encouraged to provide tenants with the form Tenant Notice: Exercising Right of First Refusal, as part of their communication with tenants. See Section 3.1 (f) for more information.

- A Final Tenant Relocation Report, as outlined in Section 3.1 (h) above, must be submitted prior to the issuance of the occupancy permit.
- Legal Agreements - for projects where the right of first refusal is required, (as described in section 3.1 (f) and 4.1 (e) above):
 - In these cases, the rental units and the right of first refusal will be secured through legal agreements, (e.g. Housing Agreement pursuant to section 565.2 of the Vancouver Charter, including no stratification and no separate sales covenants), or any other legal mechanism deemed necessary by the Director

of Legal Services and the General Manager of Arts, Culture and Community Services for a term of 60 years or life of the building, whichever is greater.

7.2 For projects where tenancies are maintained:

- (a) A Tenant Relocation Application Form must be submitted. All tenants must be included, although the Tenant Relocation Plan requirements will only apply to eligible tenants as described in Section 3.0 above.
- (b) If after the evaluation of the Tenant Relocation Application Form, Staff determine that tenants will not be permanently displaced as a result of the proposed work, a Temporary Relocation Option or Non-Impact Statement will be provided by the applicant.
 - A Temporary Relocation Option Statement must include details on temporary relocation options provided and/or reductions in rent for each tenant and must be notarized with a declaration that tenancies will not be affected as a result of the work completed.
 - A Non-Impact Statement must be notarized with a declaration that tenancies will not be affected as a result of the work completed.
- (c) Communication with tenants: applicants are encouraged to provide written communication with tenants during the permitting process with information on the proposed project, as well as to let them know tenancies will not be disrupted.

For more detailed information on the tenant relocation process, including access to application forms, templates, and checklists, please see:
<http://vancouver.ca/peopleprograms/creating-new-market-rental-housing.aspx>