

Tenant Relocation and Protection Policy

Best Practices Guide

This guide was developed for site owners, development applicants and tenant relocation consultants who are redeveloping or renovating a building with existing tenancies, and who are either new to the City's Tenant Relocation and Protection Policy (TRPP) process or are looking to improve their current TRPP implementation practices.

November 2023



Introduction



This guide was developed for site owners, development applicants and tenant relocation consultants who are redeveloping or renovating a building with existing tenancies, and who are either new to the City's Tenant Relocation and Protection Policy (TRPP) process or are looking to improve their current TRPP implementation practices.

This document provides guidance and best practices that will benefit the developer applicant, the tenant relocation consultant, and tenants. The goal is to:

- Make the Tenant Relocation Plan (TRP) development and application process clearer and more efficient for all parties involved.
- Ensure tenants receive clear communications and the support they require during what can be a stressful time.
- Streamline the process for developers, creating a more self-serve and transparent information stream.

This document supplements but does not replace the Tenant Relocation and Protection Policy document and administrative bulletin.

This best practices guide largely references the city-wide market TRPP, though most of the practices included also apply to non-market TRPs and Broadway Plan area TRPs. However, applicants developing non-market buildings or developing within the Broadway Plan area should ensure they closely review those specific sections within TRPP – Process and Requirements Bulletin.

Tenant Relocation and Protection Process

This best practices guide follows the four basic steps of the TRPP process.

Step 1: *page 4*

Understanding the Residential Tenancy Act and the Tenant Relocation and Protection Policy

- Start by researching your obligations under the Provincial Residential Tenancy Act (RTA) and City Tenant Relocation and Protection Policy (TRPP).
- Submit your development pre-application or application to the City of Vancouver. A Housing Planner will be assigned and will communicate the next TRPP steps, including notifying tenants and determining tenant eligibility.
- Follow up with your assigned Housing Planner or email trp@vancouver.ca with any questions you may have.

Step 2: *page 7*

Working with the City and tenants to develop a Tenant Relocation Plan

- Work with City Staff to understand the tenants' needs and how to best meet those needs through the relocation process. This includes receiving information from the City-led Tenant Needs Assessment Survey, as well as applicant-led tenant meetings and discussions.
- Following the TRPP requirements, draft a Tenant Relocation Plan to be reviewed and finalized with City Staff approval.

Step 3: *page 9*

Providing assistance and compensating tenants to fulfill the Tenant Relocation Plan

- Follow the City-approved TRP for each tenant and work with tenants to find options for, or secure their new accommodation.
- Ensure you are compensating tenants, providing moving expenses and other assistance as outlined in their TRP as they move out.

- When you are nearing demolition, fill out the interim tenant relocation report and provide it to your Housing Planner for approval. This is required before you can receive your Demolition Permit.
- Once you have all necessary permits, you may follow the Residential Tenancy Act to end tenancies due to redevelopment or renovation. This includes four-months' notices for redevelopment or requesting an Order of Possession prior to ending tenancies if renovating the building.

Step 4: *page 13*

Completing the TRPP process

- If the project is building back rental or social housing, reach out to tenants who have indicated interest in taking up their Right of First Refusal (ROFR) when the building is approximately six months from occupancy, and fulfill the ROFR requirements.
- When the building is nearing occupancy, fill out the final tenant relocation report and provide it to your Housing Planner for approval. This is required before you can receive your Occupancy Permit.

Appendix 1: *page 14*

Full TRP process by development stage for rezoning projects

Appendix 2: *page 15*

TRP milestone checklist

Step 1:

Understanding the Residential Tenancy Act and the Tenant Relocation and Protection Policy

This section includes background information and resources to understand your responsibilities under Provincial legislation and City policy when redeveloping or renovating a property with tenants.

A. Understanding the Residential Tenancy Act

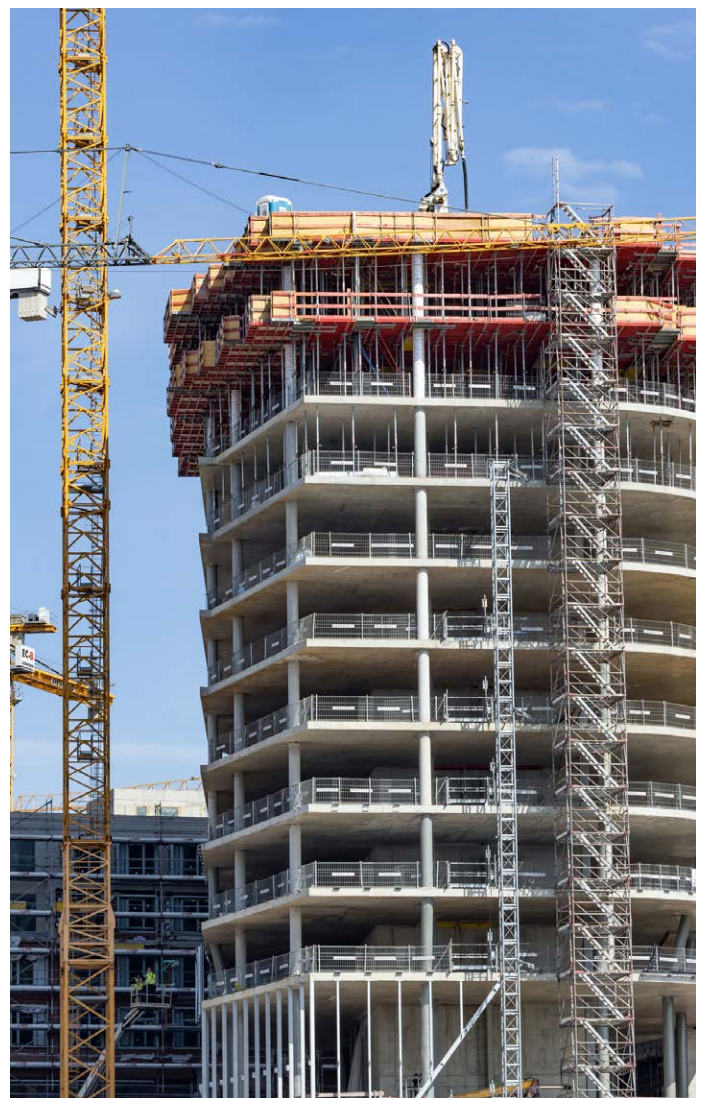
Most rental housing in BC is covered by the Residential Tenancy Act (RTA). The RTA includes protections for tenants who live in apartment buildings, rented houses and condos, basement suites, and other types of housing. The City's Tenant Relocation and Protection Policy (TRPP) provides added protections and assistance to eligible tenants in addition to those found within the RTA.

Applicants must ensure they understand and meet all RTA requirements, including:

- Issuing a four months' notice to end a tenancy for the purposes of redevelopment, only after the landlord has all necessary permits and approvals for the project; and
- Applying to the Residential Tenancy Branch (RTB) for an Order of Possession and attending a dispute resolution hearing, prior to issuing a notice to end tenancy due to extensive renovations or repairs.

For more information on ending a tenancy under the RTA, see:

www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/ending-a-tenancy



B.

Understanding the Tenant Relocation and Protection Policy

The TRPP applies to rezoning and development permit applications with tenants in place, and includes the following rental types:

- Primary rental stock (purpose-built market rental housing, rental units above commercial spaces, multiple conversion dwellings with five or more units).
- Non-profit social and co-op housing.
- Secondary rental stock (rented houses, suites, laneway houses, condos) where there is a new multiple dwelling of five or more units being developed and involving the consolidation of two or more property lots.
 - In the Broadway Plan area, this policy also applies to rented units in condo apartment developments (not including other secondary rental such as rented houses, secondary suites, multiplexes, townhouses etc.) where there is a proposal for a new multiple dwelling of five or more units that does not involve lot consolidation.

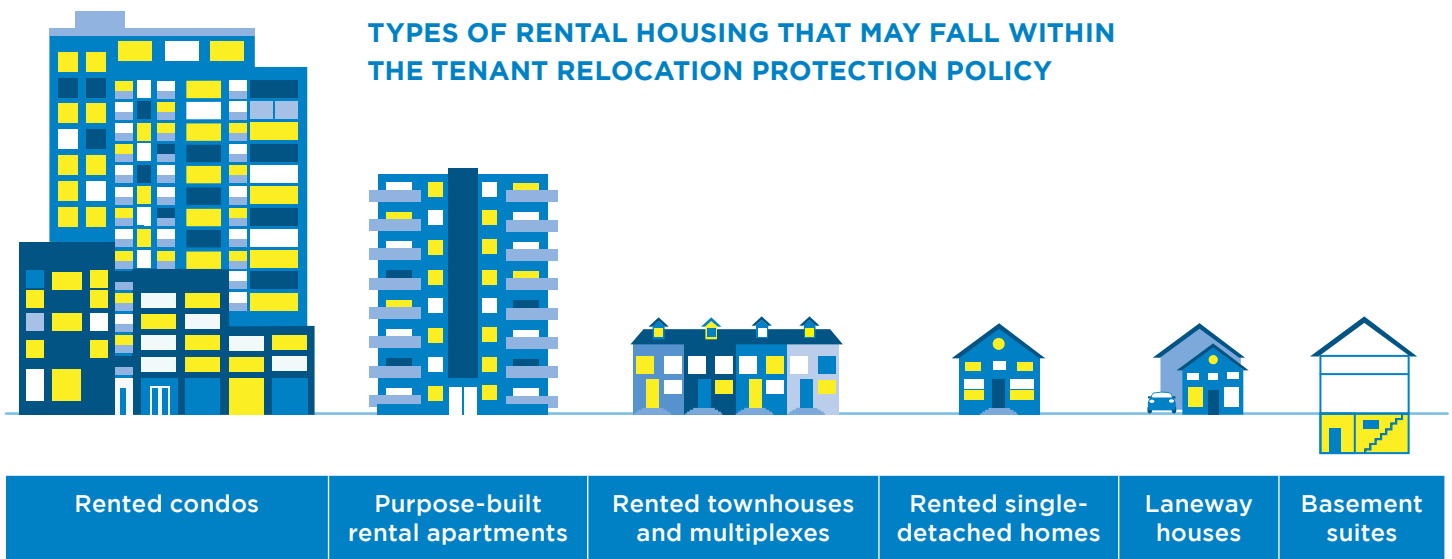
A number of exclusions apply as outlined in the full TRPP document. **Your Housing Planner will determine whether the TRPP applies to your project, and which tenants are eligible for a Tenant Relocation Plan.**

When the TRPP applies, the development applicant needs to prepare and provide a Tenant Relocation Plan (TRP) for eligible tenants. City Staff must approve this plan as part of the application process. 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 must 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.

For detailed policy and process information, see:

- Tenant Relocation and Protection Policy
- Tenant Relocation and Protection Policy – Process and Requirements bulletin

vancouver.ca/people-programs/protecting-tenants.aspx



TRPP for non-market projects

The TRPP provides a separate framework for applicants developing non-market housing based on principles of:

- ensuring permanent rehousing options that limit disruption to residents;
- maintaining affordability for existing residents;
- supporting tenants with relocation and consideration for special circumstances; and
- clear and regular communication and engagement with residents.

Please see full policy (Step 4) and administrative bulletin (Step 3) for more details on the specific requirements that apply to TRPs in non-profit projects.

TRPP for Broadway Plan

In July 2022, City Council approved the Broadway Plan, a comprehensive 30-year land-use plan for the area surrounding the new Broadway Subway. Enhanced tenant protections were included in the Plan, building on the existing city-wide TRPP, such as the availability of a rent top-up during construction, and the right to return to the new building at the tenant's existing rent or at citywide below-market rates.

Please refer to the administrative bulletin for more details. Broadway-specific information and documents are also available on the City's website.

vancouver.ca/people-programs/protecting-tenants.aspx

vancouver.ca/people-programs/tenant-relocation-resources-for-owners-and-developers.aspx#documents

C.

Resources provided by the City

Your main point of contact at the City will be the Housing Planner assigned to your project. If you don't have one assigned yet, you can contact the TRP enquiry line:

trp@vancouver.ca

Phone: 604-673-8001

The City provides all the forms needed in order to fulfill TRPP requirements, as well as template letters and other materials to be provided to tenants. Most documents can be found on the below webpage. Depending on the circumstances, other materials will be sent to you by City Staff as you go through the process.

vancouver.ca/people-programs/tenant-relocation-resources-for-owners-and-developers.aspx#documents

Please only refer to documents linked on the City's website (not from a browser search) **or provided by City Staff** to ensure you are using the most up to date versions.

In order to protect tenants' privacy, City Staff will provide you with access to a secure SharePoint site. You will **use the SharePoint site to exchange documents with City Staff** during the TRP process. Always inform your Housing Planner once you've uploaded documents to the site. **Do not share any TRP documents via email with City Staff.**

City Staff will contact eligible tenants to gather a tenant needs assessment survey through SharePoint. The results will be compiled and a summary will be shared with applicants so they can plan for relocation assistance.

Please fill in forms carefully and provide all documents and information requested by City Staff promptly to ensure the requirements are met in a timely manner. This will avoid delays in processing your permits.

The TRP application form will be the central document to prepare the TRP and will be updated as you gather more information from tenants and receive feedback from City Staff. Once completed, it will need to be formally approved by City Staff ahead of Rezoning or Development Permit approval.

Step 2:

Working with the City and tenants to develop Tenant Relocation Plans

This section details best practices in effectively working with the City and tenants to develop Tenant Relocation Plans.

A.

Choose who will manage the TRP process

Applicants may manage and implement the TRP in-house by appointing a staff member or team, or hire a third party Tenant Relocation Coordinator (sometimes referred to as a “TRC”).

Appropriate staff time and resources should be allocated to implement the TRP.

City Staff may encourage applicants to hire a third party Tenant Relocation Coordinator if the applicant’s staff are not able to meet TRPP requirements, or in the case of complex tenant situations.

B.

Ensure you have a complete tenant list

Applicants are required to disclose a list of all the tenants that live in the building at the time of application, including those living in secondary rental (e.g. a rented house or basement suite).

When purchasing a site with tenants, make sure to obtain a copy of all the tenancy agreements or any other documentation of when tenancies started from the seller. This will give you an idea of what the TRP might look like if you were to redevelop or renovate the building, and will help to avoid any surprises during the TRPP process.



C.

Communication with tenants

Looking for and moving to a new home can be very stressful and have cascading impacts to other aspects of one’s life. Tenants may be anxious and worried about the process. Consider this perspective and aim to work in a clear, compassionate and collaborative manner.

Whether you start the TRP process at rezoning enquiry or after submitting a formal application, **ensure you notify tenants using City templates before any redevelopment sign is installed or any information is made public.**

When you notify tenants:

- Be clear about the scope of the project (e.g. a redevelopment that will require demolition, extensive seismic upgrades where you will be applying to the Residential Tenancy Branch to end tenancies, etc.).

- Include your planned schedule and update as needed if your timelines change (e.g. anticipated submission date of the development permit application, construction start date, or how long renovations are expected to take etc.).
- Have a single designated point of contact for tenants to reach out to if they have concerns or questions, or if they need to provide additional information.
- Use multiple types of communication to reach tenants such as letters, email, phone conversations, or in-person conversations.

If there are 10 or more units, a meeting with your Housing Planner present is mandatory at the beginning of the process after an application is submitted (in-person, or virtual when more appropriate). If there are fewer than 10 units, one-on-one meetings with tenants are required.

If the space allows, having regular office hours where tenants can drop-in with questions or concerns within the building is recommended. This allows you to reach tenants who might otherwise not come forward with their concerns or questions. This also gives you the opportunity to ensure tenants fully understand the process and what they are entitled to.

Applicants should use templates for communication provided by the City. City Staff will provide key materials used to communicate with tenants, such as:

- The presentation for the mandatory initial tenant meeting(s).
- Initial notification letters sent to tenants.
- Eligibility letters sent to tenants.

After the rezoning or development permit application is submitted, you should provide regular updates to tenants, every two to three months or whenever there are major progress updates to share.

Keep track of and copies of all communications with tenants as the City may request to see these communications at different points throughout the process.



D. Protecting tenants' privacy

The City's TRP process requires personal information from tenants including income, family size, age, disability, and contact details.

Recognizing the sensitivity of this information, the City abides by special data protection procedures prepared in collaboration with the Provincial Office of the Information and Privacy Commissioner, including:

- Collecting only necessary information from tenants.
- Transmitting and storing information in a secure manner.
- Destroying information collected after use.

Applicants have access to limited tenant information and are required to store and use this information appropriately:

- At the beginning of the TRPP process, you will be required to sign a Tenant Relocation and Protection Privacy Agreement to ensure the proper use, storage and destruction of private tenant information.
- Your Housing Planner will provide you with access to a SharePoint site. Please use this site to share all documents with your Housing Planner. Do not share documents via email.

Step 3:

Providing assistance and compensating tenants to fulfill the Tenant Relocation Plan

This section includes requirements and best practices when providing assistance to and compensating tenants as required by the TRPP. Note that, while this typically happens after project approval, tenants who move out of the building at any point after the formal project application is submitted must be provided with their TRP package.

A.

Relocation assistance

Part of the TRP involves assisting tenants in finding new accommodations, whether permanent, or for the duration of the construction period of the new building. These relocation options should be based on the tenants' needs provided in the tenant needs assessment survey and through conversations with tenants.

If the applicant has more than one building, you can start by checking for vacancies in these buildings. You may also want to reach out to other property owners who may have vacancies within their buildings for tenants to relocate to.

In order to fulfill TRPP requirements for relocation assistance, applicants should provide tenants at least 3 relocation options that best meets the tenants' needs. If tenants request additional assistance, applicants are expected to schedule viewings, find rental application forms, help fill out application forms if requested by tenants, and other actions needed to help tenants successfully secure an appropriate unit. Some tenants may need extra support, such as translation services, and applicants should make every effort to accommodate those needs.

In some cases, because there are few vacant rental units in the market, you may need to help tenants prioritize their needs. When looking for a new unit, ask tenants to prioritize their top three most important considerations.

If tenants are low-income or have additional barriers, additional assistance with relocation is required. See the "Tenants who are low-income or with additional barriers" section on [page 12](#).

Ensure you keep records of all the steps taken to search for options as the City may require review of this process and the outcomes achieved.



B.

Compensation and rent top-ups

Tenants may move out at any point during this process. Ensure they are compensated as they move out of the building.

Compensation and moving expenses can take multiple forms and tenants may express preferences regarding the form of payment. However, it is ultimately up to the applicant to decide whether:

- Compensation is in the form of free rent or cash payment.
- Moving expenses are covered through cash payment to tenants, or by hiring an insured moving company directly.
- Rent top-ups are provided in a lump sum payment, monthly installments, through direct deposits or cheques etc. (in the Broadway Plan area).

Keep records of all payments. City Staff may ask for copies.



Mutual agreement additional requirements

Under the RTA, tenants and landlords may sign a mutual agreement to end a tenancy prior to the required four months' notice; however, the City recommends going through the full TRPP process instead. If the applicant chooses to offer a mutual agreement to tenants they must still comply with minimum requirements under the City's TRPP, and must:

- Present the mutual agreement and the TRP options as a side-by-side comparison so the tenant may choose the option best suited for them. A template comparison chart can be provided by the City upon request.
- Make sure that the tenant understands that signing the mutual agreement means agreeing not to stay until the four months' notice per the RTA.
- For eligible tenants, make sure that the mutual agreement offer meets or exceeds the compensation and moving expenses that are required under the TRPP. The City will be checking at the interim and final reports that the TRPP requirements have been met and paid prior to tenant move-out.
- Keep records of all mutual agreements signed, as well as contact information for these tenants.

If a mutual agreement signed by an eligible tenant was not shown side-by-side with the TRP option, and/or if it does not meet the minimum compensation and moving costs required under the TRPP, the City may require further compensation or assistance be provided.

C.

Low-income tenants and tenants with additional barriers

Some tenants may require more assistance to find new accommodations such as low-income tenants or tenants facing additional barriers¹. **The TRPP has additional policy requirements for tenants that fall into this category, such as requiring applicants to secure an appropriate and affordable unit for these tenants, as opposed to only providing relocation options.** See the TRPP for full details.

Based on information gathered through the tenants needs assessment survey, City Staff will inform the applicant or Tenant Relocation Coordinator whether there are tenants requiring additional assistance, and will provide a summary of information on these tenants.

If a tenant did not complete the survey, you should meet with them to gather the necessary information.

Best practices for creating a Tenant Relocation Plan and assisting low-income tenants or those with additional barriers include:

- Reaching out to non-profit housing providers directly to inquire about their waitlists or existing vacancies.
- Considering discounting a market rental unit in your buildings to meet the affordability requirements for a specific tenant.
- Familiarizing yourself with Provincial rental assistance and social housing programs so that you can assist eligible low-income tenants with their applications. These include:

bchousing.org/housing-assistance/rental-housing/subsidized-housing

bchousing.org/housing-assistance/rental-assistance-programs/RAP

bchousing.org/housing-assistance/rental-assistance-programs/SAFER

- **For tenants that may face challenges accessing or using technology such as email or phone, consider alternative methods of communication such as in-person meetings, and letters.** City Staff can coordinate delivery of the tenant needs assessment surveys by mail upon request.
- For tenants who are not fluent in English, consider translating letters or other materials, hiring a translator for one-on-one meetings, or asking if they would like to invite a family member or friend to the meeting who can translate for them.
- For tenants who have limited mobility, consider hiring a company to help pack boxes, and ensure their new unit will be accessible to them (e.g. has a ramp if required).

Timeline for permits and four-month notices

The Development Permit, Salvage and Abatement Permit and Building Permits (demolition and construction) are linked and will be reviewed in parallel. These permits will have holds placed on them until the requirements are met. When all Staff reviews are complete, and all the permits are ready for issuance, you can submit your interim tenant relocation report to your Housing Planner. Once the report is approved, the holds will be lifted.

It is only **after all the permits are in place and the hold is lifted** that you can send the four-month notices to end a tenancy, following RTA requirements for official notices.

Regardless of permits issued, work on the site can only start **after all tenants have moved out.**

¹ Persons facing additional housing barriers include, for example, seniors, persons with disabilities or those experiencing health issues.

Step 4:

Completing the TRP process

This section includes requirements and recommendations to manage the Right of First Refusal process and complete the final tenant relocation report.

A.

Right of First Refusal

Under the TRPP, tenants impacted by redevelopment or renovation projects that have rental or social housing units being built back must be offered the Right of First Refusal (ROFR) at prescribed rents as detailed in the Policy.

Tenants can express interest in returning to the new building with the ROFR form included in the eligibility letter or on the tenant needs assessment survey. This form is also available on the City's website.

Keep a record of which tenants have indicated their interest in the ROFR. You will need to provide this information to City Staff within the interim and final tenant relocation reports.

Six months prior to occupancy, applicants must reach out to tenants who expressed interest in returning to the new building to determine if they are still interested. These tenants will have 45 days to respond.

Those wishing to return should have first pick from the new units. Before marketing units to the general public, you should work with returning tenants to choose a new unit and offer a new tenancy agreement with the discounted rent as per the approved Tenant Relocation Plan.

B.

Fill out the final tenant relocation report

When the building is nearing completion, the applicant must complete the final tenant relocation report and send it to their Housing Planner for approval. The final report confirms what is offered



to returning tenants, with information about their new tenancy, such as unit type and rent.

If the project is only building strata housing and there is no ROFR option, you may fill out your final tenant relocation report earlier in the process, after all tenants have received their full Tenant Relocation Plan.

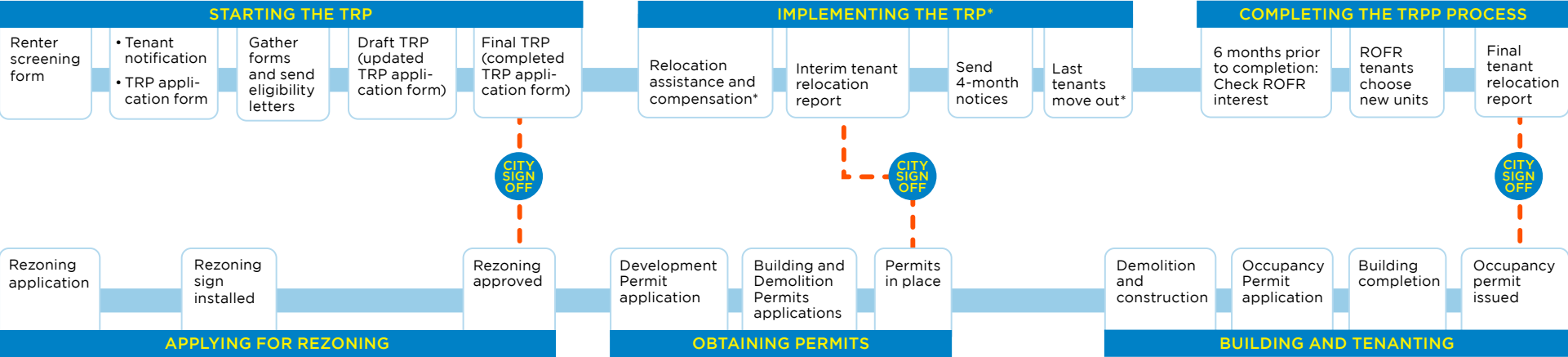
Once the final tenant relocation report is approved, the final hold placed on the Occupancy Permit will be lifted, allowing issuance, provided all other conditions are satisfied.

Due to the length of time associated with redeveloping a building, **it is recommended that the applicant staff set reminders for themselves** to contact tenants for ROFR and to fill out the final tenant relocation report. This will ensure there are no delays in issuing occupancy once the building has completed.

Appendix 1

Full TRP process by development stage for rezoning projects

TRP PROCESS FOR A REZONING PROJECT



DEVELOPMENT PROCESS FOR A REZONING PROJECT

*TRP compensation, moving expenses and other assistance must be provided as tenants move out of the building. This can occur at any point after the project application is submitted.

Appendix 2

TRP milestone checklist

These forms and the checklist below summarizes the key documents you will need to gather, send to tenants and/or submit to the City. The order of these documents may change depending on the type of application and project. Your Housing Planner will help guide you through these milestones according to your specific project. All relevant documents will be shared by your Housing Planner. If you don't have a Housing Planner assigned yet, please contact the project Rezoning Planner (for rezonings), Project Facilitator (for development permits), or the TRP enquiry line at trp@vancouver.ca or **604-673-8001**.

Most documents are also available on the City's website. Please only refer to documents provided by City Staff or linked on the City's website (not from a browser search) to ensure you use the most recent versions. When sharing documents with your Housing Planner that contain personal information about tenants (such as name, address, rental rate), please use your project's SharePoint site.

- Submit renter screening form** (number and type of tenancies) – part of the rezoning or development permit application package
- Submit TRP application form** and signed privacy agreement
- Send tenant notification letters – City template provided, drafts to be reviewed in advance by City Staff
- Organize initial tenant meeting – presentation material provided by City Staff
- Send tenant eligibility or ineligibility letters – City template provided, drafts to be reviewed in advance by City Staff
- Receive summary of tenant needs assessment surveys from City Staff
- Gather signed eligibility letters from Tenants
- Submit the draft Tenant Relocation Plan in the updated TRP application form** and receive feedback from City Staff
- Submit the final Tenant Relocation Plan in the completed TRP application form** based on previous City Staff feedback – to be approved by City Staff before Rezoning or Development Permit approval
- Submit notarized declaration confirming tenants have received and signed their eligibility letter (include signed letters) – condition of Development Permit issuance
- Submit interim tenant relocation report** – to be approved by City Staff before Development and Building Permits issuance
- Check if tenants with Right of First Refusal still interested in viewing a unit 6 months before building completion
- Submit final tenant relocation report** – to be approved by City Staff before Occupancy Permit issuance



FOR MORE INFORMATION:

vancouver.ca/people-programs/rental-and-renter-protection

housingpolicy@vancouver.ca

trp@vancouver.ca

Phone: 3-1-1

Outside Vancouver: 604-873-7000

The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sk̓wx̓wú7mesh (Squamish), and səliłwətał (Tsleil-Waututh) Nations.