



What is a renoviction?

According to the Pivot Legal Society, ‘renoviction’ is defined as “the practice of exploiting a clause in the *Residential Tenancy Act* which allows a landlord to evict tenants under the guise of performing major renovations and then increasing the rent on the unit or units.”

What laws/rules govern renovictions?

The *Residential Tenancy Act* discusses evictions for the purpose of renovations in section 49, noting that: “A landlord may end a tenancy in respect of a rental unit if the landlord has all the necessary permits and approvals required by law, and intends in good faith, to do any of the following: renovate or repair the rental unit in a manner that requires the rental unit to be vacant.”

The *Residential Tenancy Act* also sets out levels of compensation (equivalent compensation to one month’s rent) (section 51) and notice (two months’ notice) (section 49) for tenants who have to vacate their unit due to major renovation or repair (*Residential*

Tenancy Act: http://www.bclaws.ca/civix/document/id/complete/statreg/02078_01).

What is the City’s role in addressing renovictions?

The City continues to undertake the following actions to address renovictions:

- to respond to requests for information where tenants have received an eviction notice and the landlord has indicated that they have all the necessary permits and approvals in place to demolish the building or undertake major renovations/repairs to the unit(s);
- to ensure that landlords have the necessary permits and approvals in place prior to issuing an eviction notice and employ stop work orders and tickets in situations where the necessary permits and approvals are not in place and demolition or major renovations/repairs are underway; and,
- to provide additional information related to tenants’ rights and resources on the City’s website and regularly update this information.

In addition to these actions, the City partnered with the Tenant Resource and Advisory Centre (TRAC) to host two free tenants’ rights workshops in November 2016.

The City also developed a motion which was submitted to the Union of British Columbia Municipalities (UBCM) for their 2016 conference: “that the Union of BC Municipalities urge the Provincial Government to amend the *Residential Tenancy Act* to allow renters the right of first refusal to return to their units at a rent that is no more than what the landlord could have lawfully have charged, including allowable annual increases, if there has been no interruption in the tenancy.” This motion was adopted at the UBCM conference as part of a series of motions on a variety of municipal topics; however, it is at the discretion of the Provincial Government to implement the motions.

My landlord plans to renovict me. What should I do?

For tenants that receive a “Notice to End Tenancy” where the landlord has indicated the reason, “the landlord has all necessary permits and approvals required by law to demolish the rental unit

or renovate or repair the rental unit in a manner that requires the rental unit to be vacant,” the tenant should ask the landlord for information about their plans to renovate the unit(s).

If the tenant suspects that some of the proposed renovations require a building permit from the City of New Westminster, please consider contacting the City’s Building Division at 604-527-4580 to determine if all necessary permits have been issued for the proposed renovations. If major work is in progress and necessary permits have not been issued, please consider contacting the City’s Bylaw Enforcement Division at 604-527-4657 or by email at bylawenforcement@newwestcity.ca.

Tenants with the following concerns may contact one of the organizations listed in the “Which other organizations can help me if I am going to be evicted?” section:

- If the landlord has not given you adequate notice (two-months minimum) for demolition or renovations or repairs requiring the unit to be vacant.
- If the landlord has not offered you at least the minimum required compensation (equivalent to one month’s rent) for demolish or renovations or repairs requiring the unit to be vacant.
- If you already have been evicted due to demolition or renovations or repairs

requiring the unit to be vacant and you were never paid at least the minimum required compensation (equivalent to one month’s rent).

- If you think that the renovation or repair is minor and would not require you to vacate the unit or would only necessitate you moving out for a few days.
- If you have already been evicted and you learn that that landlord never completed the renovations or repairs proposed in the notice that you received.

If the landlord has mentioned that they may renovate your unit in the future and suggests that you should consider moving out well in advance. This is different from actually giving you notice because it is based on possibility of renovations in the future and not firm plans.

Which other organizations can help me if I am going to be evicted?

To address concerns other than permits or bylaw enforcement, you can contact one of the following organizations:

- Tenant Resource and Advisory Centre (TRAC)
<http://tenants.bc.ca/>
604-255-0546 or
1-800-665-1185
- Provincial Government of British Columbia

Residential Tenancy Branch
<http://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/contact-the-residential-tenancy-branch>
604-660-1020 or
1-800-665-8779

The Tenant Survival Guide is a useful resource produced by TRAC:
<http://www.lss.bc.ca/resources/pdfs/pubs/Tenant-Survival-Guide-eng.pdf>

Locally, there are several organizations that can offer housing counselling, support and referral. These organizations are:

- Lookout Emergency Aid Society
Russell Housing Centre Outreach
740 Carnarvon Street, New Westminster
ornewwest@lookoutsociety.ca
604-529-9126, ext. 106
- Seniors Services Society (55+) Housing Counselling Service,
750 Carnarvon Street, New Westminster
<http://www.seniorsservicesociety.ca/hhc.htm>
604-520-6621