

Tenants in New West

On May 27, 2019, in response to numerous complaints regarding renovictions, City Council amended the Business Regulations and Licensing (Rental Units Bylaw) to include Part 6, a section that specifically aimed to deter renovictions and to provide protection to those tenants who may be displaced by large scale renovation work. The amendment was successful and resulted in a significant decrease in the number of reported renovictions and inquiries of concern. The City is considered a leader among municipalities for this work.

ON JULY 1, 2021, THE PROVINCE OF BC AMENDED THE RESIDENTIAL TENANCY ACT (RTA) TO ADDRESS RENOVITIONS.

The changes to the Residential Tenancy Act (RTA) protect tenants by putting in place new requirements for landlords who want to do renovations. The new rules say that if a landlord wants to end a tenancy for extensive renovations or repairs, they need to apply for an Order to End Tenancy and an Order of Possession from the Residential Tenancy Branch (RTB). When the landlord applies for the orders, the RTB will schedule a proceeding where an arbitrator will decide if ending the tenancy is the only way to complete the renovation work.

If the arbitrator decides that the tenancy must end, then the landlord must give the tenant a four month notice and the tenant is entitled to receive an amount that is equivalent of one month's rent. The tenant also has the "right of first refusal", which means the tenant can move back into the unit at market rent when the renovation or repair work is complete. If the tenant wants to exercise this right, they have to let the landlord know before they move out.





WHAT IS THE STATUS OF THE CITY OF NEW WESTMINSTER'S BYLAW TO ADDRESS RENOVICTIONS?

The City's goal was to address renovictions and protect tenants from unscrupulous landlords. The new RTA legislation protects tenants with a new, stronger process landlords must follow before doing any type of renovation. The new process requires the landlord to apply to the RTB for an Order to End Tenancy and an Order of Possession of the units. As Part 6 of the City's bylaw relied upon the old process, which required a Notice to End Tenancy, this change to the RTA makes Part 6 inoperative.

WHAT NEXT STEPS WILL THE CITY BE TAKING WITH RESPECT TO ITS BYLAW?

On November 15, 2021, the City of New Westminister repealed Part 6 of the Business Regulations and Licensing (Rental Units) Bylaw. The repeal is in response to changes made to the Residential Tenancy Act in July 2021, which render Part 6 of the City's bylaw inoperative. It is good public administration to have bylaws that are obsolete and do not serve a purpose repealed.

The City is currently reviewing the new RTA provisions to determine what next steps, if any, are needed.

WHAT SHOULD YOU DO IF YOU ARE A TENANT WHO HAS RECEIVED AN EVICTION NOTICE?

If you have received an eviction notice, contact the Residential Tenancy Branch at 604-660-1020 or hsrto@gov.bc.ca.



If you have questions about the City's actions to protect tenants, contact the City of New Westminister's Tenant Support Coordinator at 604-527-4603.

NEWWESTCITY.CA/TENANTS

IMPORTANT INFORMATION. Please have this translated.

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