NEW WESTMINSTER







TENANT RELOCATION POLICY

Summer 2018

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The Tenant Relocation Policy was endorsed by Council on December 7, 2015 and was implemented as of January 1, 2016.

On June 11, 2018, the Tenant Relocation Policy was amended to reflect recent changes in the minimum notice period in the Residential Tenancy Act.

Section 1: Introduction

New Westminster City Council is committed to preserving the existing purpose-built market rental housing stock and has endorsed policies and strategies for this purpose. City Council is also committed to ensuring that tenants impacted by redevelopment and demolition are adequately notified and compensated and provided with assistance in finding new housing.

In response to the latter, City staff has conducted extensive case study research and consultation in support of a New Westminster Tenant Relocation Policy. The policy incorporates provisions which go beyond those as contained in the provincial Residential Tenancy Act.



Section 2: Background

New Westminster's 8,077 purpose-built market rental housing units (as of April 2015), the third largest stock of such units in Metro Vancouver after Vancouver and Burnaby, provide relatively affordable housing to residents. New Westminster is also experiencing significant development activity with regard to purpose-built market rental housing, with 1,172 units currently in the development, construction and application process (as of July 2015). Of these units, 645 are in projects that have been approved by City Council and are secured by housing agreements registered on title.

Despite the solid base and the growth of the purpose-built market rental housing stock in New Westminster, there remain threats to the existing stock. Although New Westminster has only lost 55 purpose-built market rental housing units (in two buildings) to demolition between 2010 and 2015, existing market rental properties could be at risk for demolition. Such demolitions are occurring with increasing frequency in other parts of Metro Vancouver.

New Westminster's existing purpose-built market rental housing stock is aging (as of April 2015, 81% of all units were in buildings between 36 and 55 years old – built between 1960 and 1979) and some buildings are nearing the end of their functional lives. Although new purpose-built market rental housing stock is being added, much of this new stock is not affordable to the tenants of existing market rental housing units because the new stock has much higher rents. For example, the median rent for two-bedroom market rental units in New Westminster in October 2014 was $1,100/month in buildings built between 1960 and 1979, compared with $1,800/month in buildings built in 2000 or later.

Tenants of existing purpose-built market rental housing that is being redeveloped or demolished face challenges associated with a tight rental housing market. As of April 2015, both New Westminster and Metro Vancouver had rental vacancy rates of 1.3% for purpose-built market rental housing.



Section 3: Tenant Relocation Policy

APPLICATION OF THE TENANT RELOCATION POLICY

The policy applies to Rezoning applications and Heritage Revitalization Agreements which involve the demolition of six or more purpose-built market rental housing units within a multi-family building, or involve the anticipated demolition of such units. The applicant's obligations only arise following Council approval of the Rezoning application or the Heritage Revitalization Agreement.

The policy applies on a voluntary basis for Development or Demolition Permits which involve the demolition of six or more purpose-built market rental housing units within a multi-family building, or involve the anticipated demolition of such units.

REQUIREMENTS OF THE TENANT RELOCATION POLICY

In cases of Rezoning applications or Heritage Revitalization Agreements, applicants are required to complete the following tasks:

- include a Tenant Assistance Plan as part of the preliminary report on the application to the City's Land Use and Planning Committee;
- submit evidence that the Tenant Assistance Plan has been communicated to the tenants prior to the bylaw being forwarded for First and Second Readings; and,
- demonstrate that the tasks in the Tenant Assistance Plan have been completed satisfactorily prior to receiving a Demolition Permit.



Prior to the issuance of a Demolition Permit for the property to be redeveloped, the applicant must:

- provide a signed letter indicating that all of the commitments within the Tenant Assistance Plan have been satisfactorily met, including:
  - » a notice at least four months prior to eviction;
  - » compensation equal to or greater than the compensation as specified in the Tenant Assistance Plan; and,
  - » evidence that tenants have been satisfactorily assisted by the applicant (or the agency acting on behalf of the applicant) in locating appropriate housing.



CONTENTS OF A TENANT ASSISTANCE PLAN

A Tenant Assistance Plan must include:

- a written commitment to provide at least four months' notice prior to eviction;
- a written commitment to provide compensation equal to or greater than the equivalent of three-months' rent to compensate for moving expenses, utility reconnection fees and other relocation costs;
- documentation of the on-site applicable units, including the number of units (by bedroom type), rental rates and existing vacancy rates;
- a strategy for assisting tenants in finding appropriate housing; and,
- a plan to guide communications between the applicant and the tenants, including notice of all consultation events related to the application.

Section 4: Frequently Asked Questions

Will the policy encourage redevelopment and demolition of purpose-built market rental housing? Will it be seen as simply the cost of doing business?

New Westminster City Council is committed to preserving the existing stock of purpose-built market rental housing and has endorsed policies and strategies for this purpose.

The New Westminster Secured Market Rental Housing Policy (2013) contains the following objectives:

- Reduce the likelihood that the existing purpose-built market rental housing stock will be redeveloped; and,
- If demolition occurs, reduce the impact of the loss of the rental housing stock on tenants.

The New Westminster Affordable Housing Strategy (2010) contains the following vision and two major goals:

Within its jurisdiction, the City of New Westminster will work towards being an inclusive city where all residents live in safe, appropriate and affordable housing and where there are housing choices for all ages and abilities.

- *To preserve and enhance New Westminster's stock of safe, appropriate and affordable rental housing; and,*
- *To improve the choice of housing for New Westminster's low and moderate income residents and households with unique needs.*

Additionally, the New Westminster Tenant Relocation Policy (2015) states that the provisions will only be implemented if City Council approves a Rezoning application or a Heritage Revitalization Agreement.

Why does the policy not apply to developments with less than six units?

The policy's application to smaller multi-family buildings (less than six units) would be challenging to small and mid-sized owners/developers and would likely be prohibitively costly as third-parties would need to be contracted. In October 2014, less than 1% of all purpose-built market rental housing units (75) in



New Westminster were in buildings with 3 to 5 units.

This position was echoed by Landlord BC and is a common provision in most Tenant Relocation Policies. Exempt tenants would still be eligible to notice and compensation as per the provisions of the provincial Residential Tenancy Act.

What are the specific requirements for assisting tenants in finding appropriate housing?

The City of New Westminster recognizes that the needs of different tenants may vary considerably. Therefore, the amount of assistance that tenants require in locating appropriate housing is case specific. In order to allow for flexibility in meeting the needs of tenants, the City is open to different approaches in locating appropriate housing.

Whatever strategy is undertaken by the owner/developer to assist tenants in locating appropriate housing will be reviewed by City staff as part of the development of the Tenant Assistance Plan. It will also be reviewed by the City's Land Use and Planning Committee (LUPC), as part of the preliminary report, and by City Council, should the LUPC refer it for consideration.

Due to limited resources, City staff will not be able to assist tenants in locating appropriate housing. It will be the sole responsibility of the owner/developer to assist tenants in finding appropriate housing or retaining an agent or organization to provide this assistance.



What is appropriate housing?

The City of New Westminster recognizes that the regional purpose-built rental housing market has some of the highest costs and lowest vacancy rates of any housing market in Canada. Therefore, in some circumstances, it will be very difficult to meet specific requirements such as finding tenants accommodations at a similar rent level to their existing housing. For this reason, the City has not created a specific set of requirements related to appropriate housing that must be met.

However, it is expected that, when assisting tenants in finding appropriate housing, factors pertaining to individual tenants such as ability to pay, household size and presence of pets are taken into consideration by the owner/developer or their agent in order to help find the most appropriate housing available.

Does the compensation amount vary by tenant characteristics (e.g., age, disability status, length of residency, etc.)?

No, the compensation amount does not vary based on demographic or length of residency characteristics of the tenants. The City recognizes that some population groups (e.g., persons with disabilities) may have more financial and logistical challenges related to tenant relocation than other population groups. The City also recognizes that some municipalities in other jurisdictions have additional compensation provisions for certain population groups.



However, the process for determining which population groups require additional compensation and how much is highly subjective. Furthermore, recording this additional information is time-consuming and challenging for the owner/developer, as some tenants may not feel comfortable in disclosing personal information. It may also be difficult for the owner/developer to verify the authenticity of the information provided. For these reasons and others, the City, at this time, has decided not to include variable compensation levels based on tenant demographic and length of residency characteristics.

What should be included in the Tenant Assistance Plan to guide communications between the applicant and the tenants?

The City has created a template and sample letters, which can be modified by the owner/developer in communicating with tenants.

What about situations where tenants do not receive compensation as they moved after the application was received by the City's Land Use and Planning Committee but prior to the demolition of the building?

As part of the policy, the applicant must demonstrate and provide evidence that the tasks of the Tenant Assistance Plan have been completed satisfactorily prior to receiving a Demolition Permit.

The Tenant Assistance Plan includes: a written commitment to provide at least four months' notice and compensation equivalent to three months' rent, as well as a strategy for assisting tenants in finding appropriate housing.

Does this policy apply to 'renovictions' (i.e., tenants who are displaced due to major renovations and/or upgrading of their building)?

No, the policy only applies to Rezoning applications and Heritage Revitalization Agreements which involve the demolition of six or more purpose-built market rental housing units within a multi-family building and not to tenant displacement which occurs as a result of a major renovation or upgrading to a multi-family building.

However, the City of New Westminster recognizes the challenges faced by tenants who are displaced by major renovations and upgrading to multi-family buildings and encourages owners/developers to voluntarily provide notice and compensation over and above the provisions as contained in the provincial Residential Tenancy Act.

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