

THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: **TENANT RELOCATION**

POLICY NUMBER: **PLANNING AND DEVELOPMENT SERVICES No. 514**

<i>Date of Council Adoption: June 11, 2018</i>	<i>Date of Last Amendment: October 22, 2020</i>
<i>Council Resolution Number: 2018-230; 2020 -511</i>	
<i>Originating Department: Planning and Development Services</i>	<i>Date last reviewed by the Governance and Legislation Committee: January 27, 2020</i>

Policy:

Purpose

The purpose of the Tenant Relocation Policy is to mitigate the impacts resulting from redevelopment of purpose-built rental apartments on current tenants. This policy requires developers to provide advanced notice and assistance to affected individuals above and beyond what is required by the *Residential Tenancy Act*.

The Official Community Plan (OCP) Policy 11.2.3 is the basis for this policy, stating the City will “establish a tenant relocation policy to support those affected by redevelopment of existing rental housing. Plans for relocating existing residents will be the responsibility of the developer.”

The provisions outlined in the Tenant Relocation Policy also support the OCP objectives of supporting new rental housing and redevelopment of rental housing in order to achieve a mix of housing choices that are appropriate and affordable for residents at various stages of their lives.

Application

This policy applies to all development applications involving the demolition of purpose-built rental housing in a building with three or more units.

This policy does not apply to secondary rental market units, such as single-family residences, secondary suites, coach houses, individual condominium units, or rented structures with less than three self-contained units. Tenants displaced from non-dedicated rental units should refer to the British Columbia Residential Tenancy Act.

Note: Minor variations from the Tenant Relocation Policy to accommodate unique circumstances may be authorized at the sole discretion of the Director of Planning and Development Services. Adherence to the Tenant Relocation Policy does not guarantee development approval from Council.

Requirements

1. Tenant Relocation Plan

A Tenant Relocation Plan is required as a part of the development application submitted to the City to assist tenants with finding alternate accommodations, and to demonstrate a commitment to providing enhanced communication and support beyond the minimum requirements of the *Residential Tenancy Act*. The Tenant Relocation Plan must be submitted to staff as a part of the development application submission package and will be considered by the Land Use and Planning Committee prior to Council giving First Reading of any associated Official Community Plan Amendment Bylaw, Land Use Contract Discharge Bylaw or Zoning Amendment Bylaw, or considering the issuance of a Development Variance Permit or Development Permit. The Tenant Relocation Plan must meet the following provisions and minimum submission requirements:

1.1. Occupancy Report

Documentation on the existing tenancies must be provided to the City and should include, at a minimum, the following information:

- List of occupied units
- Type of units (number of bedrooms) and current rent levels
- Size of Units
- Vacancy rate for the past year
- Type of tenancy (lease, month to month, fixed term, etc.)
- Start and end date of each tenancy
- Tenants who may require enhanced assistance (mobility issues, seniors, etc.)

The documentation of existing tenancies in the Occupancy Report determines tenant eligibility for assistance. Tenancies active when the Occupancy Report is accepted by the City are eligible for compensation, relocation assistance, and first right of refusal under this policy, and tenancies that begin after do not qualify for assistance other than receiving Notice of Application Submission and a copy of the Tenant Relocation Policy at the start of the tenancy, and any assistance required by the *Residential Tenancy Act*.

1.2. Vulnerable Tenants Approach

The developer may be required to provide additional support for vulnerable tenants (e.g. seniors, persons with disabilities, tenants with low income, mental health issues, etc.). This will be assessed and identified on an individual basis as part of the Occupancy Report.

- (a) Additional financial compensation may be requested for vulnerable tenants;
- (b) The developer is encouraged to partner with Fraser Health Authority or a non-profit organization to provide enhanced support to vulnerable tenants; and
- (c) An approach for vulnerable tenants must be identified within the Tenant Relocation Plan.

1.3. Tenant Communication Strategy

The Tenant Communication Strategy must outline how tenants are to be proactively engaged and notified of the development application process and timeline, any opportunities for input, where to direct enquires, and any applicable tenant resources.

The City recommends engaging tenants as early as possible and tenants should be made aware of any pending development applications to the City. Affected tenants must be engaged in a timely manner throughout the development application process and formal notice should be provided as follows:

- (a) Notice of Application Submission:
 - Notice of a development application submission must be given to existing tenants within two weeks of application receipt by the City. The notice must include a copy of the Tenant Relocation Policy and a Tenant Assistance Package. All new tenancies beginning after the application submission must also be provided with a copy of the Tenant Relocation Policy and made aware of the development application.
- (b) Formal Notice:
 - A minimum of two months formal notice must be given to residents upon issuance of demolition permit.

1.4. Tenant Relocation Coordinator

A dedicated Tenant Relocation Coordinator must be identified as a part of the Tenant Relocation Plan to facilitate direct communication with tenants and provide ongoing assistance on securing suitable replacement accommodations per the provisions identified in Section 1.6. The Coordinator is to be funded by the applicant and have regular hours and contact information where they are available to tenants.

1.5. Compensation

- (a) Financial Compensation must be provided based on length of tenancy and can be in the form of free rent, a lump sum payment, or a combination of the two. Where a lump sum payment would exceed \$15,000, the payment may be made in the form of a financial instrument (e.g. annuity, Guaranteed Investment Fund, etc.) that provides a guaranteed payout over a period of no less than three years, at the choice of the developer and subject to the City being named as an irrevocable beneficiary or otherwise enabled to ensure that changes cannot be made to the term and payments amount. For tenants whose tenancy began 10 years or less prior to the date the Occupancy Report is accepted by the City are to be paid 4 months' rent plus 2 months rent for each full year of tenancy, and tenants whose tenancy began more than 10 years prior to the date the Occupancy Report is accepted by the City are to be paid 14 months' rent plus 1 months' rent for each full year of tenancy, in accordance with the compensation table below. Compensation is to be paid out no later than termination of tenancy; and

Compensation Table

Length of Tenancy (in years)	Required Compensation
Less than 1	4 months' rent
1	6 months' rent
2	8 months' rent
3	10 months' rent
4	12 months' rent
5	14 months' rent
6	16 months' rent
7	18 months' rent
8	20 months' rent
9	22 months' rent
10	24 months' rent
11	25 months' rent
12	26 months' rent
13	27 months' rent
14	28 months' rent
15	29 months' rent
16	30 months' rent
17	31 months' rent
18	32 months' rent
19	33 months' rent
20	34 months' rent
21	35 months' rent
22	36 months' rent
23	37 months' rent
24	38 months' rent
25	39 months' rent
26	40 months' rent
27	41 months' rent
28	42 months' rent
29	43 months' rent
30, or more	44 months' rent

- (b) The developer must arrange and pay for an insured moving company to relocate existing residents into new accommodation.

1.6. Relocation Assistance

The developer must provide assistance in finding alternate accommodations for displaced tenants as follows:

- (a) Assistance in identifying a minimum of three (3) comparable alternate accommodations, two of which must be located in the City of White Rock or within five (5) kilometres of the City of White Rock's boundary, and one of which must be a purpose-built rental unit;
- (b) Maximum rents for alternate accommodations must not exceed the CMHC rent average for the area unless agreed to by the tenant;
- (c) If the current rent is above the CMHC average rent for the area, then alternate accommodations identified should not exceed the current rental rate; and
- (d) Alternate accommodation options identified must meet the needs of the tenant (e.g. accessible units, pet friendly, family friendly housing, etc.).

A tenant may choose to opt out of receiving assistance in securing alternate accommodations, but will still be entitled to the compensation, rights, and assistance outlined elsewhere in this policy. Written notice from the tenant must be submitted to the City indicating their intention to opt out of receiving relocation assistance.

1.7. First Right of Refusal

The developer must provide all displaced tenants the first right of refusal to live in the new building based on the following options:

- (a) The developer must provide displaced tenants with the first right of refusal to rent a unit in the new development at rents below starting market rent for a similar unit in the new development for a period of one (1) year, after which rents may increase in accordance with the *Residential Tenancy Act*. These initial rents for returning tenants must be in accordance with the following table:

Length of Tenancy (in years)	% Below Market Rent
Less than 1	20%
1	21%
2	22%
3	23%
4	24%
5	25%
6	26%

7	27%
8	28%
9	29%
10 or more	30%

- (b) The developer must provide displaced tenants with the first right of refusal to purchase a unit in the new development at a discount equal to the value of 12 month rent in the same unit; or
- (c) The developer must provide displaced tenants with the first right of refusal to rent an affordable unit in projects where affordable units have been proposed, provided the tenant meets the eligibility requirements for the affordable unit. These affordable units, rents and specific time period of affordable rents shall be identified in a related Housing Agreement.

2. Tenant Assistance Package

The Tenant Assistance Package is designed for use by tenants and must clearly communicate the developers' commitment to actively engaging tenants in the development process as outlined in the Tenant Relocation Plan. The Tenant Assistance Plan must be submitted as a part of the development application submission package for staff review and must be distributed to tenants within two (2) weeks of receiving staff approval. The Tenant Assistance Package must at minimum, include the following:

- Timeline and overview of the development application process;
- A commitment by the applicant to provide advanced notifications and updates to tenants on upcoming Public Information Meetings, Council Meetings, and Public Hearings relating to the application;
- Contact information for a dedicated Tenant Relocation Coordinator;
- Methods for advising City staff and Council of concerns;
- Responsibilities of the developer to provide financial compensation (including information on First Right of Refusal);
- Method for requesting additional support by vulnerable tenants;
- A current copy of the British Columbia *Residential Tenancy Act*;
- A copy of the City's Tenant Relocation Policy;
- Copies of applicable tenant resources. Copies of tenant resources must also be made available on-site, in conspicuous locations within the building. Resources could include:
 - British Columbia Tenant Resource and Advisory Centre (TRAC)
 - Specialized resources for tenants who may need additional assistance
 - Other resources as appropriate

The developer is responsible for providing copies of all written correspondence and evidence that the Tenant Assistance Package has been provided to tenants, to City staff prior to staff bringing forward a report to Council for consideration of the development application.

3. Final Tenant Relocation Report

The Final Tenant Relocation Report must be submitted to City staff prior to issuance of a Demolition or Building Permit for the property. The Final Tenant Relocation Report must provide details for each displaced tenant on the following:

- An update to the outcome on the relocation of displaced tenants, including evidence that tenants have been satisfactorily assisted by the developer in locating alternate accommodations;
- The value of compensation given to each tenant including monetary compensation, free rent, cost of moving, and any additional assistance or services that were provided to the tenant(s).