

**MINUTES OF THE
RENTERS' ADVISORY COMMITTEE MEETING
OCTOBER 19, 2021**

YUKA KUROKAWA CALLED THE MEETING TO ORDER AT 6:33 P.M.

Committee Members: Yuka Kurokawa (Chair), Alieda Blandford, Vanessa Hammond, Leslie Robinson

Councillors Present: Councillor Andrew
Councillor Potts

Staff Present: Chloe Tunis – Tenant Planner
Ayla Conklin – Planning Secretary
Andrew Cusack – Senior Housing Planner

1. APPROVAL OF AGENDA

The committee discussed:

- Request to amend the agenda to change the order of the last two items.

Motion:

It was moved by Yuka Kurokawa, seconded by Alieda Blandford that the October 19, 2021 Agenda be approved as amended.

CARRIED UNANIMOUSLY

2. ADOPTION OF THE MEETING MINUTES

September 21, 2021 Meeting Minutes

Motion:

It was moved by Yuka Kurokawa, seconded by Alieda Blandford that the September 21, 2021 Meeting Minutes be adopted as presented.

CARRIED UNANIMOUSLY

3. ADMINISTRATIVE UPDATES

New Committee members will be joining next month's meeting. Andrew Cusack will be acting liaison until Chloe's replacement joins the team in early November. Next meeting includes appointing co-chairs. Group can discuss holding an additional meeting in December to discuss the work plan and determine new member availability.

The committee discussed:

- Feedback that the previous approach to co-chairs wasn't positive. The chair and style of chairing is dependant on the dynamic of the group. Suggestion to amend the Terms of Reference to define that the committee can choose whether to have a sole chair or co-chairs.
 - Suggestion to keep the co-chair officially and in practice have a chair and a vice chair. The vice chair would be the back up in the event the main

chair is absent. Terms of Reference would remain as-is.

- Suggestion for a new member to be a co-chair. The new co-chair can learn how meetings are executed and move into the main chair role next year. This could make a new member feel more comfortable and encourage their participation.
- All members agree and committee will present this idea to the new members next meeting.

4. ITEMS FOR FOLLOW UP – OPEN DISCUSSION

Roundtable discussion and review of outstanding items in anticipation of new work plan and committee members:

- Victoria Police Training related to evictions and RTB Compliance and Enforcement
 - Staff are still reviewing if this is feasible.
- BC Housing projects coming online: agreement with City of Victoria
 - In June a request was made to look at the MOU between the City and the Province. Councillor Potts is working on this and if it is possible to share. Projecting to discuss this topic in January 2022.
- City of Victoria actions on homelessness – July 2021 Homelessness Advocate Report and Council Motion
 - This report discussed the experience of homelessness and jurisdiction of each party. A focus on a more proactive approach for municipalities. This issue currently leans on Parks staff and Bylaw officers. Several recommendations were made, and a suggestion was to hire a homelessness advocate is part of the budget discussion for 2022.

The committee discussed:

- When is the *Official Community Plan (OCP)* due to be revised?
 - The OCP will be revised in either the first or second quarter of 2022. The amendments are related to technical updates such as zoning and heights.
 - City lawyers are preparing a separate report that will be brought to Council to advise on the feasibility of including the recognition of housing as a human right as a guiding value and vision of the City of Victoria's OCP. Staff have been approved to use this language in the Housing Strategy and reports. The legal work is in progress to confirm if it can be incorporated into the OCP.
- There is a lack of timeliness surrounding homelessness issues. Suggestion to push boundaries. It is essential to support the human right of housing.
 - Council has already expressed support by endorsing this. RAC can make a motion to go to Council. Other points in the motion are more action oriented.
- In terms of retaining old rental stock, it is not only renovictions/demovictions as issues. There is a lot of instability for long term tenants. There is no rent control when a tenancy ends. Companies begin pushing tenants out.
 - Vacancy control is outside of the jurisdiction of the City. However, an advocacy motion could be passed to encourage Council to advocate to the Province. Suggestion to include this in a future meeting, or a subcommittee meeting. It's not a project for City staff to take on.
- Support to draft a motion to the AVICC regarding vacancy control. Would it be possible to bring vacancy control through the RBLB? Is it true that if Provincial

law isn't addressing an issue, municipalities have authority to step in?

- City was able to implement the RPSOM because there is mention in legislation that the municipality can go above what is in place. Rent control does not have this legislation/language allowing municipalities to intervene. We would have to advocate to the province for municipalities to go above and beyond.
- Discussions with Business Licensing on the current process with landlords. Anyone who rents a property is required to have a business licence. There is an exemption if a landlord is renting two or less suites/rooms from their primary residence.
 - Is there a way for a tenant to confirm if their landlord has a licence?
 - Yes – there is a general email (businesslicence@victoria.ca) to contact the business licensing team. The licenses are renewed automatically annually.

5. UPDATE ON RENTAL BUSINESS LICENCING BYLAW PROJECT

Andrew Cusack, Senior Housing Planner provided an update on the latest Council direction regarding the RBLB project.

- Staff initially recommended that development of the bylaw be postponed for two years in order to observe the RTA amendments. Council requested that staff investigate, consult with RAC and report back to Council.
- The mayor reopened the motion at Council. Based on a letter from New Westminster to the Supreme Court of Canada, it was recommended that the development of the bylaw be postponed and that the situation be monitored with staff instructed to report back in three months. The situation if further complicated due to New Westminster's bylaw being challenged by LandlordBC at the Supreme Court of Canada.
- The New Westminster bylaw has been rendered unenforceable because the new RTA amendments, which came forward after their bylaw was enacted, have changed the process for requesting a renovation. The changes to the RTA removed the legislation that triggered the New West bylaw.
- Close contact is being maintained with New Westminster on how they are navigating the situation.

Andrew will be providing another update prior to going back to Council.

The committee discussed:

- Is it correct that New Westminster is looking into how to address the gaps of the RTA?
 - In the RTA amendments there are two potential gaps that are addressed in the New Westminster bylaws and the City's draft bylaw. The two gaps are:
 1. There is no financial assistance for tenants if the apartment needs to be vacated for renovation work but an eviction is not approved/required.
 2. If the eviction is approved, the right of first refusal is offered to the tenant. No rent control requirements for this, so most cases would be at the market rate.

- The New Westminster bylaw and the City's draft bylaw both required the right of first refusal be offered at the previous rent.
- If an eviction is not required/approved, the RTA amendments allow a landlord to increase the rent once proof of the completed renovation is provided to the RTB. The landlord can apply to the RTB to increase the rent by 3% per year (in addition to the regular annual rent increase) for three years permanently (a total of 9% + regular annual increases).
- In staff consultations with staff at the City of Toronto they advised that the Province of Ontario requires that the right of first refusal be at the previous rent. Where does this project stand now?
 - Staff will be reporting back to Council in three months on how the RTA amendments are performing. Regular communication with New Westminster will take place.
- Are there specific requirements for businesses to follow in order to obtain their business license?
 - The core issue is that changes to the provincial legislation affect the ability of the City to enforce f the draft bylaw as it was designed.
 - There would also be significant work to be done in setting up a new compliance and enforcement structure.

6. ADJOURNMENT

Motion:

It was moved by Yuka Kurokawa, seconded by Alieda Blandford that the Renters' Advisory Committee meeting of October 19, 2021 adjourned at 7:50 P.M.

CARRIED UNANIMOUSLY