

Tenant Assistance Plan

This form must be submitted with your rezoning or development application. For contact, please send questions to your development services planner.

SUMMARY: Instructions and steps for Developers and Property Owners

STEP 1	BACKGROUND: Understand your rights and responsibilities as a landlord. Please review the documents in the background section pertaining to relocating tenants and the City's rental replacement policies.
STEP 2	POLICY APPLICATION: Complete tenant impact assessment to determine the requirements of your application.
STEP 3	Complete application requirement, including: a. Current Site Information b. Tenant Assistance Plan c. Tenant Communication Plan d. Appendix A - Current Occupant Information and Rent Rolls (For office use only) e. Appendix B - Correspondence with Tenants Communication (For office use only)
STEP 4	SUBMIT: Complete form and submit to: a. Email digital copy of plan to housing@victoria.ca (include appendices)
STEP 5	REVISE: Applicant to update and return application requirements with staff input.
STEP 6	FINALIZE: City staff to finalize the review and signs off application requirements and used as attachment for the Committee of the Whole report.

BACKGROUND: Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the [Residential Tenancy Act](#).

Please refer to the City of Victoria's [website](#) for more information regarding the City of Victoria's rental housing policies. Supporting documents include:

- Tenant Assistance Instructions and Checklist
- Tenant Assistance Policy
- Frequently Asked Questions
- Sample Letter to Tenants
- Request for Tenant Assistance Form and Privacy Guidelines
- Final Tenant Assistance Report

POLICY APPLICATION: Tenant Impact Assessment to Determine the Requirements of your Application

Answer the questions below to determine whether a plan is required with your application:

Tenant Impact	Indicate:		Application Requirement
Are you redeveloping or demolishing a building that will result in loss of existing residential units?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete the next question.
Does your work require the permanent relocation of tenant(s) out of the building?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete and submit a tenant assistance plan.
Do you have tenant(s) who have been residing in the building for more than one year?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, tenants are eligible under the tenant assistance plan

If any are selected no, then a tenant assistance plan is not required as part of your application.

TENANT ASSISTANCE PLAN

A. Current Site Information

Site Address:	1913-1915 Fernwood Rd
Owner Name:	Karl J Veldkamp
Company Name:	
Tenant Relocation Coordinator (Name, Position, Organization):	To be retained: not retained as of yet

EXISTING RENTAL UNITS

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR		
2 BR	2	754.00
3 BR		
3 BR+		
Total		

B. Tenant Assistance Plan

For any renovation or redevelopment that requires relocation of existing tenants, the property owner must create a Tenant Assistance Plan that addresses the following issues:

- Early communication with the tenants
- Appropriate compensation
- Relocation assistance
- Moving costs and assistance
- Right of first refusal

The City has developed a Tenant Assistance Plan template that is available for applicant use. The template includes the required FOIPPA section 27(2) privacy notification which should be identified for tenants.

Please refer to the Tenant Assistance Policy with Tenant Assistance Plan guidelines for Market Rental and Non-Market Rental Housing Development.

Required under the Residential Tenancy Act

Notice to End Tenancies

A landlord may issue a Notice to End Tenancy only after all necessary permits have been issued by the City. In addition, landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice.

For more information, please refer to the [Landlord Notice to End Tenancy](#).

Renovations and Repairs

Renovations and repairs must be so extensive that they require the unit to be empty in order for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating a tenancy. The RTA and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit.

For more information, please refer to [Ending a Tenancy for Landlord's use of Property](#).

Right of First Refusal

In instances of renovations or repairs requiring vacancy, the RTA requires tenants be offered the right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units, and there are financial penalties for non-compliance.



For more information, please refer to [Tenant Notice: Exercising Right of First Refusal](#).

For full details, please check the Government of British Columbia [website](#).

Tenant Assistance Plan Components	APPLICANT		CITY STAFF
	Tenant Assistance Plan		Did the Applicant meet policy?
	Date:	February 12, 2020	
Compensation Please indicate how you will be compensating the tenant(s).	Tenant 1: 4 months rent at \$750.00/month = \$3000.00. Tenancy started in 2011, with full knowledge that the property was being considered for development (see lease attached). Tenant has confirmed that he thinks the amount is appropriate - as he understands he has paid the same under market rent for 9 years. Staff note: See staff comments. Tenant 2: Has been a tenant for over 20 years, and thus will be compensated with 6 months rent at the CMHC average 2020 rent level for a 2 bedroom unit. (CMHC average is higher than current rent)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Moving Expenses Please indicate how the tenant(s) will receive moving expenses and assistance.	Tenant 1: agreed in lease that he did not need moving expenses covered, which has been reconfirmed recently. Tenant 2: Moving expenses covered at \$750. Staff note: See staff comments.		Yes <input type="checkbox"/> No <input type="checkbox"/>
Relocation Assistance Please indicate how the tenant(s) will receive relocation assistance.	Tenant 1 has made it very clear that he does not need relocation assistance. Tenant 2 will need relocation assistance. Due to some medical challenges and limited resources, a tenant relocation coordinator will be hired forthwith. Even though vacant possession may not be needed until much later in 2020, we intend to take early steps. The main floor tenant, who has worked at the Social Services branch of the provincial government, has indicated he is willing to assist in any way he can, as a neighbour who has known this tenant the last 10 years.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Right of First Refusal Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning.	If the units become rental, the City of Victoria's ROFR policy applies, and I will comply with the policy and provide a first right of refusal to both current tenants, which will be at the then market rent less 10%.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Tenants Requiring Additional Assistance Please indicate whether there are tenants requiring additional assistance. If so, please indicate how the applicant plans to provide additional support.	Tenant 2 will require additional assistance, as per notes above. The primary support will be: 1. 6 months rent 2. Moving allowance 3. Retaining a tenant relocation coordinator (seen as a key element of this plan) 4. Having additional assistance of the tenant's daughter together with the main floor tenant (who has been his neighbour for 9 years)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Other Comments			

Tenant Communication Plan Components	APPLICANT	
	Tenant Communication Plan	
	Date:	February 12, 2020
How and when did you inform tenants of the rezoning or development application?	Tenant 2 has known about the plans to develop for over 10 years. He knows that his rent has been kept below market levels for the last 20 years in recognition of this. The property manager has advised him continually over the years of the development and in March of 2018, the notice of development was posted (still there). He also received notice of the Fernwood Community Association public meeting. Main floor tenant: Signed lease knowing of the plans and his mother (who manages the property) has kept him fully informed throughout his tenancy.	
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?	Upper floor tenant: Through verbal updates from property manager, emails, and calls to his daughter. Main floor tenant: By emails and phone calls directly and by updates from his mother.	
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	Although not named/retained as of yet: My focus will be on retaining a resourceful and able tenant relocation coordinator. In terms of resources being communicated - see the information above.	
Have tenant(s) confirmed with you whether they request assistance? If so, please indicate the staff responsible or whether a third-party service is requested.	Main floor tenant has made it clear he does not need assistance. Upper floor tenant has not communicated with me directly, but his daughter has confirmed that he will need assistance.	
Other communications notes:		

FINAL TAP Review - [For City Staff to complete]

Application received by Amanda Blick McStravick  (City Staff) on February 12, 2020  (Date)

Did the applicant meet TAP policy? Yes ☐ No ☒

Staff Comments on
final plan:

While this TAP does not technically meet policy due to alternative arrangements made between Tenant 1 and the landlord (see details below), evidence has been provided that this tenant is satisfied with the alternative arrangements. Therefore staff can support this TAP as adequately compensating tenants. The plan does meet policy on all accounts for Tenant 2, with whom no special agreements were made.

Note on compensation for Tenant 1:

Tenant 1 has agreed in writing to have his compensation capped at current market rent, rather than CMHC average as outlined in policy, due to an arrangement with the landlord that the unit was rented at a below-market rate for several years due to future redevelopment plans.

Note on moving expenses for Tenant 1:

While the Tenant Assistance Policy stipulates per-bedroom moving allowances, Tenant 1 previously agreed through a provision in his rental agreement to waive moving costs.