

# Tenant Assistance Plan

The Tenant Assistance Plan and appendices must be submitted at the time of your rezoning application, and should be submitted directly to [housing@victoria.ca](mailto:housing@victoria.ca). Please contact your Development Services Planner with any questions.

Date of submission of Tenant Assistance Plan to City:

December 14, 2023

## Current Site Information

Site Address	1276 - 1278 Gladstone Avenue
Owner Name	Ashley Kiptoo and Tonny Kiptoo.
Applicant Name and Contact Info	Tonny Kiptoo, Telephone: 250-858-7257
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info)	David Milne, Property Manager GMC Projects 250-885-8961

### Existing Rental Units

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR		
2 BR		
3 BR	1	\$3000
3+ BR	1	\$4000
Total	2	\$3500

### Current Building Type (Check all that apply):

- Purpose-built rental building
- Non-market rental housing
- Condominium building
- Single family home(s), with or without secondary suites
- Other, please specify:

## 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](#). The City of Victoria's [Tenant Assistance Policy](#) is intended to supplement the Residential Tenancy Act and offer additional support for tenants in buildings that are being considered for redevelopment. To review the full Tenant Assistance Policy and supporting documents, please refer to the [City of Victoria's website](#).

## Policy Applications

If your plans to redevelop this property will result in a loss of residential rental units AND will require tenants to relocate out of the existing building(s), please submit a Tenant Assistance Plan with your application.

**Do you have tenant(s) who have been residing in the building for more than one year, at the time when application is submitted?**

**Yes**

If yes, tenants are eligible for support. Please complete the full form.

**No**

If no, please skip to and complete Appendix A: Occupant Information and Rent Roll.

When completing this form, please refer to the Tenant Assistance Policy guidelines for Market Rental and Non-Market Rental Housing Development. Please note that the form includes the required Freedom of Information and Protection of Privacy Act (FOIPPA) section 27(2) privacy notification which should be communicated to tenants.

## APPLICANT:

Please complete the following sections to confirm the details of the Tenant Assistance Plan:

**CITY STAFF:**  
**Did applicant meet policy?**

### 1. Compensation (Please see [Section 4.1](#) for Market Projects and [Section 5.1](#) for Non-Market Projects)

For market rental housing, compensation is recommended to be based on length of tenancy at either:

1. The higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually and identified in Table 1 – Rental Compensation below) or the tenant's existing rent; or
2. Free rent in a different building

1.a. Please indicate how you will be compensating the tenant(s).

<input type="checkbox"/> Free Rent	<input checked="" type="checkbox"/> Lump Sum Payment	<input type="checkbox"/> Combination
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1.b. Were the tenant(s) consulted in this decision?  Yes  No

1.c. Please describe how tenants will be compensated based on length of tenancy.

1276 Gladstone - 3months x \$3000 = \$9,000.00  
1278 Gladstone - 3months x \$4,000 = \$12,000.00

Yes

No

### 2. Moving Expenses (Please see [Section 4.2](#) for Market Projects and [Section 5.3](#) for Non-Market Projects)

2.a. Please indicate how the tenant(s) will receive moving expenses or assistance.

<input type="checkbox"/> Hired Moving Company	<input checked="" type="checkbox"/> Flat Rate Compensation	<input type="checkbox"/> Combination
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2.b. Were the tenant(s) consulted in this decision?  Yes  No

Yes

No

### 3. Relocation Assistance (Please see [Section 4.3](#) for Market Projects and [5.4](#) for Non-Market Projects)

3.a. Is the Tenant Relocation Coordinator internal or external to your organization?

<input type="checkbox"/> Internal	<input checked="" type="checkbox"/> External
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3.b. Providing as much detail as possible, please indicate how the Tenant Relocation Coordinator will engage with tenants, including when they will start engaging, how often they will engage, and what methods they will use to communicate with tenants.

We will use David Milne, property manager for GMC Projects, a residential rental owner in Victoria with over 180 rental units. He will also reach out to his network to assist tenants with finding alternative rental housing options if there is none suitable within the portfolio.

Yes

No

<b>APPLICANT:</b> Please complete the following sections to confirm the details of the Tenant Assistance Plan:	<b>Did applicant meet policy?</b>
<b>4. Right of First Refusal</b> (Please see <a href="#">Section 4.4</a> for Market Projects and <a href="#">5.5</a> for Non-Market Projects) <p>4.a. Does right of first refusal apply to the project? <i>(If the residential property has 5 or more rental units, then yes)</i></p> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>4.b. If right of first refusal is offered, how will this apply to returning tenants?</p> <div style="border: 1px solid black; padding: 5px; min-height: 60px;"> Upon completion of the redevelopment, the tenants will be offered the right of first refusal to return to their building at rents starting at 20% below market. </div>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>5. Tenants Requesting Additional Assistance</b> (Please see <a href="#">Section 6.0</a> ) <p>5.1 Have tenants been provided with the additional assistance form and policy?</p> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>5.b. Have tenant(s) requested additional assistance above tenant assistance policy expectations?</p> <div style="border: 1px solid black; padding: 5px; min-height: 80px;"> The tenants have been provided with the additional assistance form and have indicated that they require no additional assistance. </div>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>6. Notification and Communication</b> (Please see <a href="#">Section 3.4</a> )	
6.a. Have all tenants been informed of the proposed rezoning or development? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>6.b. How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?</p> <div style="border: 1px solid black; padding: 5px; min-height: 150px;"> We will provide all project updates to the tenants, via email, in person, text or call on the on going rezoning application process at each stage as required through the tenant assistance plan. </div>	
<b>7. Tenant Resources</b> (Please see <a href="#">Tenant Resource Guide</a> )	
7.a. Have tenants been provided with the Tenant Resource Guide? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>7.b. How have or will you facilitate tenants in accessing these resources?</p> <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> I have provided the tenants with links on how to access the tenant resource guide and I have followed up to confirm that they have received it and understand the resources available. </div>	

**8. Final Tenant Assistance Report** (Please see [Final Tenant Assistance Report](#))

8.a The City of Victoria requests that applicants submit a Final Tenant Assistance Report detailing how the Tenant Assistance Plan was completed prior to the issuance of an occupancy permit.

I have read and understand this statement

**Other Comments:**

# FINAL Tenant Assistance Plan Review - [For City Staff to complete]



Application Reviewed By:  (City Staff) Date:

Did the applicant meet TAP policy?:  Yes  No  N/A

Staff comments on final plan:

This Tenant Assistance Plan meets policy expectations with respect to rent compensation, moving costs, and relocation support. The applicant has hired a relocation coordinator, with direct access to rental properties in the region, to assist the two eligible tenants with relocation. Right of first refusal is being provided to eligible tenants at 20% below market.

# APPENDIX C: Tenant Assistance Policy Compliance with the Freedom of Information and Protection of Privacy Act



Please ensure this form is signed by both the Applicant and the Tenant Relocation Coordinator, if applicable.

The City of Victoria's Tenant Assistance Plan (TAP) collects tenant personal information to assist them to find new, comparable, accommodations. Collecting tenant personal information requires the City and developers' Tenant Relocation Coordinators to collect in compliance with FOIPPA. Following these privacy guide-lines will maintain the required compliance.

**Collection:** Appendix A of the Tenant Assistance Plan (TAP) collects this personal information, tenant name, length of tenancy, dependents and needs and vulnerabilities (e.g. fixed income, affordable housing, disabilities). Section 26 of FOIPPA lists all the purposes in which personal information may be collected. Helping tenants find new, comparable, accommodations is the only purpose for collecting their personal information. This purpose complies with section 26(c) that states: "the information relates directly to and is necessary for a program or activity of the public body". Tenants' personal information cannot be used for any other purposes.

**Use:** Tenant's personal information must comply with section 32(a) of FOIPPA that states, "it must be for the purpose for which that information was obtained or compiled, or for a use consistent with that purpose (see section 34)". The purpose is the same as that in which it was collected under section 26(c). There are no consistent purposes under the TAP program. Tenant's personal information can only be used to provide the assistance that the TAP program provides.

**Disclosure:** FOIPPA list only those reasons in which personal information may be disclosed and it can only be disclosed to individuals inside Canada. The tenants' personal information can only be disclosed in accordance with section 32.2(a) that states, "for the purpose for which it was obtained or compiled". In other words, disclosure is only to those who require it in order to perform work that "relates directly to and is necessary for" delivering the assistance available under TAP (e.g. on a "Need to Know" basis).

**Accuracy:** FOIPPA requires that "every reasonable effort" be employed to collect personal information. When tenants complete a tenant letter, they need to review the personal information they provide to confirm it is correct. Also, double for accuracy when transcribing from the letters to Appendix A.

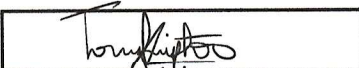
**Correction:** Tenants can request to review and correct their personal information at any time including a year after the decision is implemented regarding the assistance they received under TAP. The City will provide the access, therefore, developers do not need to retain their tenant records for a year.

**Protection:** Every reasonable effort must be made to protect tenant information from unauthorized collection, use, disclosure, access or premature destruction. This includes password protecting tenant information, keeping it separate from other information, keeping it in one location, limiting access (need to know) and not sharing it unencrypted are all reasonable security efforts.


**Storage and Access:** FOIPPA requires that the tenant personal information be stored and accessed only from within Canada. Storing it on a cloud service provider, even one in Canada, is still likely to allow access from the US. Keeping it in a secure electronic folder with only one person with access is the most FOIPPA compliant.

**Retention:** Personal information is only kept for as long as it is operational required. Under TAP it can only be kept for one year after a decision has been made and implemented regarding the assistance a tenant us eligible for under TAP. After that, tenant letters must be destroyed so they cannot be reconstituted and the personal information in Appendix A must be aggregated so that specific individuals cannot be identified.

**Applicant:** I have read and understand my responsibilities with regard to compliance with FOIPPA as explained above

Signature:  Print Name:  Date:

**Relocation Coordinator (if applicable):** I have read and understand my responsibilities with regard to compliance with FOIPPA as explained above

Signature:  Print Name:  Date: