

Information for Coquitlam Renters in Market Rental Housing

Do you live in a market rental building that is being redeveloped? This handout summarizes the process and what you are entitled to under the provincial *Residential Tenancy Act (RTA)* and the City of Coquitlam's Tenant Relocation (TRP) Policy*.

1. Sufficient notice under the RTA
2. City Tenant Relocation Plan Requirements
3. Frequently Asked Questions
4. Resources

* The City of Coquitlam has an updated Tenant Relocation Policy as of Nov. 22, 2021.

This document is applicable to renters living in a rental building with at least five units or more, that is privately owned by an individual (or a company) who generally does not receive direct subsidies to purchase or maintain it. The rents are set by the private market. Tenants in single units owned by individual investors in a stratified building are not eligible. Tenants of secondary suites are not eligible.

For more information visit coquitlam.ca/housing

1. Tenants Have a Right to Sufficient Notice Under the RTA

The provincial government specifies certain rights for tenants and landlords through a document called the *Residential Tenancy Act*. This includes the minimum notice that your landlord must give you to move out in the case of renovations to, or demolition of, your building. As of May 17, 2018 landlords must now give tenants four months' notice to end tenancy. Tenants have 30 days to dispute the notice. More information is available from the [Residential Tenancy Branch](#).

If your landlord plans to demolish your building, they may give you a Notice to End Tenancy only after all the necessary permits have been issued. To check if a Development Permit, Building Permit or Conditional Demolition permit has been issued, or is in process, please contact the City of Coquitlam Building Permit Enquiry Line Phone: 604-927-3441; E-mail: permits@coquitlam.ca

What type of tenancy do you have	Under the RTA, to end your tenancy, your landlord must give you:
Month-to-month	Four months' notice
Fixed-term lease where you must move out at the end	No notice required, if it is at the end of the fixed term. As of December 11, 2017, fixed-term tenancy agreements can no longer include a vacate clause requiring a tenant to move out at the end of the term unless: a. The tenancy agreement is a sublease agreement; or b. The tenancy is a fixed-term tenancy in circumstances prescribed in section 13.1 of the <i>Residential Tenancy Regulation</i> . This Regulation specifies situations where a landlord or landlord's close family member plans in good faith to occupy the rental unit. Speak to your landlord.
Fixed-term lease where you can stay past the end	Four months' notice, only at the end of the fixed term or after. Speak to your landlord.



2. City of Coquitlam's Tenant Relocation Plan Requirements

Coquitlam Council has decided to go beyond the requirements of the *Residential Tenancy Act*. Developers/landlords are required to provide a Tenant Relocation and Assistance Plan (TRAP) which specifies how landlords are communicating with and assisting the building's current tenants when they are seeking a rezoning or development permit that would demolish and redevelop an apartment building with five or more units.

Eligibility: If you were living in the building on the date that the rezoning or development application was filed with the City, you are likely eligible for financial and moving compensation and the ability to move back into the new building at new market rates. In addition, if your income is below a certain level, you could be eligible to move back in at below market rates. After the City approves the draft TRAP for the development project, you will receive a letter from the developer/landlord advising you of your eligibility or ineligibility. If you are eligible for compensation, the TRAP must meet the following City requirements:

A. Communication and Engagement with Residents

The process and timeline of each development project varies but generally follows the steps below. The developer / landlord must hold a tenant meeting near the beginning of the process to inform tenants of their rights and answer any questions. The City encourages that affected tenants attend these meetings to learn the facts about the development and to ask questions of the landlord.

Typical Development Timeline



Important Milestones for Tenants

Development Stage	What information you can expect to receive from your landlord:
Pre-Application (this is different from a Full Application)	A brief description of your landlord's intent to redevelop or demolish your building. You do not need to move out yet! You will not be eligible for compensation if you move out at this stage.
Before your landlord or the developer applies to the City for Rezoning Application, Development Application or Building Permit, shortly after the Pre-Application is submitted	The applicant is required to host a meeting for tenants to further explain the project, application timelines, and the TRP process. You will not be eligible for compensation if you move out at this stage.
Full Application date of a Rezoning Application, Development Permit Application, or Building Permit Application has been submitted to the City's Planning and Development Department:	A summary of the TRP that has been approved by the City, including information on the compensation and support that you may be eligible for. After the date that the Rezoning or Development application has been formally submitted to the City, tenants become eligible to receive financial compensation and relocation support, when they decide to move out.
After ALL necessary permits are issued	Your landlord can give you an official Notice to End Tenancy with at least four months' notice, as required by the <i>Residential Tenancy Act</i> (RTA).

B. Financial Compensation

If you are an eligible tenant, compensation will be provided to you before or at move-out, based on the length of your tenancy. This can take the form of free rent, a lump sum payment, or a combination of both.

- > 3 months' rent for tenancies up to 5 years*
- > 4 months' rent for tenancies over 5 years and up to 10 years*
- > 6 months' rent for tenancies over 10 years and up to 15 years*
- > 8 months' rent for tenancies over 15 years and up to 20 years*
- > 10 months' rent for tenancies over 20 years*

*This includes the one month compensation required by the RTA



C. Moving expenses

You will be provided with moving expenses or with an arranged, insured moving company.

Size of Unit	Moving Compensation Required
Studio and one-bedroom	\$750 or arrangement of insured movers
Two-bedroom	\$1,000 or arrangement of insured movers

D. Support finding new housing

Tenants will be offered assistance to find alternate housing arrangements. Developers are required to present you with at least three potential apartment options. The options should be tailored to meet your needs, based on rental availability.

E. Right of First Refusal

When market rental buildings are redeveloped in Coquitlam, developers typically construct a new rental building which replaces the existing rental. When this happens, all eligible tenants have a Right of First Refusal to move back into the new building. If a tenant is interested in the Right of First Refusal, a form will need to be filled out, which will be provided by the applicant six months before the new rental unit is finished and ready for move-in.

If a tenant chooses to return to a newly built rental unit, they can be eligible for a 25% discount off starting market rents. In order to be eligible for this discount, tenants must meet the following income eligibility requirements, which is based on BC Housing's **Low and Moderate Income Limits** (requires you to provide a copy of the previous year's tax return):

- For residential units with less than two bedrooms, a gross household income that does not exceed the median income for couples without children in B.C., as determined by BC Housing from time to time. For 2021, this figure is **\$75,730**.
- For residential units with two or more bedrooms, a gross household income that does not exceed the median income for families with children in B.C., as determined by BC Housing from time to time. For 2021, this figure is **\$117,080**.

If you do not meet the income eligibility described above, you still have the first right of refusal to return to the new building at market rent.

3. Frequently Asked Questions

1. Do I have to wait until I receive my Notice to End Tenancy in order to get my compensation or can I move out before that?

For renters living in market rental buildings of five units or more, once a Rezoning or Development application is formally submitted to the City, tenants become eligible to receive compensation and relocation assistance when they move out.

2. How is the City's Tenant Relocation Plan different from a Mutual Agreement to End Tenancy?

Coquitlam's Tenant Relocation Policy will be updated by City staff from time to time. The minimum compensation package required is outlined above. In some cases, a landlord may also offer a Mutual Agreement to End Tenancy. The terms in such an agreement are negotiated between the landlord and the tenant, and do not involve the City. The Mutual Agreement to End a Tenancy (RTB-8) form is used by the landlord and tenant to formalize such an agreement.

In these situations, a tenant would need to decide between the City's TRP package and the offered Mutual Agreement to End a Tenancy. To make this decision, a tenant should compare what each of these packages offer and choose the option that best suits their needs.

4. Resources

BC Government—Residential Tenancy Act and Residential Tenancy Branch

Information on tenant and landlord rights under the *Residential Tenancy Act*

<https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

City of Coquitlam

Information on the City of Coquitlam's Housing Affordability Strategy and other housing-related initiatives is available at coquitlam.ca/housing.

Tenant Resource and Advisory Centre (TRAC)

Direct support and guidance on starting a tenancy, ending a tenancy, and dispute resolution <http://tenants.bc.ca/>

Phone: 604-255-0546 or 1-800-665-1185

City of Coquitlam

Planning and Development Department

604-927-3430

planninganddevelopment@coquitlam.ca
coquitlam.ca/housing

