

July 5, 2018

Email: RentalHousing.TaskForce@gov.bc.ca

Spencer Chandra Herbert
MLA (NDP) for Vancouver West End
923 Denman Street
Vancouver, BC V6G 2L9

Dear Mr. Herbert:

Re: UFCW 1518 Submission to the Rental Housing Task Force

The United Food and Commercial Workers Union Local 1518 serves more than 22,000 members in the retail food, community health, and industrial sectors across British Columbia. We improve quality of life for our members and their communities by standing together to fight for fairness.

UFCW 1518's diverse membership includes many young and lower-waged workers who are most directly affected by the affordable housing crisis. Measures that increase affordability and security for tenants will have a significant positive impact on our membership.

We welcome the opportunity to make submissions to the Rental Housing Task Force for changes to law and policy that will increase the well-being of our members and their communities.

Disincentivizing unfair evictions:

Tenants have experienced a marked increase in unmerited evictions so that landlords can circumvent the current rent control provisions of the *Residential Tenancy Act*.

These evictions contribute to individual loss of affordable housing, and to the overall loss of affordable housing stock. The subsequent rent increases often bear little relationship to investment made in the housing, but instead are pegged to whatever the market can bear.

We commend the government for removing the "vacate clause" loophole that facilitated so many of these unfair evictions and rent increases. To further disincentivize unfair evictions, we recommend:

- Tying rent control to the unit, instead of to the tenancy.
- Retaining and, if necessary, reconfiguring the provisions of the *Residential Tenancy Regulation* that allow landlords to apply for additional rent increases where expenditures warrant.
- Amending the right of first refusal provisions recently introduced into the *Act* to conform to these restrictions on rent increases.

These provisions, in concert, would ensure stability and fairness for tenants while permitting landlords to seek an appropriate return on investment.

Returning arbitrator discretion to permit late rent payments:

The law currently permits arbitrators no discretion to allow a tenant who is experiencing a temporary difficulty such as an accident, illness, or late paycheque, to pay rent outside the five-day window after receipt of an eviction notice. This lack of discretion exists even where no hardship exists to the landlord. One serious unexpected life event can mean the permanent loss of a tenancy. We recommend:

- Extending the deadline to pay rent or dispute an eviction notice for non-payment of rent to 10 days;
- Reinstating arbitrator direction to allow a later payment on tenant application.

Restoring a fair and meaningful dispute resolution process:

We commend the government for increasing access to dispute resolution by increasing staffing at the Residential Tenancy Branch, and creating an investigations and enforcement branch. Many of the inequities in the system result from unreasonable delays in the dispute resolution process and a lack of meaningful enforcement.

There nonetheless remains a significant imbalance of power and resources between landlords and tenants. This was exacerbated by the dismantling of the public legal services system by the previous government. Access to legal advice and representation for tenants would ensure a fairer dispute resolution process. We therefore recommend:

Restoring the public legal aid system for tenants, as per the resolution of the BC Federation of Labour at its 57th Convention.

In solidarity,



Patrick Johnson
Executive Assistant

PJ/sn

