

	Title: Updated Tenant Relocation Plans	Number: CO-84
	Authority: Council	Section: Development Services
	Date Adopted: July 22, 2024	
	Historical Changes:	

Purpose:

The purpose of this policy is to guide the relocation and compensation of residential tenants that live in purpose-built rental buildings that are being proposed for redevelopment. The relocation and the compensation of residential tenants is the responsibility of the applicant, referred to as the ‘developer’ in this policy, and the requirements in this Council Policy are in addition to the requirements of the Provincial *Residential Tenancy Act* (RTA).

Applicability:

Council Policy CO-84 applies to all new development applications that are proposing the redevelopment of existing purpose-built rental buildings, including townhouses and apartment buildings. This Policy is not applicable to strata-titled units that are rented, single detached homes, duplexes, or secondary suites. Council Policy CO-81 applies to all in-stream applications proposing the above.

Scope:

Each development application that proposes the redevelopment of existing purpose-built rental buildings will be required to create and implement a Tenant Relocation Plan to guide the relocation and compensation of tenants in these buildings. This Council Policy sets out the requirements for these Tenant Relocation Plans, which are to be implemented by the developer throughout the development application process for Zoning Bylaw Amendment (‘rezoning’) and Development Permit applications, from pre-application stage through to the demolition of the building(s) that are proposed for redevelopment.

Tenant Relocation Plans are to be submitted to City staff for review and comment, prior to the developer submitting their official development application for the subject property.

Following staff review and finalization of the Tenant Relocation Plan by the developer, the developer must provide official notice of intent to redevelop the subject building(s) to the tenants in these buildings before their application can be brought forward through the City application process. The developer is required to provide written confirmation to City staff once official notice and the Tenant Relocation Plan has been provided to tenants.

Developer-hosted and funded information meetings, known as Tenant Information Meetings (TIMs) and led by the developer's Tenant Relocation Coordinator (TRC), are to occur to inform tenants of the proposed redevelopment, timing thereof, their rights under the RTA and what assistance and compensation they will receive based on this Council Policy. An initial meeting is to be held prior to the development application proceeding to Advisory Design Panel (ADP) and Council. Further meeting(s) following Council consideration of the development application are also required to provide regular and timely updates to tenants, including following Council approval of the Development Permit and when a conditional demolition permit is issued by the City, which then enables the developer to provide the official four month notice to end tenancy to the tenants, according to Provincial RTA requirements. The TRC is required to be engaged by the developer throughout the process, from official application stage until the last tenant(s) leave the subject building prior to service disconnections, which are required prior to demolition of the building.

New tenants, who seek to sign rental/lease agreements following official notice of intent to redevelop to tenants, or notice to end tenancy (following receipt of a conditional demolition permit by the developer), must be made aware of the developer's intent to demolish and redevelop the building. This Council Policy does not apply in these cases (*RTA* requirements still apply).

Tenants must maintain their tenancies in good standing. Tenants evicted for cause (defined, in accordance with the *RTA*, as an eviction considered to be at the fault of the tenant or their guests) are not eligible for compensation, assistance, or first right of refusal under this Policy.

Compensation and supports are to be provided on a per-unit basis. In the event that a unit has tenants which wish to relocate to separate units as a result of the development application, the developer shall provide them with all assistance individually. Compensation, including moving expenses, shall be provided on the basis of the single unit and offered to the leaseholder.

Policy Statement:

The City is anticipated to experience significant residential growth and redevelopment over the next 25 to 30 years. The arrival of SkyTrain will likely increase the current high level of redevelopment activity, and the Official Community Plan (OCP) and recent Provincial housing legislation ('Homes for People') will catalyze significant increases in available residential density on properties within a 5 to 10 minute walk of the Downtown, the Langley City Centre and Willowbrook SkyTrain stations and the Langley Centre bus exchange. Given this context it is reasonable to expect that multiple existing purpose-built rental buildings will undergo redevelopment during this time. While this will renew the City's rental housing stock over time, it will also result in the displacement and relocation of tenants living in these buildings.

In response to this, the OCP includes Policy 1.18 which requires developers to undertake the following when proposing to redevelop an existing purpose-built rental building:

1.18. Tenant Relocation Plans

Require development permits for redevelopment or major renovations resulting in permanent relocation of tenants in existing residential rental units to provide a Tenant Relocation Plan. At a minimum, and along with Council Policy regarding tenant relocation, the Tenant Relocation Plan must include the following components:

- 1.18.1. Early communication with tenants;*
- 1.18.2. Designating a relocation coordinator;*
- 1.18.3. Financial compensation provided based on length of tenancy and Residential Tenancy Act;*
- 1.18.4. Arrangement, at the choice of the applicant, for an insured moving company or a flat rate payout for moving expenses;*
- 1.18.5. Assistance finding new accommodations and relocation; and,*
- 1.18.6. Existing tenants shall be provided Right of First Refusal to move back into the new building or at the new non-market rents in circumstances when the replacement unit is social housing.*

While Policy 1.18 outlines the requirement for Tenant Relocation Plans and their key minimum components, it also identifies the use of ‘Council Policy regarding Tenant Relocation’. The intent of this is to ensure there is a Council Policy in place that provides additional details regarding tenant notice, compensation and relocation assistance that developers will be expected to provide affected tenants. This Council Policy also provides clear guidance and increased certainty for affected tenants, and can be reviewed and updated from time to time (i.e. bi-annually) to respond to changing conditions.

July 2024 Policy Update:

Tenant Relocation Plans Policy CO-81 was updated in July 2024 to become Policy CO-84, which includes updated requirements, tenant compensation and a lower First Right of Refusal rent/price. This is in response to the escalating rents, decreasing apartment vacancies and overall eroding affordability that occurred due to rapid inflation since 2022, and to account for an anticipated increase in vulnerable tenants per building as rental buildings are redeveloped over time.

Due to the anticipated increase in vulnerable tenants and the typically larger difference between long-term, vulnerable tenant rents and market rents (compared to shorter term tenants that are typically paying closer to market rents than vulnerable tenants), compensation levels in the Policy CO-84 are weighted towards vulnerable tenants, primarily in the form of increased months of compensation and moving expenses.

Lastly, the compensation and other financial components of Policy CO-84 are based on the generalized development economics of wood-frame apartment buildings, which currently is the primary development form in the City. This Policy will be reviewed annually and updates to the monetary components of this Policy will be considered on a bi-annual basis, depending on the state of the local rental market and development economics. The Policy will also be updated to account for the development economics of non-combustible, concrete construction when this development form becomes common in the City.

Implementation:

This Council Policy CO-84 further implements OCP Policy 1.18, and includes the following components and requirements that are to be undertaken by the developer throughout a development application process, from pre-application through to the departure of the last tenants in the subject building.

1. Communication with Affected Tenants

Affected tenants are to be informed in a timely manner throughout the development application process.

While official notices of the developer’s intent to redevelop the subject property is to be provided to affected tenants before the application can be brought forward through the City’s approval process, developers are encouraged to make tenants aware of their intent to redevelop the property as early as possible, including prior to making an official application, to maximize the overall notice period for tenants. Staff will also make Council aware when an official application is made to the City for the proposed redevelopment of a rental building and official notice is given to affected tenants.

The official notice shall include a covering letter and a copy of the Tenant Relocation Plan (as outlined below), including all relevant attachments.

Communication regarding all application-related meetings and milestones as may be applicable shall be provided to all tenants. Notices shall be provided at least two weeks before the date of the event and include a date, time, and description. Summary updates shall be provided following all meetings and milestones to summarize the content of the event and any resulting follow-ups or next steps. These meetings and milestones include, but are not limited to:

- Tenant Information Meetings;
- Public Information Meetings;
- Advisory Design Panel (ADP) meetings; and
- Council meetings.

All notices shall be provided to tenants through all the following communication methods for each notice, unless individual tenants express an alternate communication preference:

- Email;

- Website updates;
- Direct letters delivered to each tenant unit; and
- Posting of notices in a prominent and visible location in common areas (i.e. building lobby, townhouse complex entrances/commonly used areas).

Proof of notice(s) being provided to tenants shall be provided to City staff by the developer or their appointed Tenant Relocation Coordinator (TRC), either prior to or at the same time the notice is provided to tenants (least two weeks before the date of the event).

All new tenancies beginning after the development application submission must also be made aware of the development application and provided copies of the original official notice covering letter and Tenant Relocation Plan.

Tenant Relocation Plans

A Tenant Relocation Plan shall be produced and include the following:

- A commitment by the developer to provide advance notice and summary updates to tenants for all application meetings and milestones;
- General overview and timeline of the development application process as applicable, including the anticipated dates of:
 - Tenant meetings
 - Application submission
 - ADP consideration
 - Council consideration of 1st & 2nd readings
 - Council consideration of 3rd reading
 - Council consideration of final reading and approval
 - Development Permit issuance
 - Notices to end tenancy provided
 - Demolition;
- Developer's contact information, including name, phone number, and email;
- TRC's contact information and availability, including name, phone number, email, and hours of availability;
- City of Langley staff and Council contact information;
- Details on relocation assistance and financial compensation for tenants;
- Details on moving supports and allowances;
- Details on assistance finding new housing and associated relocation supports;
- Details on tenants' first right of refusal and potential options available in new proposed building;
- Methods for requesting additional support by vulnerable tenants;
- Links, websites, and phone numbers as applicable of tenant resources, including:
 - *The Residential Tenancy Act*

- Residential Tenancy Branch
- BC Housing, including specific information on program eligibility and application details for subsidized housing and rental assistance
- BC Tenant Resource and Advisory Centre (TRAC); and
- Associated attachments, including:
 - A blank Occupancy Report, which a tenant can use to provide unit, rent, and household information to the TRC;
 - City Tenant Relocation Plans Council Policy CO-84.

Tenant Information Meetings (TIMs)

A minimum of three Tenant Information Meetings (TIMs), which are group meetings between the developer, TRC, and all tenants, shall be scheduled for and held at the following points in the application process:

1. Following submission of the development application and provision of the Tenant Relocation Plan to tenants;
2. Prior to the application proceeding to a Council meeting for consideration of approval (min. 10 days before Council meeting); and
3. Following conditional Demolition Permit issuance and before issuance of notices to end tenancy. This is to ensure affected tenants are aware of the process, next steps, and notice to vacate as required by the *Residential Tenancy Act*.

Notice of TIMs shall be provided a minimum of two weeks before the meeting is held. Additional TIMs may be scheduled at the discretion of the developer. Tenants may also schedule individual meetings. Written summaries of meetings shall be provided to all tenants and City staff.

At the first TIM, the developer must provide all tenants with a copy of the Tenant Relocation Plan and present the following information:

- The developer's intent to redevelop their building and ultimately provide notices to end tenancy to tenants;
- Tenants' notice and compensation rights per the Provincial *Residential Tenancy Act* and Council Policy CO-84;
- The development application process and anticipated timing;
- The process and timing regarding notice to end tenancy notices;
- The relocation assistance and minimum compensation the developer will be offering tenants through the Tenant Relocation Plan;
- Resources for tenants to assist them in finding new accommodations and financial assistance, as required; and
- The name and contact information for the designated Tenant Relocation Coordinator (TRC), whose primary role is to assist tenants with finding and relocating to new accommodations and helping tenants access subsidized housing and rent assistance programs where necessary.

Website

The developer is required to create a tenant relocation website with all information as provided within the Tenant Relocation Plan. This website shall be maintained and updated with any additional information as it becomes available through the application and tenant relocation process, including notice postings.

The notice to end tenancy (otherwise referred to as 'eviction notice'), as required by the Provincial *RTA*, can only be provided to tenants once the Development Permit is approved by the City, a conditional Demolition Permit is provided by the City, and a TIM is held (per the TIM requirements above).

The subject building(s) can only be demolished once all tenants have been successfully relocated, the developer has provided notice to the City that the building is vacant, and building(s) service disconnects have been completed.

2. Tenant Relocation Coordinator (TRC)

The developer is required to retain a dedicated Tenant Relocation Coordinator (TRC) to directly communicate with affected tenants and provide ongoing support and relocation assistance in securing suitable accommodations throughout the development application process and according to this Council Policy, and the Tenant Relocation Plan provided to tenants.

The TRC is funded by the developer, and is required to be an independent, third party contractor or company that is not an employee of the developer's company.

In addition to leading tenant information meetings, the TRC is required to have regular hours that identify when they are available to meet/support tenants on an on-going basis via in-person and virtual meetings, email or phone. TRC contact information, hours and method of availability shall be readily available to tenants.

Occupancy Report

In order to best assist tenants with relocation assistance and determining financial compensation, the TRC will coordinate the collection of 'Occupancy Reports' that tenants can voluntarily complete and provide to the TRC. The developer/landlord will also have information on unit numbers, types and rents that can be provided to the TRC. The TRC will then use this information and Occupancy Reports to help determine tenant assistance and compensation. Occupancy Reports are to include this information:

- Unit types and sizes;
- Rental rates for each unit;
- Length of tenancy for each unit; and
- Demographic/household profiles (to determine if tenants are vulnerable and require additional assistance from the TRC).

The City reserves the right to request a copy of the Occupancy Report, with personal information redacted, for internal staff review at any time for the

purpose of monitoring the status and progress of tenant relocation assistance and tenant compensation throughout the development application process.

3. Relocation Assistance

The developer, through the TRC, is required to provide relocation assistance for all eligible tenants in the subject building through identifying relocation options and communicating these options to tenants. Specific requirements include:

- i. identifying at least three suitable dwelling options that are renting at or less than the average City of Langley market rent for the tenants' current unit type as published in the CMHC Rental Market Survey in effect at the time of application submission. These options must meet tenant's needs such as being accessible, family-friendly and/or pet-friendly. Options different than those above must be agreed to by the tenant;
- ii. suitable dwelling options are to be located within the City of Langley, Township of Langley or City of Surrey, or upon tenant request or agreement, suitable dwelling options can be located in municipalities other than the City of Langley, Township of Langley or City of Surrey;
- iii. relocation unit options shall have the same number of bedrooms as the tenant's current unit, unless otherwise requested by the tenant;
- iv. assisting tenants to secure a new unit through contacting property managers on behalf of tenants, arranging viewing appointments and providing references; and
- v. if applicable, TRCs are to also assist tenants with applications for rent supplements.

TRCs will be required to provide additional assistance to vulnerable tenants, as defined in and according to the Vulnerable Tenants section of this Policy.

Tenant relocation is to occur following approval of the subject application and issuance of notices to end tenancy during the notice period required by the *Residential Tenancy Act*. A landlord and tenant may also negotiate a Mutual Agreement to End Tenancy (as per Provincial legislation) that allows the tenant to relocate before the issuance of a notice to end tenancy.

4. Compensation

Financial compensation shall be provided based on each tenants' length of tenancy and their rental rates at the time of compensation. This compensation includes the *Residential Tenancy Act* (RTA) notice and compensation requirements, which is four months' notice and one month free rent or cash compensation equivalent.

Compensation is to be paid out at the time of termination of tenancy, in the following minimum amounts, in either cash and/or free rent per the tenant's preference. Length of tenancy is to be determined at the time of issuance of notices to vacate. If a unit has tenants which wish to relocate to separate units

as a result of the development application, the compensation is calculated based on the leaseholder.

Length of Tenancy	Minimum Compensation Provided
Up to 5 years tenancy:	4 months rent
6 to 10 years tenancy:	8 months rent
11 to 15 years tenancy:	12 months rent
16-20 years tenancy:	14 months rent
Over 20 years tenancy	16 months rent

Should a landlord and tenant enter into a Mutual Agreement to End Tenancy, the compensation provided by the landlord to the tenant shall exceed the minimums noted above.

5. Moving Assistance

Moving assistance, either through a cash payout or credit towards the cost of a moving company at the choice of the developer, shall be provided by the developer to all tenants according to these minimums:

- \$900 for 1 bedroom units;
- \$1,200 for 2 bedroom units; and
- \$1,400 for 3 or more bedroom units.

Note: Vulnerable Tenants shall be provided \$1,500 regardless of unit type.

6. Vulnerable Tenants

The developer, through the Occupancy Report and upon tenant request, is required to provide additional relocation assistance and financial compensation to vulnerable tenants.

Vulnerable tenants are tenants that have one or more of these characteristics, as confirmed by the TRC:

- are seniors aged 55 or older;
- have a recognized disability pension or are considered disabled for income tax purposes;
- qualify for deep subsidy or Rent Geared to Income (RGI) Units, according to BC Housing eligibility criteria; or
- are currently paying monthly rent that is equivalent to or less than average monthly rents for RGI units in the City.

Additional relocation assistance for vulnerable tenants requires the TRC to:

- i. identify non-market, subsidized units as options for vulnerable tenants;
- ii. identify accessible unit options, including those that are also non-market, subsidized options, as required;
- iii. work with non-profit/non-market housing providers to find accommodations for vulnerable tenants;

- iv. assist vulnerable tenants in making arrangements to apply for these units, including communicating with property managers on tenants' behalf to find units;
- v. Assist vulnerable tenants in visiting and viewing units, including by providing compensation for transportation costs separately from any other required compensation. The TRC and/or developer may require receipts to be provided for any travel compensated. In the scenario where compensation is provided in advance of travel, an equal deposit may be taken out of a tenant's compensation, to be returned upon the provision of a receipt with any additional funds either kept on deposit or returned to the developer;
- vi. assist with packing (manual packing assistance by movers working on behalf of the developer, and packing supplies, at no additional cost to the tenant up to a value of \$500, in addition to the vulnerable tenant moving assistance amount of \$1,500); and
- vii. assist vulnerable tenants in applying for rent supplements, as required;

The following financial compensation shall be provided to vulnerable tenants (this supersedes financial compensation identified in Section 4 above):

- vi. if a vulnerable tenant is relocated to a non-market, subsidized unit: 12 months rent for tenants with tenancies up to 10 years, 14 months rent for 11-15 years, 15 months rent for 16-20 years, and 16 months rent for over 20 years; and
- vii. if a vulnerable tenant is relocated to a rental unit that is not a non-market, subsidized unit: 16 months rent, regardless of tenancy length.

7. First Right of Refusal

The developer is required to offer first right of refusal to affected tenants to either return to the building as a renter or as a purchaser. Units offered to tenants for first right of refusal shall have the same number of bedrooms as their current unit, unless requested otherwise by the tenant.

- i. For tenants returning as renters, these tenants must be offered units with a rent set at 20% below the average City of Langley market rent for the subject unit type (bedroom count), based on comparing local CMHC average market rents, as published in the CMHC Rental Market Survey at the time of tenant return, with market rents and adjusting to attain a 20% below market rent.
- ii. For tenants returning as purchasers, these tenants should be offered equivalent units at a 15% discount off of the strata unit purchase price.

8. Final Tenant Relocation Report:

A Final Tenant Relocation Report is to be submitted to City staff prior to service disconnection and demolition of the subject building for the purposes of monitoring the effectiveness of this Council Policy. This Report is to include a summary of the relocation assistance and compensation provided to tenants including generalized information of where tenants relocated to (i.e. in the City,

outside of the City, in non-market housing, etc.), financial compensation to tenants, and any additional assistance that was provided to the tenants.

References:

Policy Number:	CO-84
Policy Owner:	Development Services
Final Approval:	Council
Date Approved:	July 22, 2024
Revision Date:	
Amendments:	
Related Policies:	
Related Publications:	Official Community Plan Bylaw