 <p>Capilano Students' Union</p>	<b>Policy No.</b>	<b>Approval Authority</b>
	IS-08	Board of Directors
	<b>Policy Name</b>	<b>Approval Date</b>
	<b>Student Tenancy Rights</b>	August 30, 2019
	<b>Responsible</b>	<b>Scheduled Review</b>
	Campaigns and Advocacy Committee	June 2022

## Summary

Students in the Lower Mainland and Vancouver Island struggle to find affordable rental housing both on and off-campus for the duration of their study period, leading many to live in cramped, overcrowded, and unsuitable accommodations.<sup>1</sup> In September 2018, the Government of British Columbia included a comprehensive housing plan in its budget announcement, committing \$450 million towards on-campus student housing to create at least five thousand new spaces.<sup>2</sup> Many post-secondary institutions have expressed a strong commitment to building affordable student housing, with over one thousand homes built in 2018 alone.<sup>3</sup>

However, the exclusion of student housing from the *Residential Tenancy Act* leaves thousands of students across British Columbia without rental rights. Student housing contracts are often one-sided, pay no attention to procedural fairness, and ignore the rights of the tenant in favour of the institution. In most cases, these contracts treat student housing like any other university property, ignoring the fact that they are actually homes to the students who live there.<sup>4</sup> The Capilano Students' Union supports a balanced approach to rights for student tenants that protect renters, while also acknowledging the many challenges post-secondary institutions experience as operators of student housing.

## Definitions

In this policy:

**"on-campus housing"** means housing operated by a post-secondary institution for students that is located within the boundaries of one of the post-secondary institutions' campuses.

**"off-campus housing"** means housing operated by a post-secondary institution for students that is located outside of the boundaries of one of the post-secondary institutions' campuses.

**"rental stock"** means the current number of housing units that are rental units.

**"Residential Tenancy Act"** means the British Columbia law that governs tenancy agreements, rental units, and residential properties – but which excludes any residence that is operated by a post-secondary institution (whether or not the housing is on or off campus).


<sup>1</sup> Hernandez, Jon. "Housing Crunch Pushes Vancouver Students toward Off-campus Dorms." *CBC News*, September 6, 2018, accessed online:

<https://www.cbc.ca/news/canada/british-columbia/housing-crunch-pushes-vancouver-students-toward-off-campus-dorms-1.4812307>

<sup>2</sup> Homes for B.C.: A 30-point plan for housing affordability in British Columbia. *Province of British Columbia*. Web. 19, accessed online: [https://www.bcbudget.gov.bc.ca/2018/homesbc/2018\\_homes\\_for\\_bc.pdf](https://www.bcbudget.gov.bc.ca/2018/homesbc/2018_homes_for_bc.pdf)

<sup>3</sup> "Hundreds of New, Affordable, Student Homes Coming to UVic." Office of the Premier. November 15, 2018, accessed online: <https://news.gov.bc.ca/releases/2018PREM0081-002199>

<sup>4</sup> *Protecting the Rights of Student Renters*. Alma Mater Society of the University of British Columbia Vancouver, September 2018, 1. *Alma Mater Society of the University of British Columbia Vancouver*, accessed online: <https://www.ams.ubc.ca/wp-content/uploads/2018/09/174-18-Housing-Long-Form-2017.pdf>

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“**order-in-council**” means an order of the Lieutenant Governor, with the advice and consent of the Executive Council (i.e., Cabinet); orders-in-council may be rescinded by subsequent orders-in-council, including after a change in government.

## Rationale

The Capilano Students’ Union has adopted these policy principles because:

- The 2018 investment of \$450 million in on-campus housing by the province will create a large increase in on-campus rental stock between 2019 and 2023;<sup>5</sup>
- Current students living in on-campus housing have no rights as tenants under the *Residential Tenancy Act*;<sup>6</sup>
- Increases in housing costs at other post-secondary institutions have occurred at rates in excess of 13% in a single year;<sup>7</sup> and
- Necessary rights that are guaranteed to all else who rent in B.C. are not extended to those who live in on-campus housing.


## Policy Principles

1. The Capilano Students’ Union supports the implementation of legislation or orders-in-council that support student rights in post-secondary institution operated housing, such as:
  - a. Housing contracts that must explicitly list calendar dates for the start and end of the tenancy agreement, and which prohibit a post-secondary institution from evicting residents prior to the end of the agreement unless the student is served with an eviction notice for community interactions.
  - b. Housing contracts that must explain what tenants can expect during a maintenance disruption, in addition to any repair timelines, with a process for students to file a complaint and a request for compensation with the institution if they believe that an outage has not been adequately addressed.
  - c. Requiring post-secondary institutions to provide posted notice of entry to a unit at least 24 hours prior to entry, and requiring that any such notice must provide a window of time within which the unit is to be accessed. A post-secondary institution would be allowed to enter rooms with less than 24 hours only when necessary in order to protect life and/or property.

<sup>5</sup> Homes for B.C. *Province of British Columbia*, 19.

<sup>6</sup> Residential Tenancy Act. *Province of British Columbia*. Section 4(b), accessed online: [http://www.bclaws.ca/civix/document/id/complete/statreg/02078\\_01](http://www.bclaws.ca/civix/document/id/complete/statreg/02078_01)

<sup>7</sup> Maltese, Senica. "UVic to Propose Increased Residence Fees." *The Martlet*, January 16, 2015, accessed online: <https://www.martlet.ca/uvic-to-propose-increased-residence-fees/>

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- d. Allowing involuntary transfers between housing units only for reasons of safety or extended repairs.
  - e. In the event a student is served with an eviction notice, they must receive, at minimum, one month's posted notice, regardless of the violation. If a resident has not paid their rent, the notice period may be shortened to 10 days.
  - f. Housing contracts that include an outline of a clear and specific process for tenants to report problems in their residence.
  - g. Requiring that all institutions have a Community Standards Appeals Process, which will be a transparent committee group, composed of students and, optionally, faculty and/or staff, provided that committee members must have no relation to the student housing administration.
2. The Capilano Students' Union will continually advocate for tenancy rights for on-campus residents through lobbying the provincial government and working with our partners at other student societies.