

Tips and Tricks for Rental Housing on Denman

An open door is only effective if someone walks through it. Denman Island now has new housing regulations allowing secondary suites and cottages, but this regulatory change, which reflected decades of community discussion, will only have meaning if Islanders step through the open doors it offers.

One of those doors is labelled “rental housing.” Reasonably priced, reliable, and comfortable rental options will, we hope, help keep young people and families on the Island, support seniors aging in place, and add colour and resilience to our social fabric.

But being a landlord can be daunting, and being a renter even more so, especially in a small Island community. Rental homes may not fulfil typical Canadian standards for comfort, hygiene and amenities, and they may come with unusual conditions (work-trades instead of rent, moving out during the summer, requests to let the owner stay on the property sometimes, etc). Our “do-it-yourself” culture can discourage people from following the protocols put in place to protect renters and tenants, so if things go wrong there is no clear path forward. And the close-knit nature of our community can show its shadow side -- when things go wrong the rumour mill can take over, wreaking havoc.

These sorts of situations make both landlords' and renters' lives miserable, and can discourage renting altogether. To contribute to a constructive culture around rentals on the Island, I did a bit of research and uncovered a few key pieces of key information:

The Residential Tenancy Act (RTA) applies to all rental housing in BC, with only a few exceptions. It protects both tenants' and landlords' rights and provides guidance for when and how the landlord can enter the premises, how a tenancy can be terminated, and much more.

If you do NOT have any written tenancy agreement, the RTA still applies. So you might as well have an agreement – this will make negotiating any potential conflict or uncertainty much easier. Also, it provides a structure for sitting down and talking about your mutual roles and responsibilities right at the beginning of the relationship, which is arguably the most effective way to circumvent future conflict. Sample tenancy agreements are available on the Residential Tenancy Branch website, below.

If the tenant is providing labour or other work rather than paying money as rent, the RTA still applies.

If your rental unit is “illegal” according to zoning, the building code, the Health Authority or any other set of regulations, the RTA still applies, with or without a written tenancy agreement. However, when a rental does not have typical facilities (indoor plumbing, Hydro, etc), the tenancy agreement is particularly necessary, and must include this information, so that it is crystal clear that both parties agree to this situation at the outset. But don't worry -- signing a tenancy agreement will not bring either party to the attention of any authority.

Engaging in gossip or trying to deal with disputes by getting the community on “your side” sows bitterness, division and mistrust, which can fester for years. Please don't do this! If you are a renter or tenant in a bind, ask a trusted community member for advice or mediation support, or use the BC Residential Tenancy Branch dispute resolution process. If you hear an upsetting report, stop to consider that you are definitely not hearing the whole story. Passing the news on, or passing judgement, is likely to make the whole situation worse for everyone.

Learning the rights and responsibilities of renters and landlords is an eye-opener. You can read the whole RTA on-line, or if you are not excited at the idea of reading legislation, consult the **excellent pamphlets published by support organizations**:

- *Guide for Tenants and Landlords*, published by the **BC Residential Tenancy Branch** (rto.bov.bc.ca; 1-800-665-8779)
- *Landlord Guide* and *The Tenants' Survival Guide*, published by **The Tenant Resource and Advisory Centre**, (tenants.bc.ca; 1-800-665-1185)

There is much vulnerability and power at stake in the rental relationship: for the tenant, it is about one of the most essential components of life: home. For the landlord, it is about their ability to manage and maintain (and perhaps pay for) their property, which is usually their present or future home. When it works well, which is usually does, this is a very beautiful

relationship – it can change lives, and provide our community with the diversity and vibrancy we so deeply desire and need. I hope this brief article helps.

For more info on the new regulations, see the January Flagstone, and/or talk to a planner at 250-247-2063.