

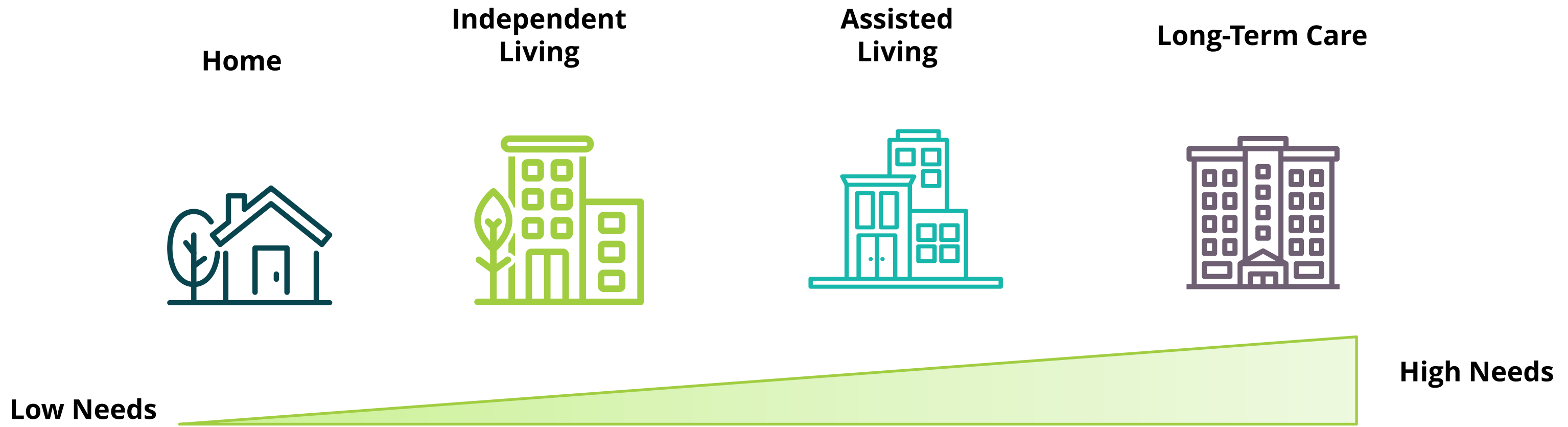
# Forgotten Rights: Seniors Not Afforded Equal Rent Protection

Dan Levitt  
BC Seniors Advocate  
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**SENIORS** ADVOCATE





## Continuum of Seniors Housing in B.C.



# Tenancy Issues

**Service package is tied to tenancy** – can't opt out or change basic mandatory services

**Not enforcing the law** leaves seniors vulnerable to:

- Unreasonable and unpredictable rent and service fee increases
- Illegal eviction
- Inconsistent and incorrect rental agreements
- Non-refunding of damage deposits



# Lack of Cost Protection



Marjorie was concerned about a proposed **24% increase** to her mother-in-law's monthly rate at an independent living residence. The monthly rate was \$1,848 with a proposed increase to \$2,300.

When Marjorie questioned the landlord, they stated the RTA did not apply.

She contacted the RTB and was told they may not have jurisdiction over this situation.



# Dispute Resolution

## Barriers to addressing complaints and disputes:

- Misinformation regarding rights and processes
- Few financial resources
- Self-representation at arbitration
- Lack of technological skills
- Health challenges with self and/or spouse

## Actions

- Ensure staff are trained and equipped to ensure seniors are protected
- Government doesn't track complaints so the extent of the problem is likely under-reported



# Pay Up or Move



Barbara received a second notice in a year saying her rent and services would be **increasing 14.3%**. The landlord advised the RTA did not apply when she raised concerns.

She refused to pay and was served a notice of eviction with 60 days to vacate.

Barbara contacted the RTB twice and was given conflicting information. She was too intimidated and frustrated to launch a dispute.

She was forced to move far outside her hometown to a new retirement home with more affordable rent.



# Industry Engagement

- Industry concerned about cost controls
- Rent increases have been mainly higher than the inflation rate for most of 20 years
- Landlords can apply for exemption under the law if needed
- Retirement homes are an important part of seniors living in B.C.
- Seniors deserve adequate protections



# Diane and Hugh's Story

- Rent a unit in independent living complex
  - One agreement for rent and services
  - Facing **11% rent increase** for last year
- RTB ruled in favour of landlord
  - Process was difficult, time consuming, intimidating
  - Landlord represented by legal counsel
- Denied ability to opt out of services, threatened with eviction
  - Despite arbitrator's ruling that the services were separate from rent
- Facing another **9% rent increase** for this year





# Recommendations

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## To the Ministry of Housing and Ministry of Health:

1. Take immediate steps to ensure Residential Tenancy Branch (RTB) consistently enforces the Residential Tenancy Act (RTA) in recognizing seniors living rental units are covered by the RTA as are any service fees they pay that are a requirement to rent their unit.
2. Review practices, capacity and expertise of RTB to address issues raised in this report regarding intimidation and vulnerability many seniors feel when trying to address legitimate residential tenancy issues with both the RTB and landlords.





**QUESTION**

**ANSWER**

# Contact

Toll-free: **1 877-952-3181**

In Victoria: **250-952-3181**

Monday to Friday: 8:30 a.m. – 4:30 p.m.

[www.seniorsadvocatebc.ca](http://www.seniorsadvocatebc.ca)

 [info@seniorsadvocatebc.ca](mailto:info@seniorsadvocatebc.ca)

 [facebook.com/SeniorsAdvocateBC](https://facebook.com/SeniorsAdvocateBC)

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