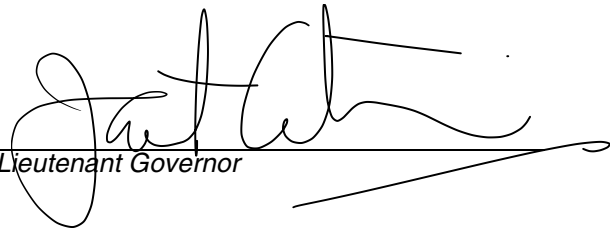


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 17

, Approved and Ordered January 18, 2024



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that effective February 28, 2024, the Residential Tenancy Regulation, B.C. Reg. 477/2003 is amended as set out in the attached Schedule.



Minister of Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Residential Tenancy Act, S.B.C. 2002, c. 78, s. 97 (2) and (3)*

Other: *OIC 1239/2003*

R20732703

SCHEDULE

1 Section 1 (1) of the Residential Tenancy Regulation, B.C. Reg. 477/2003, is repealed and the following substituted:

(1) In this regulation:

“**Act**” means the *Residential Tenancy Act*;

“**supportive housing rental unit**” has the meaning given to it in section 2.1 [supportive housing rental units].

2 Section 2 is amended

(a) by renumbering the section as section 2 (1),

(b) in subsection (1) by striking out “the requirements of”, and

(c) by adding the following subsection:

(2) Supportive housing rental units are exempt from sections 28, 29 and 30 (1) (b) [quiet enjoyment, entry and access] of the Act.

3 The following section is added:

Supportive housing rental units

2.1 (1) In this section:

“**housing stability support**” means a support described in subsection (4);

“**support worker**” means an employee of a supportive housing operator whose duties include providing housing stability support;

“**supportive housing operator**” means a person or body described in subsection (3).

(2) A rental unit is a supportive housing rental unit if all of the following criteria are met:

(a) the rental unit is located in a residential property that is operated by a supportive housing operator;

(b) the rental unit is provided to a tenant who has been assessed, according to criteria set by the supportive housing operator,

(i) as experiencing homelessness or as being at risk of experiencing homelessness, and

(ii) as a person who would benefit from housing stability support;

(c) housing stability support is available to at least one tenant of the rental unit;

(d) the rental unit is not provided on a temporary basis.

(3) A supportive housing rental unit must be operated by one of the following:

(a) the British Columbia Housing Management Commission;

(b) the Canada Mortgage and Housing Corporation;

(c) a municipality or regional district;

- (d) a corporation incorporated by, or in which shares have been acquired by, a municipality or regional district for a purpose that includes providing affordable housing;
 - (e) a treaty first nation;
 - (f) a board within the meaning of the *Health Authorities Act*;
 - (g) a society within the meaning of the *Societies Act*;
 - (h) a corporation within the meaning of the *Canada Not-for-profit Corporations Act*;
 - (i) a registered charity within the meaning of section 248 (1) of the *Income Tax Act* (Canada).
- (4) A support is a housing stability support if it meets all of the following criteria:
- (a) the support must be available on the premises of the residential property on which the supportive housing rental unit is located;
 - (b) the support must be provided by a support worker;
 - (c) receipt of the support by tenants must be voluntary;
 - (d) the support must be funded, in whole or in part, by
 - (i) a supportive housing operator referred to in subsection (3) (a) to (f), or
 - (ii) the government of British Columbia or Canada;
 - (e) the support must be of at least one of the following types:
 - (i) providing opportunities to participate in social or recreational activities intended to promote community inclusion, including activities that take place off the premises of the residential property;
 - (ii) providing opportunities to participate in skills training, including training that takes place off the premises of residential property, intended to facilitate independent living, including social and economic participation;
 - (iii) assisting with short- or long-term collaborative planning and providing follow-up with respect to setting goals, assessing needs, identifying resources and supports and reducing barriers to services;
 - (iv) making referrals to, and providing regularly-available assistance in accessing, community resources and health services for conditions that do not require emergency or acute care.

4 Section 13 is amended by adding the following subsection:

- (3) A landlord of a supportive housing rental unit is not required to include the following in a tenancy agreement:
 - (a) section 9 (1), (2) and (2.1) of the Schedule [*occupants and guests*];
 - (b) section 11 of the Schedule [*landlord's entry into rental unit*].