



# Memo to Council

Date: February 13, 2024  
Subject: Updating the Provincial Minimum Standards of Maintenance – Motion Served by Councillors Agtarap and Lubik

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## Motion Served

Notice of the following motion was provided at the January 23, 2024, Regular Council meeting:

**THAT the memo dated February 13, 2023 from the offices of Councillors Agtarap and Lubik regarding updates to the BC Standards of Maintenance Guide for rental units be received for information.**

**AND THAT Council advance the following resolution to LMLGA and UBCM for the 2024 conventions:**

**WHEREAS climate change is worsening conditions and increasing vulnerabilities in the built environment, especially for low-income renters, and the majority of 2021 heat dome deaths were in low-income and multi-unit residential buildings that lacked access to cooling, and poor building maintenance contributes to poor occupant health, and;**

**AND WHEREAS The *Residential Tenancy Act (RTA)* states in general terms that landlords must comply with health, safety, and housing standards required by law, including heat but not cooling, and the Province of BC enables local governments to enact standards of maintenance to enforce basic levels of maintenance for rental accommodation but many municipalities either do not have bylaws or bylaws that are inadequate in a changing climate;**

**THEREFORE BE IT RESOLVED THAT the Province make the necessary changes to the Standards of Maintenance Guide to align the BC Building code regulations for maximum and minimum temperature standards and ensure that considerations of health and climate hazards such as mould, precipitation, extreme heat and cold conditions, are included.**

**AND THAT the guidance be converted to regulation, with associated regional and/or provincial supports for investigation and enforcement such that communities of every size have protection for renters.**

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## Background

This motion requests the Province to update the Standards of Maintenance Guide to address increasing climate vulnerabilities in the rental building stock and to ensure that the minimum standard is enforceable in all communities in such a way that does not put an undue burden on local governments. The intent is to implement a minimum standard that would apply across the Province to ensure the health and safety of all British Columbians, especially the most vulnerable.

Several issues of rental maintenance have been raised in Port Moody. The City is in the process of developing a Standards of Maintenance bylaw, as recommended by the Housing Task Force. However, the lack of consistent standards of maintenance is an issue across the Province; some local governments have standards and associated bylaws, some do not, and what is covered can vary greatly. In the Lower Mainland, the need was recently highlighted by the Burnaby Mayor's Task Force on Housing report. This is in addition to the recommendations of the Provincial Rental Task Force<sup>1,2</sup>:

“The Task Force heard accounts of renters living in unsafe and uninhabitable conditions due to a lack of maintenance. In fact, “inadequate maintenance and building conditions” was the top challenge faced by renters throughout the province.”

Gaps also exist in the definition of health concerns, which are increasing in the climate emergency. BC landlords are sometimes responsible for heating systems, though not always, and cooling is not regularly included in rental units, especially in older building stock. The BC Building Code<sup>3</sup> now includes cooling requirements; this does not apply to existing buildings, which typically contains the most affordable rental stock. Concerns of mould have been raised multiple times in Port Moody and other BC municipalities, and are likely to increase with flooding and intense rains; however, there does not appear to be adequate resources/ legislation to investigate these issues and ensure repair.<sup>4</sup>

A Standard of Maintenance Bylaw is necessary and should be something that renters can rely on anywhere in the province. Many local governments are already overstretched, particularly in rural and remote areas. In other Canadian jurisdictions, standards are enforced by health authorities,<sup>5</sup> who have specialized expertise to understand health hazards and work with landlords to address concerns. There is a clear need for an enforcing body that is resourced to investigate and enforce the mitigation of hazardous rental conditions.<sup>6</sup>

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<sup>1</sup> BC Rental Housing Task Force report was completed in 2018. [The full report can be found here.](#)

<sup>2</sup> [https://engage.gov.bc.ca/app/uploads/sites/121/2018/12/RHTF-Recommendations-and-WWH-Report\\_Dec2018\\_FINAL.pdf](https://engage.gov.bc.ca/app/uploads/sites/121/2018/12/RHTF-Recommendations-and-WWH-Report_Dec2018_FINAL.pdf)

<sup>3</sup> [The BC Building Code, Division B – Section 9.33 Heating and Air-Conditioning](#) requires heating equipment be capable of maintaining an indoor air temperature of not less than 22°C in all living spaces. [On March 8, 2024, the Code will be updated to include cooling requirements](#): “All new residential buildings must provide one living space that is designed not to exceed 26 C. This may require a cooling appliance in many parts of the province, depending on weather and site conditions.”

<sup>4</sup> <https://www.interior-news.com/news/mould-a-health-risk-to-tenants-of-rundown-terrace-building-6511301>

<sup>5</sup> Alberta Health Services provides enforcement. <https://www.albertahealthservices.ca/Blogs/BTH/Posting273.aspx>

<sup>6</sup> Additionally, resources need to be made available to assist in accelerating climate resilient retrofits. The LandlordBC Rental Apartment Retrofit Accelerator ([RARA](#)) is one such example, though eligibility was limited to rental apartments in the City of Vancouver. This program is now closed.

## Requested Timeline

<u>Level</u>	<u>Criteria</u>	<u>Staff Turnaround Time</u>
<input checked="" type="checkbox"/> Urgent	<ul style="list-style-type: none"> <li>• Regulatory or interjurisdictional requirements</li> <li>• Major and immediate risk and/or financial impact</li> </ul>	< 3 months
<input type="checkbox"/> Time-sensitive	<ul style="list-style-type: none"> <li>• Significant impact to the community</li> <li>• Significant financial impact</li> </ul>	3-6 months
<input type="checkbox"/> Non-urgent	All other work	< 12 months
<input type="checkbox"/> Other		

## Council Strategic Plan Alignment

This motion aligns with the following Council Strategic Plan Goal(s):

- Strategic Goal 3.1 – Healthy Community Development: Prioritize transit-oriented development and diverse and equitable housing options consistent with community needs; and
- Strategic Goal 3.3 – Enhance Community Well-Being:
  - Facilitate community well-being through programs and long-term planning.
  - Incorporate our values, including diversity, equity, inclusion, Truth and Reconciliation, and climate action, into our policies, plans, and initiatives

## Council Options

The following responses are available for Council consideration:

1. Receive for information.
2. Refer to staff to bring back a report (staff will determine if the nature of the work warrants a project proposal or a staff report, and will include considerations with respect to feasibility, resources, timeline, strategic plan alignment, and legislative analysis).
3. Other.