



TAPROOT NEWSLETTER

SPRING 2024

Lost Opportunities

BC Courts Reject SRO Vacancy Control Bylaw

EMMA WHITE, VACANCY CONTROL CAMPAIGNER



A decision from the BC Court of Appeal released February 2nd struck down the City of Vancouver’s attempt to reinstate a bylaw that would limit rent increases between tenancies in SRO (Single Room Occupancy) housing. The bylaw aimed to address a critical loophole in provincial tenancy law that has been putting tenants in BC at imminent risk of eviction, homelessness, and displacement.

In **SRO housing**, rent is typically very low, largely because the standard of living conditions are sub-par. Unfortunately, SRO housing in Vancouver’s Downtown Eastside (DTES) is ripe for strategic redevelopment. Hundreds of vulnerable tenants have been evicted so that their homes could be rebranded as “luxury microsuites” and marketed to students and single professionals, leaving current tenants with nowhere to turn but streets and parks...

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WHERE TO FIND US

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TAPS is based on the traditional, ancestral, and unceded territory of the ɫək'ənən speaking peoples known today as the Songhees and Esquimalt Nations. We also operate on the unceded territories of the Snuneymuxw, Snaw-naw-as, and Stzuminus people, colonially known as Nanaimo, BC.

If you read Issue 147 of *Taproot*, you may recall that SRO housing is a form of rental housing where tenants each rent a bedroom and share a bathroom and/or kitchen with other residents, and that it is some of the only housing that is attainable for very low-income tenants. And, in response to this eviction epidemic that SRO tenants have been facing, the DTES SRO-Collaborative Society successfully advocated to the City of Vancouver for the creation of a bylaw capping rents in-between tenancies in SRO housing in 2021. This is a form of rent control known as **vacancy control**, which would help prevent eviction for profit by removing landlords' financial incentive to evict their tenants.

Over a year after the Supreme Court of BC ruled in favour of two private SRO landlords in August 2022 thus quashing the bylaw, dozens of SRO tenants and housing advocates packed the courtroom at 800 Smithe Street this past November to witness the legal appeal to have it reinstated (also covered in the last issue of *Taproot*.) On February 2nd, 2024, the decision was instead upheld.

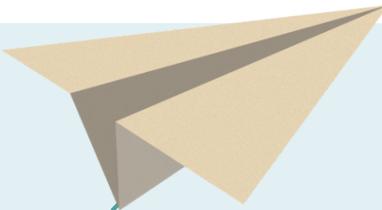
The decision not to reinstate the bylaw is a devastating loss for DTES tenants relying on SRO housing, which is widely considered housing of last resort before homelessness. It also signifies a loss of potential: a court ruling in favor of the bylaw could have opened the doors for Victoria and other BC municipalities to implement stronger rent controls where it is needed the most. Not only is BC failing at protecting its most vulnerable tenants from the impacts of displacement, but we have squandered the opportunity to trial an evidence-based policy solution that could fundamentally benefit the housing ecosystem as a whole.

Although Victoria is no longer home to any privately-owned SROs, we have no shortage of older housing units that are similarly ripe for redevelopment because of the opportunity for huge profits if they are renovated and marketed differently. Many of the residents of these older buildings are longstanding tenants paying below market rent due to within tenancy rent control who are therefore being targeted for eviction. This undoubtedly puts vulnerable tenants who are seniors, folks with disabilities, and other individuals and families subsisting on meager government assistance rates at imminent risk of becoming unhoused.

While government initiatives to add more rental stock are needed, they offer no relief to tenants suffering today. New data from the Canada Mortgage Housing Corporation (CMHC) is clear evidence of BC's need for vacancy control, where average rents for units in Vancouver that turned over to new tenancies in 2023 were 26.6% higher than rents for units that remained tenanted – in Victoria, this number was a staggering **41.5%**.

In ruling that the City does not have the jurisdictional power to create this sort of protection for its most vulnerable tenants, the courts have made one thing clear: it is the Province's responsibility to provide leadership on this issue. And, with the Green Party of BC joining the call for vacancy control on February 6th, it is becoming increasingly difficult for the NDP to ignore rising public pressure for real rent control.

To preserve affordability and protect renters from the devastating impacts of for-profit eviction, BC needs vacancy control now. If the Province is not willing to implement it themselves, the least they can do is stop standing in the way of local governments' attempts to create meaningful solutions for their tenants by explicitly granting municipalities this power.



Help TAPS send 5000 emails to BC MLAs in support of vacancy control!

Scan this QR code with your device or visit tapsbc.ca/vcnow to tell your MLA why BC needs VC now. Follow us on social media @tapsbc to learn more!



What's New at TAPS?

The cherry blossoms have bloomed on View Street which is always the tell tale sign at TAPS that Spring is on its way. As we exit 2023 we have a lot to be thankful for and plenty to look forward to as well, with our organizational strategic plan up for renewal and an office in Nanaimo that keeps steadily growing by the day.

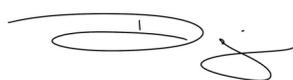
Following our AGM we have added two new members to our board, including our first board member from the Nanaimo area, Adrienne Cafariello, who presently works as a social worker for Island Health. As we navigate opening a TAPS office in a new city, we know that Adrienne's perspective will be an invaluable asset to our board. She is joined by Ashley Macdonald who previously spent time as the manager of the employment program at Our Place, bringing with her an in-depth understanding of the types of barriers many of our clients are facing. Sadly we had to say goodbye to board member Sandra Angus-Vincent, who has spent many supporting TAPS through her work with the Daily Dose Society. We are incredibly grateful for the contribution Sandy was able to make during her time on the board and wish her all the best as she focuses on the multitude of tasks in her current position.

It is with mixed emotions that we also announce the departure of our VDAP Coordinator, Megan Billings. Megan's clinical expertise and people skills have been incredibly valuable to the project and while we're sad to see her go, we know she will bring these skills with her to do great things at UVIC's Office of Student Life. Best of luck, Megan!

Filling in as Front Desk Coordinator while Sydnie is on leave, TAPS was thrilled to welcome longtime VDAP volunteer Nate Shelley to the staff team. We've also had the pleasure of welcoming two practicum students: Navreet Kaur joins us from Camosun's School of Business to help us through tax season, while Madison Burt from UVIC's Faculty of Law has jumped in on VDAP. Welcome Nate, Navreet, and Madison!

The past six months has been a period marked by growth not just for TAPS, but also for staff's families – our Staff Lawyer, Leila, joined the likes of Emily and Sydnie and departed on parental leave this February. We will miss her fierce advocacy skills and wealth of legal knowledge while she's gone and are wishing Leila and her family all the best in welcoming a new baby.

Until next time,



DOUGLAS KING
EXECUTIVE DIRECTOR



ANTONIA MAH
INTERIM DIRECTOR OF OPERATIONS

new staff spotlight



FRONT DESK
COORDINATOR

Nate (he/him)

Where did you grow up?

Duncan, BC

What are you watching right now?

Farscape

Best part about your job?

Interacting with our volunteers!

What's something you're proud of?

Completing honours for my sociology degree



PRACTICUM
STUDENT

Navreet (she/her)

Where did you grow up?

Punjab, India

What are you reading right now?

Canadian Tax Principles

What's your star sign?

Leo

Something you're proud of?

Myself!



PRACTICUM
STUDENT

Madison (she/her)

Where did you grow up?

Sorento, BC

One album you'll never get sick of?

Anything Taylor Swift!

Something that you're proud of?

Getting through my first year of law school

What are you reading right now?

Throne of Glass - Sarah J. Maas

Guest Bans and Surprise Visits

New Rules for So-Called “Supportive” Housing

NIKKI LEE, TENANT ADVOCATE, AND LEILA GEGGIE HURST, STAFF LAWYER

BC residential tenancy law protects a tenant’s right to reasonable privacy and restricts landlords from entering rental units to certain limited circumstances. However, in January 2024, the provincial government announced changes to tenancy law that, in essence, strip these rights from individuals living in supportive housing. These changes came into effect February 28, 2024.

Provincial tenancy law prohibits landlords from imposing restrictive guest policies on their tenants. The legislation also restricts landlords from entering their tenants’ rental units unless there is an emergency or they give advance notice. The recent changes exempt supportive housing landlords from these regulations. The exemptions will allow supportive housing landlords to restrict their tenants’ guest visitations, and authorize them to enter their tenants’ apartments without warning to perform “wellness checks”.



PICTURED: A SUPPORTIVE HOUSING FACILITY IN VICTORIA, BC. PHOTO VIA COOL-AID SOCIETY

What does this mean for tenants of supportive housing?

As of February 28, 2024, supportive housing landlords have more control over their tenants’ guests. We anticipate that this might result in landlords: banning particular guests from certain units or buildings; banning tenants from having a large number of guests; banning tenants from having guests during certain hours; or even banning certain tenants from having guests at all. In addition, supportive housing landlords will no longer be prohibited from entering a tenant’s unit without notice, even if there is no “emergency”.

Press releases addressing the recent amendments have focused on subsidized housing providers’ need to perform “wellness checks” in order ensure the safety and well-being of their tenants. However, the legislation does not limit entry for the purpose of wellness checks – there are essentially no restrictions on how and when a supportive housing landlord can enter a tenant’s unit. We anticipate that the Residential Tenancy Branch may need to further refine the boundaries of landlords’ rights to enter tenants’ supportive housing units.

If you live in supportive housing and are experiencing your landlord significantly restricting your guests, or unreasonably entering your apartment, you can reach out to TAPS for advice and support.



Taproot welcomes articles, stories, and poetry from readers.

Submit your writing by email to community@tapsbc.ca,
by mail to 828 View St. Victoria BC, V8W 1K2,
or by dropping off your submission in person!

Our thoughts on these changes

The recent legislative amendments are based on a presumption that all tenants of subsidized housing units are “problem” tenants over whom landlords require significant, additional powers. While we appreciate the unique challenges faced by subsidized housing providers, we view these changes as a substantial violation of housing rights for some of BC’s most vulnerable tenants.

However, there is a redeeming feature to the rule changes. By carving out specific exemptions, legislators have reinforced TAPS’ long-held position that supportive housing providers are still subject to the *Residential Tenancy Act* and tenants of supportive housing buildings are entitled to tenancy protections (except those exemptions discussed above.)

Historically, TAPS has seen supportive housing providers attempting to avoid their tenancy obligations by issuing tenants “program agreements” rather than tenancy agreements, or claiming that they were providing “transitional housing”. TAPS welcomes the clarification that supportive housing providers are operating tenancies, and that residents of supportive housing buildings are entitled to all the other tenancy protections under provincial residential tenancy law.

If you’re a tenant of supportive housing in Greater Victoria and you need help understanding or asserting your rights, call TAPS for help: 250-361-3521

Understanding Minority Stress

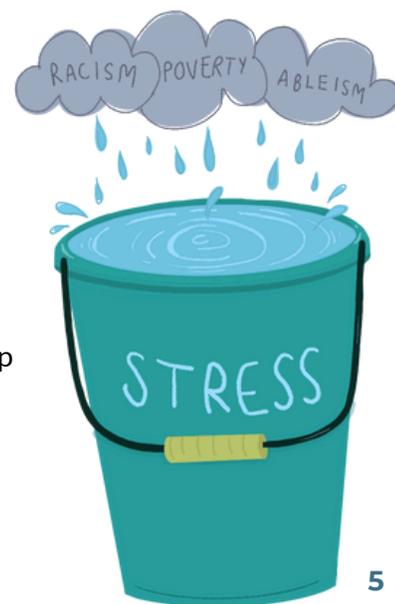
NATE SHELLEY, FRONT DESK COORDINATOR

Minority stress refers to the poorer health outcomes and increased stress experienced by members of marginalized groups. While the term has typically been associated with gender identities, it can be used to understand other minority identities, such as race and ethnicity, ability, class, and immigration status. Minority stress is distinct from ordinary stress because it is created by factors such as experiencing discrimination, having trouble meeting social expectations, and internalized stigma.

The traditional explanation for minorities’ poorer health outcomes has placed the issue with the individual: explaining anxiety, depression, or cancer through genetic predisposition, for example. Another view accounts for these same health issues by looking at a person’s experience of prejudice and discrimination, poverty, and lack of access to health care. The first perspective places the issues with the individual, while the other looks at the deeper social context.

Minority stress can manifest in many different ways:

- When a non-binary person, in addition to the stress of navigating conflict within their romantic relationships, feels isolated because they are unable to seek support from friends and family because of the fear of judgment
- When an autistic person is going through work-or-school related stress, on top of the burden of masking with their friends and family, and burns out
- When a newcomer to Canada becomes depressed following the strain of immigrating to a new country and integrating into a new culture



While each of these is an example of an individual experience of minority stress, it is important to also take note of the role that systems and social institutions have in causing the unequal burden of strain on the marginalized:

- For the non-binary person who feels isolated, our social understanding of gender identity can validate stigma and discrimination against those who are non-binary
- For the autistic person going through burnout, there is a lack of accommodation and support for neurodivergent folks at work and school. Also, expectations for behaviour can add to their stress from masking, or from difficulty meeting social expectations
- For the newcomer to Canada, language barriers, cultural differences, difficulty finding employment, and the absence of social support can cause feelings of alienation

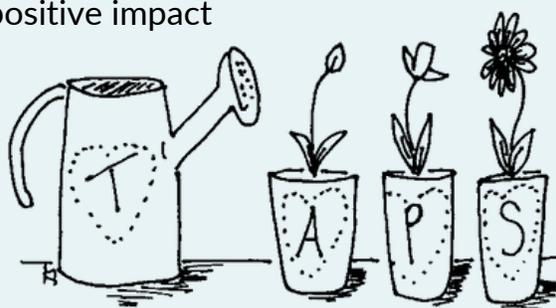
Minority stress involves **internalized stigma**—when a marginalized person anticipates mistreatment, or feels pressured to conceal their differences to avoid discrimination. When someone begins to accept others' negative perceptions of who they are, they may start to feel shame, inferiority, or self-doubt. This can go further and lead to anxiety and depression, as well as cause reluctance to seek help or support from others.

When we look at minority stress, we can see that discrimination, social pressure, and internalized stigma lead to stress, anxiety, and suffering for the marginalized. Minority stress extends beyond individual experience, and is rooted in social institutions: in attitudes toward others, and the rejection of difference. Humans are social creatures—fitting in is important to us for the simple fact that we are built that way. Understanding these barriers is a first step toward addressing injustice, accepting difference, and moving toward inclusivity.

About TAPS

Together Against Poverty Society (TAPS) is the largest anti-poverty organization on Vancouver Island. Established in 1989, TAPS is a recognized leader and resource for citizens, community groups, and social agencies attempting to reduce poverty, serving over 7,000 residents of Greater Victoria, adjacent municipalities, and the Southern Gulf Islands each year... and we still cannot meet the needs of all who approach us.

At TAPS, we believe that the causes of poverty are in the social, economic and political institutions of our society – not the failings of the individual. Through legal advocacy and public education, we have a positive impact on people's lives in ways that honour and promote human rights, justice, and a healthy, sustainable community. TAPS is a non-profit society whose membership is open to individuals or groups concerned with the preservation of civil society, social justice, the eradication of poverty, as well as the continuing moral progress of those ideals.



become a DONOR

The simplest way to support TAPS with a financial donation is online at: www.tapsbc.ca/donate

Want your contribution to go farther? Consider becoming a **monthly donor!**

Physical donations can be mailed to or dropped off at:
828 View St.

Victoria BC, V8W 1K2

If you'd like a charitable tax receipt, be sure to include your name, contact information, and mailing address!

become a MEMBER

Please consider becoming a member of our organization to support the important work we do in the fight against poverty.

TAPS members can vote at our AGM and receive updates on our work throughout the year. There is no cost to membership.

To fill out a membership form, visit: www.tapsbc.ca/taps-memership or swing by our office!

OUR FUNDERS:



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