

Albrecht, Christine JTT:EX

From: Carvalho, Christine MAH:EX
Sent: Wednesday, August 16, 2017 9:36 AM
To: Regulatory & Service Improvement JTT:EX
Subject: Forms

Good morning,

I'm looking to speak with someone about which form to advise my staff to use when completing a regulatory OIC.

Would you please give me a call at your earliest?

Thank you.
Christine

*Christine Carvalho
Analyst, OIC and Operations
Community Policy and Legislation Branch
Ministry of Municipal Affairs and Housing*

Page 02 to/à Page 52

Withheld pursuant to/removed as

s.12;s.14;s.13

Albrecht, Christine JTT:EX

From: Sanderson, Ceri CITZ:EX
Sent: Thursday, August 24, 2017 12:18 PM
To: Regulatory & Service Improvement JTT:EX
Subject: list of regulations

Hi,

I am looking for a list of the Ministry and Branch of that Ministry responsible for which Acts and regulations. This is to support Red Tape Reduction activities. Where can I find such a list? Thanks in advance for your help.

Ceri Sanderson

Director, Policy & Legislation, Strategic Planning & Policy Branch
Office of the Government Chief Information Officer, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

Cell: 250 516-7382 | Ceri.Sanderson@gov.bc.ca



Albrecht, Christine JTT:EX

From: Sanderson, Ceri CITZ:EX
Sent: Friday, August 25, 2017 10:45 AM
To: Regulatory & Service Improvement JTT:EX; Shaw, Andrew SBRT:EX
Subject: Branch level Regulations tracking process

Hi Andrew,

It was good to chat with you this morning. To recap our discussion;

- The information regarding OICs and which Ministry is responsible for each Act is available and accessible. However there is no straightforward way to find out which *branches* within the Ministries are responsible for the associated Regulations, which can make completing the count requirements very challenging (particularly in some of the larger Ministries).
- s.13
-

s.13

Thanks again for your time,

Ceri

Ceri Sanderson, Director, Policy and Legislation
Strategic Planning & Policy Branch, OCIO
Cell: 250 516-7382 | Ceri.Sanderson@gov.bc.ca



From: Regulatory Reform BC SBRT:EX
Sent: Thursday, August 24, 2017 4:25 PM
To: Sanderson, Ceri MTIC:EX
Cc: Sovka, Roseanne SBRT:EX
Subject: RE: list of regulations

Hi Ceri,

There are a couple of resources that come to mind.

1. If you are looking for the Orders in Council (OIC) that outline the recent changes to ministry names and responsibilities, click the link below:
http://www.bclaws.ca/civix/document/id/oic/oic_cur/0213_2017
http://www.bclaws.ca/civix/document/id/oic/oic_cur/0252_2017
2. If you are looking for the section of BC Laws that outlines the responsibilities of each ministry, click the link below:
<http://www.bclaws.ca/civix/content/amr/amr/2098506921/1288395920/?xsl=/templates/browse.xsl>

If this is not what you are looking for please contact me and I will do my best to help you.

Andrew Shaw

Senior Advisor, Regulatory Reform Branch
Small Business and Regulatory Reform Division
Ministry of Jobs, Trade and Technology
7th Floor, 1810 Blanshard Street, Victoria, BC V8T 4J1
Phone: (250) 953-4207 e-mail: Andrew.Shaw@gov.bc.ca

From: Sanderson, Ceri MTIC:EX
Sent: Thursday, August 24, 2017 12:18 PM
To: Regulatory Reform BC SBRT:EX
Subject: list of regulations

Hi,

I am looking for a list of the Ministry and Branch of that Ministry responsible for which Acts and regulations. This is to support Red Tape Reduction activities. Where can I find such a list? Thanks in advance for your help.

Ceri Sanderson

Director, Policy & Legislation, Strategic Planning & Policy Branch
Office of the Government Chief Information Officer, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

Cell: 250 516-7382 | Ceri.Sanderson@gov.bc.ca



Office of the
Chief Information Officer

Albrecht, Christine JTT:EX

From: Sanderson, Ceri CITZ:EX
Sent: Monday, August 28, 2017 3:22 PM
To: Regulatory & Service Improvement JTT:EX
Subject: RE: Branch level Regulations tracking process

Hi Andrew,

Thanks for this and that is good news about database utility. However, all legislative responsibility is transferring from my office very shortly to the DMs office, under the direction of Mike Neilson. We will no longer be managing any legislative work. They may be interested in this training however. The contact there is Jeannette Cook.

Kind regards,

Ceri

Ceri Sanderson, Director, Policy and Legislation
Strategic Planning & Policy Branch, OCIO
Cell: 250 516-7382 | Ceri.Sanderson@gov.bc.ca



From: Regulatory Reform BC SBRT:EX
Sent: Monday, August 28, 2017 9:21 AM
To: Sanderson, Ceri MTIC:EX; Regulatory Reform BC SBRT:EX
Subject: RE: Branch level Regulations tracking process

Hi Ceri,

I did some more checking and the regulatory requirements database has two functions which you could use to sort legislation within your ministry – the Assign to Group and Assign to Program Area functions. We would be happy to meet with you to provide some training to get you started on these more advanced features. Would next week be suitable?

Andrew Shaw

Senior Advisor, Regulatory Reform Branch
Small Business and Regulatory Reform Division
Ministry of Jobs, Trade and Technology
7th Floor, 1810 Blanshard Street, Victoria, BC V8T 4J1
Phone: (250) 953-4207 e-mail: RegulatoryReformBC@gov.bc.ca

From: Sanderson, Ceri MTIC:EX
Sent: Friday, August 25, 2017 10:45 AM
To: Regulatory Reform BC SBRT:EX; Shaw, Andrew SBRT:EX
Subject: Branch level Regulations tracking process

Hi Andrew,

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- s.13
-

s.13

Albrecht, Christine JTT:EX

From: French, Shawna IRR:EX
Sent: Monday, August 28, 2017 8:17 PM
To: Regulatory & Service Improvement JTT:EX
Subject: FW: Memorandum from Deputy Minister Fazil Mihlar and Acting Deputy Attorney General James N. Harvey
Attachments: 131733 RTRD Memo signed.pdf; 131733 Attachment 1-RTRD 2017 Regulatory Changes.docx; 131733 Attachment 2-Call for Items Template.docx

MIRR has nothing to contribute.

Thanks,

Shawna French

A/ Executive Director
Deputy Ministers Office
Ministry of Indigenous Relations & Reconciliation

5th Floor - 2957 Jutland
Victoria BC
Phone: 250 356-6330
Cell: 250-213-7671
[mailto: Shawna.French@gov.bc.ca](mailto:Shawna.French@gov.bc.ca)

From: DM JTSTL JTST:EX
Sent: Wednesday, August 23, 2017 10:13 AM
To: BCPSA Agency DMC List
Cc: Little, Christine SBRT:EX; Bertrand, Francois SBRT:EX; Sovka, Roseanne SBRT:EX; SBRT SBRR RRB Directors; SBRT SBRR RRB File Managers
Subject: Memorandum from Deputy Minister Fazil Mihlar and Acting Deputy Attorney General James N. Harvey

Please find attached a memorandum from Mr. Fazil Mihlar, Deputy Minister of Jobs, Trade and Technology and Mr. James N. Harvey, Acting Deputy Attorney General of the Ministry of Attorney General.

Thank you,

Office of the Deputy Minister



Ref: 131733

To: All Deputy Ministers

cc: Ms. Christine Little

Christine.Little@gov.bc.ca

Mr. Francois Bertrand

Francois.Bertrand@gov.bc.ca

Ms. Roseanne Sovka

Director

Roseanne.Sovka@gov.bc.ca

SBRT SBRR RRB Directors

TSBRRBDI@Victoria1.gov.bc.ca

SBRT SBRR RRB File Managers

SBTRRBFBM@Victoria1.gov.bc.ca

Re: Red Tape Reduction Day 2018 Items

Dear Colleagues:

Streamlining and repealing obsolete regulations makes it easier for citizens to access government services, as well as understand and comply with government requirements.

At this time, we are inviting all ministries to identify regulations or orders suitable for repeal or amendment through the Red Tape Reduction Day process, with a particular emphasis on those items that *help citizens' interactions* with government and/or housekeeping items. These items will be bundled and repealed on or around the next Red Tape Reduction Day (March 7, 2018).

Please use the attached template to send your responses to Regulatory and Service Improvements at RegulatoryReformBC@gov.bc.ca. **We are seeking preliminary Ministry responses by September 15, 2017.**

In keeping with the process in previous years, **ministries will be expected to ascertain the feasibility of their submissions and provide drafting instructions to the Legislative Counsel OIC inbox by October 31, 2017.**

.../2

Thank you for your contribution to the maintenance of a citizen-friendly regulatory framework. Please contact Ms. Christine Little, Assistant Deputy Minister, or Mr. Francois Bertrand, Executive Director, with any questions.



Fazil Mihlar
Deputy Minister
Ministry of Jobs, Trade and Technology



James N. Harvey
Acting Deputy Attorney General
Ministry of Attorney General

Attachments

APPENDIX 1 – Regulatory Changes Enabled Through Red Tape Reduction Day 2017

- Credit unions are now allowed to send disclosure statements electronically, which streamlines business processes, increases efficiencies for consumers wanting electronic statements, and decreases costs associated with reducing mailing and recycling.
- The legislative framework for people with disabilities who are applying for a Home Owner Grant has been simplified and now uses language that reflects modern values and perspectives on disabilities.
- The fee charged by the Property Taxation Branch to provide account information to taxpayers has been eliminated as this service is easily done electronically now.
- Boat haulers and similar equipment have been removed from the definition of “mobile equipment” in the Motor Vehicle Act Regulation which eliminated the requirement for them to be registered, licensed and insured as motor vehicles.
- The requirement for people to surrender their hunter number card has been eliminated along with the fine for the failure to do so, as the card can now be suspended electronically.
- Having all interest rates change on the same date four times a year instead of three (Taxation (Rural Area) Act) makes it more efficient for both provincial and local government tax administrators and is consistent with most other tax statutes.
- To avoid confusing property owners, the Taxation (Rural Area) Collection Districts Order was repealed as collection districts are no longer used to collect rural property taxes.
- The fee for the review of horse racing rulings by the general manager was eliminated as this practice has been discontinued.
- Two North American Gypsy Moth Eradication Regulations were repealed as spraying is complete.
- Fifteen Property Transfer Tax Exemption Regulations were repealed as the property transfers have occurred.
- Five fees no longer used due to legislative changes or a lack of demand, for example, digital copies have replaced photocopies were eliminated.
- The application process for MSP enrolment was made more accessible for BC residents, and more efficient for HIBC to administer, as applications can now be made electronically.
- Minors can now obtain photo identification without parental consent.
- References to the AirCare program were removed as the program has been discontinued.
- The Employment Standards Regulation was streamlined by eliminating references to institutions covered under existing statutes or transferred to other institutions.

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Call for Items: Red Tape Reduction Day 2018

Ministry:	
Contact:	

Name of Statute (Act):	
Name of Regulation(s) or Order(s)	Section or Sub-section; or Order in Council Number of Order
<p>Please provide a brief description of how the proposed changes contribute to regulatory or service improvement. Do the changes streamline or simplify a process, increase efficiency, decrease wait times, modernize or align regulations?</p>	

Albrecht, Christine JTT:EX

From: Webb, Jennifer LBR:EX
Sent: Tuesday, August 29, 2017 1:42 PM
To: Regulatory & Service Improvement JTT:EX
Subject: RE: RFL

Thanks so much, Andrew.

From: Regulatory Reform BC SBRT:EX
Sent: Monday, August 28, 2017 10:16 AM
To: Webb, Jennifer LBR:EX; Regulatory Reform BC SBRT:EX
Subject: RE: RFL

Hi Jennifer,

Thank you for your email.

For the RFL process our office will need to be consulted when there is an expected increase in the number of regulatory requirements count. You will also need to indicate that offsets have been or will be found.

The Regulatory Criteria Checklist has been replaced by the Regulatory Impact Checklist and Regulatory Count form which now includes the impact on small business and citizens interaction with government. For complete details on the Regulatory Reform Policy please review the linked document. There have been some policies changes that are detailed under the heading "Key Updates".

http://www2.gov.bc.ca/assets/gov/government/about-the-bc-government/regulatory-reform/pdfs/final_regulatory_reform_policy_-_aug_2016.pdf

Please let me know if you have any further questions.

Andrew Shaw

Senior Advisor, Regulatory Reform Branch
Small Business and Regulatory Reform Division
Ministry of Jobs, Trade and Technology
7th Floor, 1810 Blanshard Street, Victoria, BC V8T 4J1
Phone: (250) 953-4207 e-mail: RegulatoryReformBC@gov.bc.ca

From: Webb, Jennifer LBR:EX
Sent: Friday, August 25, 2017 2:13 PM
To: Regulatory Reform BC SBRT:EX
Subject: RFL

Good afternoon, I believe I am supposed to be completing a "Regulatory Impact Checklist and Count Form" as part of an RFL that I am preparing. Can you please advise if I simply include this document with the RFL package, or does it need to be vetted by someone (in your office??) before it goes forward.

Thank you very much.

Albrecht, Christine JTT:EX

From: Agnew, Kyle OHCS:EX
Sent: Tuesday, September 12, 2017 1:16 PM
To: Regulatory & Service Improvement JTT:EX
Subject: Reg Impact Counts for RFL
Attachments: Reg Impact Count_RTA.pdf; Reg Impact Count_MHPTA.pdf

Hi There,

The attached reg impact counts are related to an RFL my branch is working on.

We are hoping for a quick turnaround on this (as much as is possible), as we found out yesterday that our finalized RFL is due today.

I'm not super familiar with this process; if you need any more information or have any questions please let me know.

Thank You,

Kyle Agnew
Policy Analyst

Residential Tenancy Branch, Office of Housing and Construction Standards
Ministry of Municipal Affairs and Housing

s.17

Email: kyle.agnew@gov.bc.ca





The purpose of the Regulatory Impact Checklist and Regulatory Count is to demonstrate that the changes to statutes, regulations, and associated policies and forms are developed according to the Regulatory Reform Policy while protecting public health, safety and the environment. The Regulatory Reform Branch may request supporting documents, as required.

Questions? Contact RegulatoryReformBC@gov.bc.ca

OIC# (add when available)

Effective Date (DD / MM / YYYY)

Contact and Regulation Information

Name of Contact	Phone Number of Contact
Greg Steves, Assistant Deputy Minister	s.17
Name of Ministry	
Ministry of Municipal Affairs and Housing	
Name of Legislation	
Residential Tenancy Act	
Name of Regulation (including B.C. Reg. #), Policy or Form, if applicable	
Residential Tenancy Regulation	

1. Issue Being Addressed

Summarize the issue being addressed by this regulatory change and explain why this regulatory change is the best approach to solve this particular problem faced by government.

Government faces criticisms from stakeholders and the public regarding the province's current tenancy legislation. Areas of particular concern for the Residential Tenancy Act include fixed term tenancy agreements that include vacate clauses, administrative penalties, hearing wait times and legislative ambiguity that impedes the Director's authority. Proposed amendments will restrict use of vacate clauses in fixed term tenancies to prescribed circumstances, improve the administrative penalty regime, and streamline the dispute resolution process for return of security and pet damage deposits. Other minor amendments will clarify ambiguous language. These areas of concern cannot be adequately addressed through policy and require legislative change.

This proposal reduces red tape for citizens, business and government.

The proposed amendments will address the issue of landlords who use vacate clauses in fixed term tenancy agreements to avoid rent control.

The proposed amendments will also strengthen the administrative penalty regime and improve the director's authority to address serious, repeat and deliberate contraventions of the legislation and regulations and non-compliance with orders by: providing the director with the ability to compel the production of documents during an administrative penalty investigation; allowing the director to publish administrative penalty decisions; allowing for the prosecution of an offence in situations where an administrative penalty has already been levied; and, providing authority to refuse to accept an application for dispute resolution if the applicant owes an outstanding administrative penalty.

2. Lessening Impact on Citizens

In some circumstances, a 'no' answer may be warranted in the checklist and would not be considered as contrary to the intent of the Regulatory Impact Assessment

2.1 Have the impacts of this regulatory change on British Columbians been considered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2.2 Was a reasonable period of time and opportunity provided for public consideration and consultation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
2.3 Does the change streamline the process by giving consideration to one or more of the following: reducing the length of processes or wait times for decisions by integrating related-services or reducing steps; eliminating duplication in the process; updating technology, moving services online and increasing access; or reducing the length and/or complexity of forms?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2.4 Does the change consider social impacts, such as the needs of vulnerable groups or people with disabilities and their families?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2.5 Was consideration given to the impacts the regulatory change may have on the environment, wildlife, and natural resources?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
2.6 Are the benefits to citizens greater than the burden the regulatory change may impose?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2.7 If the regulatory change will impose a significant compliance burden, has a formal cost-benefit analysis for the legislation or regulation been completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2.8 Please explain how the regulatory change has been developed to minimize regulatory impacts on citizens. If needed, please include any information or clarification relevant to the questions above.	

The proposed changes are based on extensive research and consultation, a cross-jurisdictional review and stakeholder recommendations. Key stakeholders, including landlord and tenant associations and Residential Tenancy Branch staff, have been consulted with the goal of improving service to landlords and tenants and minimizing regulatory impacts.

Restricting the use of a vacate clause to prescribed circumstances only will provide security of tenure for tenants who are otherwise given little notice to move or pay substantially higher rent. Consultation has not been undertaken on changes to restrict the option of entering fixed term tenancy agreements that include a vacate clause; however, consultations were undertaken on addressing the issue of these agreements being used by landlords to avoid the rent increase provisions. Tenant advocates are calling for reform to address this issue. Landlord stakeholders acknowledge the problem, but are wary of changes that could impact their ability to manage their rental properties.

Strengthening the Director's authority to investigate matters of non-compliance and levy administrative penalties will benefit tenants and landlords who are subject to serious and repeat acts of non-compliance. This will lessen the social impacts on groups of vulnerable tenants such as those with disabilities, mental health issues, and poverty living in single room occupancy housing in Vancouver's downtown eastside where there are egregious acts of non-compliance by landlords in undertaking maintenance and repairs. These changes will also support landlords affected by tenants who repeatedly move from one tenancy to the next and do not pay rent.

Allowing tenants to apply for an expedited order for the return of their security or pet deposit (provided the landlord has not applied to keep the deposit) will streamline the dispute resolution process and prevent unreasonable delays for tenants. This is especially important for low-income tenants.

Clarifying ambiguous wording in the legislation will make tenant and landlord roles and responsibilities clearer.

3. Small Business Lens

In some circumstances, a 'no' answer may be warranted in the checklist and would not be considered as contrary to the intent of the Regulatory Impact Assessment.

3.1 Have all the likely impacts of this regulatory change on businesses, especially small businesses, been considered to determine if the benefits to businesses are greater than any burdens?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3.2 Can compliance occur with existing resources of small businesses (e.g. no additional staff, accountant, lawyer is required)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3.3 Was the potentially affected business community consulted and given a reasonable period of time and opportunity to provide feedback about the proposed regulatory change?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
3.4 Have opportunities to align the change with other obligations from municipal, provincial, territorial, federal, international, or multi-national regulatory bodies been explored?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3.5 Will the regulatory change disproportionately impact small businesses? (If yes, please explain below how these impacts will be mitigated.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
3.6 Please describe the impact of the regulatory change on small businesses. How will the impacts be mitigated and the regulatory change be communicated? If needed, please include any information or clarification relevant to the questions above.	

It is not expected that the proposed amendments will create a significant burden for small business, which in this context will be landlords.

Consultations with key stakeholders, including landlord and tenant associations, were undertaken on the proposed amendments. Some of the proposed amendments were recommended by landlord associations. Any impacts will be mitigated through ongoing consultation with stakeholders. The changes will be communicated through existing stakeholder meetings and networks and through government websites, social media, Residential Tenancy Branch Information Officers and the Branch's Interactive Voice Response (IVR) system.

By prescribing circumstances in which a vacate clause can be used, the impact on landlords with a legitimate need to gain possession of the unit at the end of a term is minimal. The proposed amendments will allow landlords to use a vacate clause if they know they will need possession of the unit by a given date (such as where the landlord requires the unit for the landlord's own use or the landlord's family member's use, s.12,s.13 s.12,s.13 ;, or at the end of a sublease to allow the original tenant to return to the unit).

Allowing tenants to apply for an expedited order for the return of their security deposit (provided the landlord has not applied to keep the deposit) will streamline the dispute resolution process, allow the matter to be addressed in a timely manner and not require the landlord to attend a hearing.

Clarifying ambiguous wording in the legislation will make it easier for landlords to comply.

4. Reducing Red Tape within Government

In some circumstances, a 'no' answer may be warranted in the checklist and would not be considered as contrary to the intent of the Regulatory Impact Assessment.

4.1 Have all the non-regulatory options been identified and considered to determine that this regulatory change is the best feasible option? (e.g., market forces, codes of practice, information and educational campaigns, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.2 Do the regulatory changes streamline the process for government? (e.g., eliminate duplication, reduce the number of steps, decrease processing or approval times?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.3 Are the benefits to government greater than the administrative burden the regulatory change may impose on government?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.4 Will government communicate the change to affected parties in plain language and in a format that is available to all citizens and businesses?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.5 Does government have a plan and a process in place to measure the effectiveness of the regulatory change over time?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.6 Do the regulatory requirements comply with B.C.'s obligations under existing agreements, such as the Trade, Investment and Labour Mobility Agreement and the New West Partnership Trade Agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4.7 Please describe the impact of the regulatory change within government including streamlining and any processes in place to measure effectiveness of the regulatory changes. If needed, please include any information or clarification relevant to the questions above.	

The proposed amendments will streamline processes for government and increase compliance with the legislation and regulations by landlords and tenants.

Restricting the option of entering into fixed term tenancy agreements that include vacate clauses may result in a slight decrease in applications for dispute resolution for rent increases between consecutive fixed term tenancies; this change may result in an increase in applications for dispute resolution to obtain possession of a rental unit or dispute a notice to end tenancy.

The ability of the Director to compel the production of documents will improve and streamline the administrative penalty investigation process.

Allowing tenants to apply for an expedited order for the return of their security or pet deposit (provided the landlord has not applied to keep the deposit) will streamline the dispute resolution process by reducing the steps, time and resources required to schedule and conduct a hearing. It will also reduce the number of participatory hearings on these matters.

Clarifying ambiguous wording in the legislation will provide additional clarity for Residential Tenancy Branch Information Officers and Arbitrators in carrying out their work.

Mechanisms for measuring the effectiveness of these changes include the Branch's data dashboard, tracking tools and ongoing stakeholder meetings.

The Government of British Columbia's regulatory count is the total number of regulatory requirements in all statutes, regulations, and associated policies and forms. Government maintains and manages a Regulatory Requirements Count Database to track changes in the number of regulatory requirements. Ministries must record any changes to the number of regulatory requirements in the Regulatory Requirements Count Database.

Please complete the table below based on the proposed regulatory change. For help conducting a count of regulatory requirements, please see the [How to Count Guide](#) or contact the Regulatory Reform Branch at RegulatoryReformBC@gov.bc.ca.

Description of Regulatory Change	Count
Strengthen director's authority to levy administrative penalties and conduct investigations	5
Restricting the vacate clause option	0
Streamline dispute resolution process for return of security deposits	0
Clarify ambiguously worded provisions	0
Total	5

Authorization	
Signature of Minister Responsible or Head of Regulatory Authority	Date (DD/MM/YYYY)

Ministry File Manager Use Only	
<input type="checkbox"/> Change made in Regulatory Requirements Count Database <input type="checkbox"/> Checklist uploaded to Regulatory Reform Sharepoint site	
Signature of Regulatory Reform File Manager	Date (DD/MM/YYYY)



The purpose of the Regulatory Impact Checklist and Regulatory Count is to demonstrate that the changes to statutes, regulations, and associated policies and forms are developed according to the Regulatory Reform Policy while protecting public health, safety and the environment. The Regulatory Reform Branch may request supporting documents, as required.

Questions? Contact RegulatoryReformBC@gov.bc.ca

OIC# (add when available)

Effective Date (DD / MM / YYYY)

Contact and Regulation Information

Name of Contact

Greg Steves, Assistant Deputy Minister

Phone Number of Contact

s.17

Name of Ministry

Ministry of Municipal Affairs and Housing

Name of Legislation

Manufactured Home Park Tenancy Act

Name of Regulation (including B.C. Reg. #), Policy or Form, if applicable

Residential Tenancy Regulation

1. Issue Being Addressed

Summarize the issue being addressed by this regulatory change and explain why this regulatory change is the best approach to solve this particular problem faced by government.

Government faces criticisms from stakeholders and the public regarding the province's current tenancy legislation. Areas of particular concern for the Manufactured Home Park Tenancy Act include administrative penalties and legislative ambiguity that impedes the Director's authority. Proposed amendments will improve the administrative penalty regime and clarify jurisdiction respecting float homes. Other minor amendments will clarify ambiguous language. These areas of concern cannot be adequately addressed through policy and require legislative change.

This proposal reduces red tape for citizens, business and government.

The proposed amendments will also strengthen the administrative penalty regime and improve the director's authority to address serious, repeat and deliberate contraventions of the legislation and regulations and non-compliance with orders by: providing the director with the ability to compel the production of documents during an administrative penalty investigation; allowing the director to publish administrative penalty decisions; allowing for the prosecution of an offence in situations where an administrative penalty has already been levied; and, providing authority to refuse to accept an application for dispute resolution if the applicant owes an outstanding administrative penalty.

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2.8 Please explain how the regulatory change has been developed to minimize regulatory impacts on citizens. If needed, please include any information or clarification relevant to the questions above.	

The proposed changes are based on extensive research and consultation, a cross-jurisdictional review and stakeholder recommendations. Key stakeholders, including landlord and tenant associations and Residential Tenancy Branch staff, have been consulted with the goal of improving service to landlords and tenants and minimizing regulatory impacts.

Strengthening the Director's authority to investigate matters of non-compliance and levy administrative penalties will benefit tenants and landlords who are subject to serious and repeat acts of non-compliance.

Clarifying ambiguous wording in the legislation will make tenant and landlord roles and responsibilities clearer.

3. Small Business Lens

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3.2 Can compliance occur with existing resources of small businesses (e.g. no additional staff, accountant, lawyer is required)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3.3 Was the potentially affected business community consulted and given a reasonable period of time and opportunity to provide feedback about the proposed regulatory change?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
3.4 Have opportunities to align the change with other obligations from municipal, provincial, territorial, federal, international, or multi-national regulatory bodies been explored?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
3.5 Will the regulatory change disproportionately impact small businesses? (If yes, please explain below how these impacts will be mitigated.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

3.6 Please describe the impact of the regulatory change on small businesses. How will the impacts be mitigated and the regulatory change be communicated? If needed, please include any information or clarification relevant to the questions above.

It is not expected that the proposed amendments will create a significant burden for small business, which in this context will be landlords.

Consultations with key stakeholders, including landlord and tenant associations, were undertaken on the proposed amendments. Some of the proposed amendments were recommended by landlord associations. Any impacts will be mitigated through ongoing consultation with stakeholders. The changes will be communicated through existing stakeholder meetings and networks and through government websites, social media, Residential Tenancy Branch Information Officers and the Branch's Interactive Voice Response (IVR) system.

The ability of the Director to compel the production of documents for the purpose of investigation for an administrative penalty will create a minimal burden. Any requested documents would be those already in the possession of the landlord and it is expected that compliance can occur with their existing resources.

Clarifying ambiguous wording in the legislation will make it easier for landlords to comply.

4. Reducing Red Tape within Government

In some circumstances, a 'no' answer may be warranted in the checklist and would not be considered as contrary to the intent of the Regulatory Impact Assessment.

4.1 Have all the non-regulatory options been identified and considered to determine that this regulatory change is the best feasible option? (e.g., market forces, codes of practice, information and educational campaigns, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.2 Do the regulatory changes streamline the process for government? (e.g., eliminate duplication, reduce the number of steps, decrease processing or approval times?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.3 Are the benefits to government greater than the administrative burden the regulatory change may impose on government?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.4 Will government communicate the change to affected parties in plain language and in a format that is available to all citizens and businesses?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.5 Does government have a plan and a process in place to measure the effectiveness of the regulatory change over time?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4.6 Do the regulatory requirements comply with B.C.'s obligations under existing agreements, such as the Trade, Investment and Labour Mobility Agreement and the New West Partnership Trade Agreement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

4.7 Please describe the impact of the regulatory change within government including streamlining and any processes in place to measure effectiveness of the regulatory changes. If needed, please include any information or clarification relevant to the questions above.

The proposed amendments will streamline processes for government and increase compliance with the legislation and regulations by landlords and tenants.

The proposed amendments improve and streamline the administrative penalty investigation process and allow the Director to compel the production of documents

Clarifying ambiguous wording in the legislation will provide additional clarity for Residential Tenancy Branch Information Officers and Arbitrators in carrying out their work.

Mechanisms for measuring the effectiveness of these changes include the Branch's data dashboard, tracking tools and ongoing stakeholder meetings.

The Government of British Columbia's regulatory count is the total number of regulatory requirements in all statutes, regulations, and associated policies and forms. Government maintains and manages a Regulatory Requirements Count Database to track changes in the number of regulatory requirements. Ministries must record any changes to the number of regulatory requirements in the Regulatory Requirements Count Database.

Please complete the table below based on the proposed regulatory change. For help conducting a count of regulatory requirements, please see the [How to Count Guide](#) or contact the Regulatory Reform Branch at RegulatoryReformBC@gov.bc.ca.

Description of Regulatory Change	Count
Strengthen director's authority to levy administrative penalties and conduct investigations	5
Clarify that floating homes are excluded from MHPTA jurisdiction	0
Clarify other ambiguously worded provisions	0
Clarify ambiguously worded provisions	0
Total	5

Authorization	
Signature of Minister Responsible or Head of Regulatory Authority	Date (DD/MM/YYYY)

Ministry File Manager Use Only	
<input type="checkbox"/> Change made in Regulatory Requirements Count Database <input type="checkbox"/> Checklist uploaded to Regulatory Reform Sharepoint site	
Signature of Regulatory Reform File Manager	Date (DD/MM/YYYY)

Albrecht, Christine JTT:EX

From: Agnew, Kyle OHCS:EX
Sent: Tuesday, September 12, 2017 3:12 PM
To: Regulatory & Service Improvement JTT:EX
Subject: RE: Reg Impact Counts for RFL

Thank you for your quick work on this!

Kyle Agnew
Policy Analyst

Residential Tenancy Branch, Office of Housing and Construction Standards
Ministry of Municipal Affairs and Housing
s.17

Email: kyle.agnew@gov.bc.ca



From: Regulatory Reform BC SBRT:EX
Sent: Tuesday, September 12, 2017 3:03 PM
To: Agnew, Kyle OHCS:EX
Subject: RE: Reg Impact Counts for RFL

Hello Kyle:

I have looked at the checklists and offer the following:

- Questions 2.2 and 3.3 on both checklists are answered in the negative although the comments indicate that there was consultation with the appropriate stakeholders. I was not sure if it was the second part of the question (sufficient time) that lead to the "No" response or if it was the consultation process. The public/stakeholders were notified last year that government was considering changes regarding the vacate clause so a 'yes' response might be appropriate.

Sometimes we are asked to assist in counting the number of regulatory requirements. This does seem to be the case here, but we are available to confirm the new count if requested.

Thank you for consulting with us.

From: Agnew, Kyle OHCS:EX
Sent: Tuesday, September 12, 2017 1:16 PM
To: Regulatory Reform BC SBRT:EX
Subject: Reg Impact Counts for RFL

Hi There,

The attached reg impact counts are related to an RFL my branch is working on.

We are hoping for a quick turnaround on this (as much as is possible), as we found out yesterday that our finalized RFL is due today.

I'm not super familiar with this process; if you need any more information or have any questions please let me know.

Thank You,

Kyle Agnew
Policy Analyst

Residential Tenancy Branch, Office of Housing and Construction Standards
Ministry of Municipal Affairs and Housing

s. 17
Email: kyle.agnew@gov.bc.ca



Albrecht, Christine JTT:EX

From: Regulatory & Service Improvement JTT:EX
Sent: Tuesday, September 12, 2017 3:25 PM
To: Regulatory & Service Improvement JTT:EX
Subject: RE: A Question in Regards to Your Website

Ref: 131923

Diane Watson@scholaremail.org

Dear Ms. Watson:

Thank you for your correspondence on August 22, 2017 inquiring where to direct your questions regarding the Regulatory Reform website.

You may direct any questions about our website to this mailbox and we will provide answers in a timely manner. Or, if you wish to speak to a policy advisor at the Regulatory Reform Branch, please contact Sabba Sall, Senior Policy Advisor at (250) 356-9740.

Sincerely,

From: Diane Watson [<mailto:diane.watson@scholaremail.org>]
Sent: Tuesday, August 22, 2017 9:06 AM
To: Regulatory Reform BC SBRT:EX
Subject: A Question in Regards to Your Website

Good morning,

I want to start off by saying I think your website is really helpful. I just had a few quick questions to ask, and I was hoping I could direct them to you.

Kind regards,

--

Diane Watson