

Rental protection for Assisted Living

From: s.22
To: AG.Minister@gov.bc.ca, Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Sent: January 25, 2021 3:26:04 PM PST

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Minister

s.22 are independent residents at Amica s.22 From its very beginnings, this facility was presented as having three levels: Independent Living, Assisted Living and Memory Care.

Amica increased the rent of Independent Living residents in November. As this was contrary to BC law, I opened a dispute with the Residential Tenancy Branch.

It was only then that I was told that from the very beginning, ALL of Amica's suites had actually been on the Assisted Living Registry, and that Independent Living was therefore a fallacy (I call it a clever marketing strategy). This of course means that Amica is not subject to any rent control provisions. I was also told that Amica could raise the rent pretty well whenever it pleases.

Needless to say, I lost the dispute, as well as my \$100.

My question now is: for residents in private assisted living facilities, what protection is there, if any, against rent increases higher than those provided for by law? And if the Residential Tenancy Branch authority does not cover assisted living, what recourse is there for tenant-landlord dispute resolution?

I await your answer with great anticipation,

Regards,

s.22

From: Health, HLTH HLTH:EX <HLTH.Health@gov.bc.ca>
To: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
Sent: February 26, 2021 9:10:05 AM PST
Attachments: image001.png, 1188940 - Bullets for wording for AG.docx
Good morning,

Attached you will find our bullets that have been approved by ADM, Teri Collins, being forwarded to you to be used in your response.

*Kind regards,
Sandy Stevens*

Issues Assessment and Liaison Analyst - Correspondence Lead
Corporate Operations Unit
Ministry of Health
Tel: 250-952-1850 | Email: Sandy.Stevens@gov.bc.ca

I respectfully acknowledge and with gratitude that I live, work and play on the traditional lands of the Lekwungen speaking peoples of the Esquimalt and Songhees First Nations

Warning: This email is intended only for the use of the individual or organization to whom it is addressed. It may contain information that is privileged or confidential. Any distribution, disclosure, copying, or other use by anyone else is strictly prohibited. If you have received this in error, please telephone or e-mail the sender immediately and delete the message.

 Please consider the environment before printing

From: AG Correspondence AG:EX
Sent: February 18, 2021 1:41 PM
To: Health, HLTH HLTH:EX ; AG Correspondence AG:EX
Subject: RE: AG Draft Email CLIFF ID 613311 - s.22

Thank you for advising. I will advise our staff that wording will be provided for our response.

Many thanks,

Kim Jung Mee King | Correspondence Coordinator | [Corporate Correspondence Unit](#)
Office of the Deputy Attorney General | Ministry of Attorney General
Phone: 778-974-3798 | Fax: 250-387-6224

This message (and any attachment) may contain confidential/privileged information and is intended only for the use of the person or persons to whom it is addressed.

If you have received this communication in error, please double delete the email and any attachments immediately, and notify me by telephone or email.

From: Health, HLTH HLTH:EX <HLTH.Health@gov.bc.ca>
Sent: Thursday, February 18, 2021 1:40 PM
To: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>; Health, HLTH HLTH:EX <HLTH.Health@gov.bc.ca>
Subject: RE: AG Draft Email CLIFF ID 613311 - s.22

Hello,

This will be assigned for bullets. We will forward these bullets to you once completed to be included in your response.

Thank you,

Eimrin

Eimrin Kaloti
Correspondence and Information Systems Analyst
Corporate Operations Unit | Corporate Issues & Client Relations
Ministry of Health



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I acknowledge my presence as a settler upon the unceded lands of the Coast Salish Territories, specifically of the Lekwungen and W_SÁNEC peoples, as I work towards further decolonizing this relationship.

From: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
Sent: February 18, 2021 11:45 AM
To: Health, HLTH HLTH:EX <HLTH.Health@gov.bc.ca>
Subject: FW: AG Draft Email CLIFF ID 613311 - s.22
Importance: High

Good morning,

Is your ministry able to provide wording for our Minister's response re: assisted living registrar, or if your ministry prefers to respond separately? Our Minister's draft response to housing issues has been completed, and OHCS branch ADM has suggested that the AG's response can be referred to your Minister if that is preferred.

Rather than ask someone to contact the assisted living registrar, can we send this to ministry of health and ask them to respond about rents in assisted living? If so, the letter will need to be updated to reflect this.

Many thanks,

Kim Jung Mee King | Correspondence Coordinator | [Corporate Correspondence Unit](#)

Office of the Deputy Attorney General | Ministry of Attorney General

Phone: 778-974-3798 | Fax: 250-387-6224

This message (and any attachment) may contain confidential/privileged information and is intended only for the use of the person or persons to whom it is addressed.

If you have received this communication in error, please double delete the email and any attachments immediately, and notify me by telephone or email.

From: OHCS Correspondence Unit OHCS:EX <OHCS CORR@gov.bc.ca>
Sent: Thursday, February 18, 2021 10:09 AM
To: King, Kim J M AG:EX <Kim.King@gov.bc.ca>
Cc: Phillips, Linda MAH:EX <Linda.Phillips@gov.bc.ca>
Subject: RE: AG Draft Email CLIFF ID 613311

Hi Kim,

As per the comment from ADM May in the attached, can you please reach out to Health to find out if they can address the 'Rents in Assisted Living' portion of the incoming?

Please let me know the direction the MO would like to go and I will have staff revise the draft as necessary.

Thanks,

Spencer

1188940 – Bullets for wording for AG:

- Amica s.22 has been registered for s.2 Assisted Living s.22 since s.22 .
- There is no protection against rent increases included in the Assisted Living Regulation.
- On December 1, 2019, a new Assisted Living Regulation came into force which requires registered operators to make a written Residency Agreement prior to accepting new residents.
- The Residency Agreement must specify all fees payable by the resident, and a description of the circumstances under which the fees may change, as well as the terms and conditions for a refund of payment.
- At the time Amica was registered, an Occupancy Agreement was in place (copy of which is attached). Clause 21 of the Occupancy Agreement contains information about Arbitration with respect to disputes arising out of the agreement. It is not known whether this clause could be utilized in disagreements related to rent increases.

March 5, 2021

s.22

Email: s.22

Dear s.22

Thank you for your email of January 25, 2021, concerning rent increases in assisted living facilities.

I am sorry to hear that you went through the dispute resolution process only to find out that your facility was not covered under the *Residential Tenancy Act* (RTA), and as a result, was subject to rent increase. There are many different forms of housing and it can be hard to determine whether the RTA applies. To help with this, the Residential Tenancy Branch developed a new section on their website that describes the different forms of housing and where to go for help:

www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/is-my-tenancy-covered-under-bcs-tenancy-laws

Information officers at the Residential Tenancy Branch can also provide information to you by telephone at: 250-387-1602 (Victoria).

I understand that in your circumstance, the *Community Care and Assisted Living Act* governs your building. Amica s.22 has been registered for s.2 Assisted Living s.22 since s.22. Unfortunately, there is no protection against rent increases included in the Assisted Living Regulation.

On December 1, 2019, a new Assisted Living Regulation came into force which requires registered operators to make a written Residency Agreement prior to accepting new residents. The Residency Agreement must specify all fees payable by the resident, and a description of the circumstances under which the fees may change, as well as the terms and conditions for a refund of payment.

The Assisted Living Registry is available to protect the health and safety of residents and I would encourage you to contact them directly to discuss complaints regarding rent increases. They can be reached in Victoria at: 778-974-4887 or: Hlth.assistedlivingregistry@gov.bc.ca.

Our government is committed to affordable seniors housing and has expanded the eligibility criteria for the Shelter Aid for Elderly Renters program, which helps make rents affordable for BC seniors with low to moderate incomes. More information and eligibility requirements can be found on this BC Housing website:

www.bchousing.org/housing-assistance/rental-assistance/SAFER

Thank you for writing to share your experience. I will ensure your story is shared with our policy team as they review tenancy legislation in our province.

Yours truly,

Approved by:

David Eby, QC
Attorney General and
Minister Responsible for Housing

pc: The Honourable Adrian Dix, Minister of Health

Cliff number: 613311

From: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
To: s.22
Cc: Minister, HLTH HLTH:EX <HLTH.Minister@gov.bc.ca>
Sent: March 5, 2021 1:14:00 PM PST

s.22

Email: s.22

Dear s.22

Thank you for your email of January 25, 2021, concerning rent increases in assisted living facilities.

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Yours truly,

David Eby, QC

Attorney General and

Minister Responsible for Housing

pc: The Honourable Adrian Dix, Minister of Health

-----Original Message-----

From: s.22

Sent: Monday, January 25, 2021 3:26 PM

To: Minister, AG AG:EX

Subject: Rental protection for Assisted Living

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Minister

s.22 are independent residents at Amica s.22

From its very beginnings, this facility was

presented as having three levels: Independent Living, Assisted Living and Memory Care.

Amica increased the rent of Independent Living residents in November. As this was contrary to BC law, I opened a dispute with the Residential Tenancy Branch.

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Amica is not subject to any rent control provisions. I was also told that Amica could raise the rent pretty well whenever it pleases.

Needless to say, I lost the dispute, as well as my \$100.

My question now is: for residents in private assisted living facilities, what protection is there, if any, against rent increases higher than those provided for by law? And if the Residential Tenancy Branch authority does not cover assisted living, what recourse is there for tenant-landlord dispute resolution?

I await your answer with great anticipation,

Regards,

s.22

ID: 24599, Title: Rental protection for residents in assisted living.

Full Name: s.22

Approval Route: CS --> OHCS CU --> Analyst --> Manager --> ED--> OM --> OHCS CU --> EC --> ADM --> OHCS CU --> CS

Assigned To: Thompson, Angella N PSSG:EX **Rush:** No **Category:** Correspondence - Email **Signature:** Minister

Branch: Office of Housing and Construction Standards **Other Number:** 613311 **Link:**

Due Date: 2021-02-17 **Date Completed:** N/A **Date Initiated:** 2021-01-25 **Date Reply Sent:** N/A

Title	Comments	Date
Eby, David AG:EX [Assignee] approved the item and forwarded it to Thompson, Angella N PSSG:EX for action	No Comment	2021-03-04, 5:26:06 p.m.
King, Kim J M AG:EX [Assignee] forwarded an eApprovals item to Eby, David AG:EX for action	Draft response for your approval please.	2021-03-03, 9:01:01 a.m.
Alagaratanam, Suhan Kumar AG:EX [Assignee] forwarded an eApprovals item to King, Kim J M AG:EX for action		2021-03-03, 8:27:05 a.m.
Fyfe, Richard J AG:EX [Assignee] approved the item and forwarded it to Alagaratanam, Suhan Kumar AG:EX for action	No Comment	2021-03-02, 8:04:45 p.m.
King, Kim J M AG:EX [Assignee] forwarded an eApprovals item to Fyfe, Richard J AG:EX for action	Minister's draft for your approval please.	2021-03-02, 5:48:50 p.m.
Preece, Spencer [Assignee] forwarded an eApprovals item to King, Kim J M AG:EX for action	Draft approved by ADM May.	2021-03-02, 2:57:44 p.m.
May, Cheryl [Assignee] approved the item and forwarded it to Preece, Spencer for action	No Comment	2021-03-02, 2:46:37 p.m.
Preece, Spencer [Assignee] forwarded an eApprovals item to May, Cheryl for action	Min Sig draft approved by RTB. You have previously reviewed this draft, but Health has since provided wording regarding the assisted living registrar, which has been incorporated into the response. For your review/approval.	2021-03-02, 2:10:48 p.m.
Elder, Kathy A [Assignee] approved the item and forwarded it to Preece, Spencer for action	info from health added - approved _KE	2021-03-02, 12:51:47 p.m.
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	2021-03-01, 8:46:56 a.m.
Herman, Stephan [Assignee] approved the item and forwarded it to Blewett, Tyann M for action	HLTH bullets added per instruction	2021-02-26, 10:47:49 a.m.
Preece, Spencer [Assignee] forwarded an eApprovals item to Herman, Stephan for action	Please incorporate bullets from Health in AG draft response.	2021-02-26, 10:41:29 a.m.
Preece, Spencer added a document: 613311 HLTH Bullets.docx		2021-02-26, 10:40:58 a.m.
Preece, Spencer [Assignee] added a comment	Waiting on wording from Health regarding assisted living registrar.	2021-02-19, 11:27:07 a.m.
May, Cheryl [Assignee] forwarded an eApprovals item to Preece, Spencer for action	Rather than ask someone to contact the assisted living registrar, can we send this to ministry of health and ask them to respond about rents in assisted living? If so, the letter will need to be updated to reflect this.	2021-02-13, 2:05:53 p.m.
Preece, Spencer [Assignee] forwarded an eApprovals item to May, Cheryl for action	Draft reviewed and approved by RTB. For your review/approval.	2021-02-12, 4:01:37 p.m.
Elder, Kathy A [Assignee] approved the item and forwarded it to Preece, Spencer for action	approved - KE	2021-02-12, 3:47:37 p.m.
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	2021-02-10, 3:04:34 p.m.

Title	Comments	Date
Hunter, Christine [Assignee] forwarded an eApprovals item to Blewett, Tyann M for action		2021-02-08, 12:38:59 p.m.
Preece, Spencer [Assignee] forwarded an eApprovals item to Hunter, Christine for action	Please draft response for Min Sig. Draft due to ADMO for review/approval Feb 10.	2021-01-30, 3:28:26 p.m.
Preece, Spencer added a document: 613311 s.22 Incoming.msg		2021-01-30, 3:26:42 p.m.
Preece, Spencer added a document: AG_DAG_Letterhead_Template.docx		2021-01-30, 3:26:42 p.m.
Preece, Spencer created this item		2021-01-30, 3:26:42 p.m.

From: Correspondence Services MUNI:EX <MUNI.ExecutiveCorrespondence@gov.bc.ca>
To: Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Cc: Correspondence Services MUNI:EX <MUNI.ExecutiveCorrespondence@gov.bc.ca>
Sent: March 30, 2021 10:43:20 AM PDT
Attachments: s.22 Incoming 20210326.pdf

Good morning,

Sharing the attached for AG's information and action as appropriate, as it's housing-related.

MUNI will be fyi/filing our incoming.

Thank you,

Morgan Newman

Proof Editor

Executive Correspondence Services

Ministry of Municipal Affairs

16 March 2021

The Honourable Josie Osborne
Minister of Municipal Affairs
P.O. Box 9056, Stn.. Prov. Govt.
Victoria, B.C. V8W 9E2

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING		
MAR 22 2021		
<input type="checkbox"/> Min Sig	<input type="checkbox"/> Reply Direct	<input type="checkbox"/> FYI / File
<input type="checkbox"/> DM Advise	<input type="checkbox"/> DM	<input type="checkbox"/> ADM

Dear Minister Osborne

I write on behalf of the Independent Living senior residents living at Amica s.22

Our landlord, Amica Senior Lifestyles, has imposed a significant rent increase on most of our residents effective on or after November 1, 2020.

Bill 19 – 2020: Covid -19 Related Measures Act clearly states:

If there is a conflict between
(a) this Act, including a COVID-19 provision, or a regulation under this Act, and (b) any other Act or regulation
the enactment referred to in paragraph (a) prevails.

Whereas the B.C. Rent freeze has been issued under the powers of the Covid – 19 Related Measures Act is it not true that in the process of imposing a rent increase during the B.C. Covid – 19 rent freeze “Amica Senior Lifestyles” is in violation of the law?

We seek to have your office substantiate our claim for cancellation of the referred to rent increases and our demands for a refund of all illegal rent increases collected.

Yours sincerely,

s.22

cc. The Honourable John Horgan, Premier of British Columbia

B.C. Covid 19 Rent Freeze

From: s.22
To: Hon. Josie Osborne <josie.osborne.MLA@leg.bc.ca>, Hon. Josie Osborne <MAH.Minister@gov.bc.ca>, Osborne, Josie LASS:EX <Josie.Osborne.MLA@leg.bc.ca>, Minister, MUNI MUNI:EX <MUNI.Minister@gov.bc.ca>
Cc: s.22
Sent: April 25, 2021 12:23:48 PM PDT
Attachments: AWRILRAItrMinofMunicipalAffairs210317.doc

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

The Honorable Josie Osborne
Minister of Municipal Affairs
Government of British Columbia

Dear Honorable Minister,

On 22 March 2021 your office acknowledged receipt of my registered mail posted on 17 March 2021.

I have been authorized to write on behalf of the Amica s.22
My registered letter requested your help in securing the refunding of what appears to be an illegal rent increase on the senior citizens living at Amica s.22

More than a month has passed and I have received no reply from your office. As we do not wish this matter to fall through the cracks I have chosen to send you a follow up as it may not have reached your desk.

I will attach a copy of the original letter for your convenience.

Respectfully,

s.22 for
Amica s.22

16 March 2021

The Honourable Josie Osborne
Minister of Municipal Affairs
P.O. Box 9056, Stn.. Prov. Govt.
Victoria, B.C. V8W 9E2

Dear Minister Osborne

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^{s.22}

Our landlord, Amica Senior Lifestyles, has imposed a significant rent increase on most of our residents effective on or after November 1, 2020.

Bill 19 – 2020: Covid -19 Related Measures Act clearly states:

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(a) this Act, including a COVID-19 provision, or a regulation under this Act, and (b) any other Act or regulation,
the enactment referred to in paragraph (a) prevails.

Whereas the B.C. Rent freeze has been issued under the powers of the Covid – 19 Related Measures Act is it not true that in the process of imposing a rent increase during the B.C. Covid – 19 rent freeze “Amica Senior Lifestyles” is in violation of the law?

We seek to have your office substantiate our claim for cancellation of the referred to rent increases and our demands for a refund of all illegal rent increases collected.

Yours sincerely,

^{s.22}

cc. The Honourable John Horgan, Premier of British Columbia

ID: 28988, Title: Rent increased during rent freeze**Full Name:** s.22**Approval Route:** CS --> OHCS CU --> Analyst --> Manager --> ED --> OM**Assigned To:** Papadopoulos, Nikki **Rush:** No **Category:** Correspondence - Direct Reply **Signature:** Executive Director**Branch:** Office of Housing and Construction Standards **Other Number:** 615749 **Link:****Due Date:** 2021-04-23 **Date Completed:** 2021-05-06 **Date Initiated:** 2021-03-30 **Date Reply Sent:** N/A

Title	Comments	Date
Lang, Jaimy [Assignee] has closed this item for the following reason: Completed.	Final email sent. Completed and closed CLIFF log - JL	2021-05-06 2:21:45 PM
Lang, Jaimy added a document: 2160001.msg		2021-05-06 1:04:04 PM
Herman, Stephan [Assignee] approved the item and forwarded it to Lang, Jaimy for action	for you, KE edits incorporated.	2021-05-03 11:12:41 AM
Elder, Kathy A [Assignee] approved the item and forwarded it to Herman, Stephan for action	given it's a seniors residence, please include the Info Line numbers etc - then forward to Jaimy to send out with my approval - thanks - KE	2021-05-03 11:02:36 AM
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	2021-04-20 8:02:44 AM
Herman, Stephan [Assignee] approved the item and forwarded it to Blewett, Tyann M for action	For review	2021-04-20 6:55:43 AM
Papadopoulos, Nikki [Assignee] forwarded an eApprovals item to Herman, Stephan for action	for reply direct. response to be sent by April 23 ~Nikki	2021-04-08 12:43:22 PM
Papadopoulos, Nikki created this item		2021-04-08 12:38:57 PM
Papadopoulos, Nikki added a document: RTB_ED_Letter_Template.docx		2021-04-08 12:38:57 PM
Papadopoulos, Nikki added a document: 615749 s.22 Incoming.msg		2021-04-08 12:38:57 PM

Covid-19 Rent Freeze

From: s.22
To: The Honorable David Eby <AG.minister@gov.bc.ca>, Minister, AG AG:EX
<AG.Minister@gov.bc.ca>
Cc: Jaimy Lang <Jaimy.lang@gov.bc.ca>, John Horgan <Premier@gov.bc.ca>, s.22
s.22 OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>, Lang,
Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>
Sent: May 28, 2021 10:44:03 AM PDT
Attachments: AWRILRAItrattGeneral210528.odt

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Greetings,

Please see letter attachment and direct to the proper individual.

Regards,

s.22

28 May 2021

The Honourable David Eby
Attorney General of British Columbia, and
Minister Responsible for Housing
PO Box 9044 Stn Prov Govt
Victoria, B.C. V8W 9E2

Dear Attorney General Eby,

I write on behalf of the “Independent Living” senior residents who reside at Amica s.22
s.22 Amica s.22 is a multi lever retirement home that serves three
levels of care, independent living, assisted living and memory care. Each level of care has
dedicated dining and lounge areas.

On November 1, 2020 Amica Senior Lifestyles, the landlord, imposed a significant rent
increase on their independent living tenants despite the rent freeze issued under
Bill 19-2020: Covid 19 Related Measures Act.

The Covid-19 Related Measures Act clearly states in Part 1, 2 that the Act prevails over
any other Act or Regulation. Surely that must mean that the rent freeze applies to all
residential tenants in B.C.

The Amica s.22 has, since November 10, 2020, been
trying to get our landlord to rescind this illegal action and refund excessive funds collected.
We appeal to your authority to have this injustice corrected.

Respectively yours,

s.22

cc. The Honourable John Horgan, Premier of B.C.
cc. Ms. Kathy Elder, Executive Director B.C. Residential Tenancy Branch

From: Rochon, Jake PREM:EX <Jake.Rochon@gov.bc.ca>
To: Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Sent: June 24, 2021 11:05:42 AM PDT
Attachments: Amica s.22 rent

Hi Candice! Hoping AG can respond. Thank you!

Jake Rochon

Correspondence Coordinator
He/Him
Office of the Premier
(250) 356-1906

From: s.22
To: Premier@gov.bc.ca, OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Cc: Hon. Josie Osborne <josie.osborne.MLA@leg.bc.ca>, Jaimy Lang <Jaimy.lang@gov.bc.ca>, Osborne, Josie LASS:EX <Josie.Osborne.MLA@leg.bc.ca>, Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>
Sent: May 22, 2021 4:05:56 PM PDT
Attachments: AWRILRAItrPremier210522.doc

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Please see the attached letter to The Honorable John Horgan

Thank you.

s.22

22 May 2021

The Honorable John Horgan
Premier of British Columbia
PO Box 9041
Station Provincial Government
Victoria, B.C. V8W 9E1

Dear Premier,

I write to you on behalf of the Amica ^{s.22} seeking
your help to reverse what we believe to be an illegal rent increase..

On November 1, 2020, our landlord, Amica Senior Lifestyles, imposed a significant rent increase on their independent living residents at Amica ^{s.22}

We believe that under Bill 19 – 2020: Covid 19 Related Measures Act this rent increase is illegal.

We have been advised by the Residential Tenancy Branch that we do not fall under the Residential Tenancy Act. That is a position accepted by our Landlord.

In March 18, 2020 your government issued a press release that detailed the rent freeze and clearly stated that it was issued under the powers of the Emergency Program Act and Covid-19 Related Measures Act.

Part 1, Section 2 of the Act clearly states the following:

Conflict

2. If there is a conflict between
 - (a) this Act, including a Covid -19 provision, or a regulation under this Act, and
 - (b) any other Act or regulation,the enactment referred to in paragraph (a) prevails.

The rent freeze surely must be a provision or a regulation issued under the Covid-19 Related Measures Act.

We have been trying for more than six months to convince our Landlord that their rent increase violates the regulation issued under the power of the Covid-19 Related Measures Act. We have also taken a long path to seek a resolution including corresponding with the Minister of Municipal Affairs and the Executive Director of the Residential Tenancy Branch.

It is our belief that in the initial press release announcing the rent freeze that the inclusion of the term “All renters” was intended to include “all renters”

We have faith that our Premier and your Government would want all senior citizens included in this action and clearly indicated that in the press release.

Is it possible that you could address a letter to me for the attention of our Association and of our Landlord, that your Government supports the position that we are included in the above noted rent freeze.

Yours Respectively,

s.22

- cc. Ms. Josie Osborne, Minister of Municipal Affairs
- cc. Ms. Kathy Elder, Executive Director , Residential Tenancy Branch

FW: s.22

to Kathy Elder

From: Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>
To: Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>
Sent: July 8, 2021 9:11:37 AM PDT
Attachments: 615749 Re: your letter of March 16 and email of April 25, 2021, Legislative Authority & Rent Increases

From: Blewett, Tyann M OHCS:EX <Tyann.Blewett@gov.bc.ca>
Sent: Wednesday, July 7, 2021 4:37 PM
To: Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>; Harrison, Wendy T OHCS:EX <Wendy.Harrison@gov.bc.ca>
Cc: Prosser, Andrew OHCS:EX <Andrew.Prosser@gov.bc.ca>
Subject: RE: s.22 to Kathy Elder

I think we need to dig into this one a bit with the Assisted Living Registry before we respond. Independent living is under the RTA but Amica is listed under the Assisted Living Registry as they probably have assisted living too. I'm not sure how it works in those types of buildings where there is mixed use.

Wendy "can you reach out to the Registry and see what they say and give Andrew bullets or advice on how to respond.

Jaimy "log the incoming for K's signature and assign to Andrew.

Thanks.

From: Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>
Sent: Wednesday, July 7, 2021 4:13 PM
To: Blewett, Tyann M OHCS:EX <Tyann.Blewett@gov.bc.ca>
Cc: Prosser, Andrew OHCS:EX <Andrew.Prosser@gov.bc.ca>
Subject: FW: s.22 to Kathy Elder

Shall I log this as a reply direct? Nothing in CLIFF for this individual. Although, Amica s.22 did ring a bell and when I typed that into CLIFF 4 logs came up under s.22 2 of the logs have been filed for information, one is an AG draft (but no outgoing has been added to CLIFF?) and one we responded to "included here for reference.

Thanks,

Jaimy

From: Schell, Lisa OHCS:EX <Lisa.Schell@gov.bc.ca>
Sent: Wednesday, July 7, 2021 1:34 PM
To: Lang, Jaimy OHCS:EX <Jaimy.Lang@gov.bc.ca>; Walker, Kandy OHCS:EX <Kandy.Walker@gov.bc.ca>
Subject: s.22 to Kathy Elder

Thank you,

Lisa Schell | Supervisor "Information Services

Residential Tenancy Branch

Office of Housing and Construction Standards

Ministry of Attorney General and Minister Responsible for Housing

Work: 778.572.5562

Email: Lisa.Schell@gov.bc.ca

With respect and acknowledgement of the traditional territories of the Esquimalt-speaking people of the Squamish Nations

615749 Re: your letter of March 16 and email of April 25, 2021

From: OHCS Residential Tenancy Office OHCS:EX <HSRTO@gov.bc.ca>
To: s.22
Cc: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Sent: May 6, 2021 2:19:16 PM PDT
Attachments: 615749 s.22 outgoing.pdf, image001.jpg

Please find attached a response to your letter of March 16 and email of April 25, 2021.

Warm regards,

Jaimy Lang | Office Manager

Residential Tenancy Branch

Office of Housing and Construction Standards

Ministry of Attorney General and Minister Responsible for Housing

Email: Jaimy.Lang@gov.bc.ca





May 6, 2021

Ref:615749

s.22

Dear s.22

Thank you for your letter of March 16 and email of April 25, 2021 addressed to the Honourable Josie Osborne, Minister of Municipal Affairs, concerning independent living and the rent freeze. As the Executive Director, Residential Tenancy Branch, I am pleased to respond.

I can understand your frustration at facing a rent increase you feel is in violation of the *Residential Tenancy Act (RTA)*, and the current rent freeze. Although the *RTA* does not apply to Assisted Living facilities that are registered with the Assisted Living registrar, independent living arrangements are under the jurisdiction of the *RTA*. Any increase for 2020 or 2021 would not be a legal increase. Information about what forms of housing are covered under the *Residential Tenancy Act* can be found on our website at <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies/is-my-tenancy-covered-under-bcs-tenancy-laws>

As you note in your second email, you have been authorized to pursue a refund for any illegal overpayment of rent. The proper method to do so is to file an [Application for Dispute Resolution Online](#) through our website. If you are unable to apply online, you may file in person by completing and submitting an Application for Dispute Resolution Form to the Residential Tenancy Branch.

At the dispute hearing an arbitrator will review the evidence and testimony and can rule if your tenancy agreement falls under the *RTA* and whether the rent increase was legal. The arbitrator can also issue an order for the landlord to reduce future rent by any overpayment.

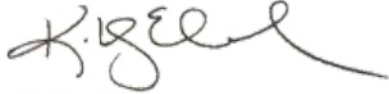
More information about the dispute resolution process can be found here: [Dispute Resolution](#).

You can also call and speak with an information officer who can provide information about the law and the dispute resolution process and can be reached by calling 604-660-1020 in the lower mainland or 1-800-665-8779 elsewhere in British Columbia.

- 2 -

I hope this information helps and thank you for reaching out with your concerns.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Elder', with a long horizontal flourish extending to the right.

Kathy Elder
Executive Director
Residential Tenancy Branch

Cc: Honourable John Horgan, Premier

Legislative Authority & Rent Increases

From: s.22

To: HSRTTO@gov.bc.ca, s.22
s.22

Sent: OHCS Residential Tenancy Office OHCS:EX <HSRTTO@gov.bc.ca>
July 7, 2021 1:31:40 PM PDT

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Ms Kathy Elder, Executive Director,
Residential tenancy Branch:

We are a group of seniors residing in Independent Living rental suites at Amica s.22 B.C. who believe that we should fall under the Residential Tenancy Act (RTA) and question our landlord's position that all residents of Amica s.22 should fall under the Community Care and Assisted Living Act (CCALA)

Our assertion is supported by our individual contracts, floor plans for each suite with the heading "Independent Living; suite xxx", a monthly calendar with the heading "Independent Living" and the promotional materials distributed to the public by Amica Lifestyles.

Amica is an s.22 multicare facility with s.22 Living suites, s.22 Living and s.22 s.22 suites. Each community has a separate dining room, its own schedule of leisure activities and separate dedicated staff. All Independent Living suites have kitchens or kitchenettes, washers and dryers. Our rent includes light housekeeping and three meals a day with a choice of options of where and when to eat. We are of the opinion that Independent Living residents in this facility should fall under the RTA but our landlord has licensed all of us with the The Assisted Living Registrar.

Amica is only two years old and has had no rental increases prior to 2020.

We, the undersigned, request that the Residential Tenancy Board

(1) affirm that we are Independent Living seniors and fall under the Residential Tenancy Act

(2) declare that Amica's rental increases, above the amounts regulated by the Residential Tenancy Board, are illegal

(3) ask Amica to refund any illegal increases imposed on us during the past 18 months

Any documentation required to support our petition will be supplied upon request.

Respectfully ,

s.22

s.22

Email: s.22

Dear s.22

I am responding to your May 28, 2021 letter addressed to me, as well as your May 22, 2021 letter addressed to Premier John Horgan concerning the November 1st rent increase at Amica Seniors Lifestyles s.22 My apologies for the delay in response.

I am sorry to hear about the rent increase your landlord has imposed on your building, and I sympathize with your frustration at receiving a rent increase that you feel is in violation of the *Residential Tenancy Act*. From your previous letters, I understand that there is also some confusion regarding the jurisdiction of the *Residential Tenancy Act* due to the hybrid assisted/independent living nature of your building.

It is my understanding that you have recently spoken to one of the Residential Tenancy Branch's Information Officers who has provided you with information and the application form for Dispute Resolution. If you are unable to apply online, you may file in person by completing and submitting an Application for Dispute Resolution Form to the Residential Tenancy Branch or Service BC. At the hearing, an arbitrator will review the evidence and testimony and can rule if your tenancy agreement falls under the *Residential Tenancy Act* and, if it does, whether the rent increase was legal. The arbitrator can also issue an order for the landlord to reduce future rent by any overpayment.

I hope this information was helpful.

Yours truly,

David Eby, QC
Attorney General and
Minister Responsible for Housing

pc: The Honourable John Horgan

CLIFF: 617583

ID: 31960, Title: Rent increased despite COVID -19 rent freeze.**Full Name:** s.22**Approval Route:** CS --> OHCS CU --> Analyst --> Manager --> ED--> OM --> OHCS CU --> EC --> ADM --> OHCS CU --> CS**Assigned To:** Petraroia, Helena PSSG:EX **Rush:** No **Category:** Correspondence - Email **Signature:** Minister**Branch:** Office of Housing and Construction Standards **Other Number:** 617583 **Link:****Due Date:** 2021-06-18 **Date Completed:** N/A **Date Initiated:** 2021-04-28 **Date Reply Sent:** N/A

Title	Comments	Date
Milne, Lauren [Colleague of Thompson, Angella N PSSG:EX] forwarded an eApprovals item to Petraroia, Helena PSSG:EX for action	Ready to be sent out. Thanks!	2021-08-04 12:51:06 PM
Eby, David AG:EX [Assignee] approved the item and forwarded it to Thompson, Angella N PSSG:EX for action	No Comment	2021-08-04 9:42:36 AM
Petraroia, Helena PSSG:EX [Assignee] forwarded an eApprovals item to Eby, David AG:EX for action	Draft response for your approval please.	2021-07-02 2:57:34 PM
Cooke, Angela [Assignee] approved the item and forwarded it to Petraroia, Helena PSSG:EX for action	No Comment	2021-07-02 2:30:33 PM
Petraroia, Helena PSSG:EX [Assignee] forwarded an eApprovals item to Cooke, Angela for action	Ministers draft for your approval please.	2021-07-02 2:29:38 PM
Thompson, Angella N PSSG:EX [Assignee] forwarded an eApprovals item to Petraroia, Helena PSSG:EX for action		2021-07-02 11:43:56 AM
Preece, Spencer [Assignee] forwarded an eApprovals item to Thompson, Angella N PSSG:EX for action	AG draft approved by ADM May.	2021-07-02 11:26:43 AM
May, Cheryl [Assignee] approved the item and forwarded it to Preece, Spencer for action	No Comment	2021-07-02 9:53:45 AM
Preece, Spencer [Assignee] forwarded an eApprovals item to May, Cheryl for action	AG draft revised by RTB. For your review/approval.	2021-07-02 9:28:17 AM
Blewett, Tyann M [Assignee] approved the item and forwarded it to Preece, Spencer for action	No Comment	2021-07-02 9:01:06 AM
Elder, Kathy A [Assignee] forwarded an eApprovals item to Blewett, Tyann M for action	pls make Cheryl's changes and acknowledge additional incoming - then straight back to ADM for approval - KE	2021-06-30 4:48:39 PM
Thompson, Angella N PSSG:EX [Colleague of Elder, Kathy A] added a comment	I have uploaded recent email from s.22 please acknowledge in your response	2021-06-25 3:32:41 PM
Thompson, Angella N PSSG:EX added a document: PO log 747390 Oundefined`' msg		2021-06-25 10:57:56 AM
May, Cheryl [Assignee] did not approve the item and forwarded it to Elder, Kathy A for action	A couple comments	2021-06-22 2:10:59 PM
Preece, Spencer [Assignee] forwarded an eApprovals item to May, Cheryl for action	AG draft approved by RTB. For your review/approval.	2021-06-22 12:15:17 PM
Lang, Jaimy [Assignee] forwarded an eApprovals item to Preece, Spencer for action	This has ED approval and has been edited. Thanks - JL	2021-06-18 4:25:28 PM
Elder, Kathy A [Assignee] approved the item and forwarded it to Lang, Jaimy for action	approved - KE	2021-06-18 3:52:34 PM
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	2021-06-17 11:10:43 AM
Porter-Smith, Roxanne AG:EX [Assignee] forwarded an eApprovals item to Blewett, Tyann M for action	Let me know what you think - if you wouldn't mind double checking the 2nd to last paragraph I would really appreciate it!	2021-06-17 9:25:47 AM

Title	Comments	Date
Lang, Jaimy [Colleague of Porter-Smith, Roxanne AG:EX] added a comment	Please see incoming 618026 and include in response. Thanks - JL	2021-06-16 1:13:56 PM
Lang, Jaimy added a document: 618026 Oundefineds.22 Incoming.msg		2021-06-16 1:11:39 PM
Blewett, Tyann M [Assignee] forwarded an eApprovals item to Porter-Smith, Roxanne AG:EX for action	see my email	2021-06-14 5:16:36 PM
Blewett, Tyann M added a document: RE_ Covid-19 Rent Freeze.msg		2021-06-14 5:08:41 PM
Herman, Stephan [Assignee] forwarded an eApprovals item to Blewett, Tyann M for action		2021-06-11 7:39:39 AM
Phillips, Linda [Assignee] forwarded an eApprovals item to Herman, Stephan for action	AG sig response for drafting. Draft due to ADMO for review/approval June 15, 2021. X-Ref 615749 response uploaded to eApprovals for reference purposes.	2021-06-01 9:37:39 AM
Phillips, Linda added a document: X-Ref 615749 Oundefineds.22 Outgoing.msg		2021-06-01 9:35:28 AM
Phillips, Linda [Assignee] added a comment	As per MO, I have contacted this writer, because he received a reply direct from a Housing official. He has indicated that he wants a response from the Attorney General. Please do NOT CHANGE THIS ACTION OR REQUEST A CHANGE. Grateful for a draft to be prepared for the AG's signature. Many thanks. C.	2021-06-01 9:34:56 AM
Phillips, Linda created this item		2021-06-01 9:33:57 AM
Phillips, Linda added a document: AG_DAG_Letterhead_Template.docx		2021-06-01 9:33:57 AM
Phillips, Linda added a document: 617583 s.22 Incoming.msg		2021-06-01 9:33:57 AM

Re: File no. 617583

From: s.22
To: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
Sent: August 4, 2021 3:44:15 PM PDT

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Attorney General,

I was hoping for considerable more consideration. Do the laws of British Columbia mean so little?
Does the NDP party "really care" about Senior Citizens?

I never stated I feel the imposition of a rent increase is in violation of the Residential Tenancy Act. I expressed my opinion that it is in violation of a regulation issued under Bill 19 - 2020: Covid-19 Related Measures Act.

With all due respect I am extremely disappointed. This is not just about one person, this is about thousands of B.C. Senior Citizens.

Can you not do something more to protect Senior Citizens living in retirement homes from extremely greedy landlords?

s.22

On Wed, Aug 4, 2021 at 3:13 PM AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca> wrote:

s.22

Email: s.22

Dear s.22

I am responding to your May 28, 2021 letter addressed to me, as well as your May 22, 2021 letter addressed to Premier John Horgan concerning the November 1st rent increase at Amica Seniors Lifestyles s.22
My apologies for the delay in response.

I am sorry to hear about the rent increase your landlord has imposed on your building, and I sympathize with your frustration at receiving a rent increase that you feel is in violation of the *Residential Tenancy Act*. From your previous letters, I understand that there is also some confusion regarding the jurisdiction of the *Residential Tenancy Act* due to the hybrid assisted/independent living nature of your building.

It is my understanding that you have recently spoken to one of the Residential Tenancy Branch's Information Officers who has provided you with information and the application form for Dispute Resolution. If you are unable to apply online, you may file in person by completing and submitting an Application for Dispute Resolution Form to the Residential Tenancy Branch or Service BC. At the hearing, an arbitrator will review the evidence and testimony and can rule if your tenancy agreement falls under the *Residential Tenancy Act* and, if it does, whether the rent increase was legal. The arbitrator can also issue an order for the landlord to reduce future rent by any overpayment.

I hope this information was helpful.

Yours truly,

David Eby, QC

Attorney General and

Minister Responsible for Housing

pc: The Honourable John Horgan

618664 Your email of July 7, 2021

From: OHCS Residential Tenancy Office OHCS:EX <HSRTO@gov.bc.ca>
To: s.22
Sent: August 5, 2021 9:26:42 AM PDT
Attachments: image003.jpg, 618664 s.22 Outgoing.pdf
Please find attached a response to your email of July 7, 2021.
Warm regards,
Kandy

Residential Tenancy Branch

Office of Housing and Construction Standards
Ministry of Attorney General and Minister Responsible for Housing
Email: HSRTO@gov.bc.ca



Where ideas work



August 5, 2021

Ref: 618664

s.22

Dear s.22

Thank you for your email dated July 7, 2021. As the Executive Director, Residential Tenancy Branch, I am pleased to respond.

I appreciate you sharing your perspective about why you feel the Independent Living suites in your rental building, Amica s.22 ("Amica"), should be covered under the *Residential Tenancy Act* (RTA).

As you mentioned, there is a rent freeze until December 31, 2021 for tenancies under the RTA. Independent housing tenancies generally fall under the RTA. However, units registered under the Assisted Living Registry are covered under the *Community Care and Assisted Living Act* (CCALA) and are not in the jurisdiction of the RTA.

We spoke with the Assisted Living Registry to determine how many units in the Amica s.22 facility are registered with them as assisted living units. They advised that all s.22 at Amica are currently registered under the Assisted Living Registry. We also contacted Amica's Director of Operations to request information about how the units are classified. Based on our communications and the information provided by both the Assisted Living Registry and Amica, we believe that while Amica may advertise Independent Living units, all the units appear to be assisted living units and are outside of the RTA's jurisdiction.

If you feel you have evidence that demonstrates you would fall under the jurisdiction of the RTA, you may wish to file an application for dispute resolution. At a hearing, an arbitrator would consider evidence submitted by yourself and Amica and make a determination about jurisdiction and whether the rent freeze provisions would apply to your circumstance. You may also wish to contact [the Assisted Living Registry](#) to discuss the registration of units with them.

For more information about the dispute resolution process you may contact our office. Information officers can be reached by calling 604-660-1020 in the Lower Mainland or 1-800-665-8779 elsewhere in British Columbia.

- 2 -

I hope this information was helpful and thank you for reaching out with your concerns.

Yours truly,

A handwritten signature in black ink, appearing to read "K. Elder", with a long, sweeping horizontal line extending to the right.

Kathy Elder
Executive Director
Residential Tenancy Branch

ID: 33894, Title: Legislative Authority & Rent Increases

Full Name: s.22

Approval Route: OM __ = Analyst __ = Manager __ = ED __ = OM

Assigned To: Lang, Jaimy Rush: No Category: Correspondence - Direct Reply Signature: Executive Director

Branch: Office of Housing and Construction Standards Other Number: 618664 Link:

Due Date: 7/28/2021 Date Completed: 8/5/2021 Date Initiated: 7/8/2021 Date Reply Sent: N/A

Title	Comments	Date
Walker, Kandy [Assignee] has closed this item for the following reason: Completed.	Final email sent. Cliff log closed and completed. Thank you – KW.	8/5/2021, 9:29:12 AM
Elder, Kathy A [Assignee] approved the item and forwarded it to Walker, Kandy for action	approved - KE	8/4/2021, 3:04:59 PM
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	7/16/2021, 11:23:55 AM
Prosser, Andrew [Assignee] approved the item and forwarded it to Blewett, Tyann M for action	No Comment	7/16/2021, 11:19:06 AM
Harrison, Wendy T [Assignee] forwarded an eApprovals item to Prosser, Andrew for action	Based on Tyann's comments, i took another crack at this. See what you think and if you are ok with it, send back to Tyann. Happy to discuss the changes.	7/16/2021, 11:11:18 AM
Blewett, Tyann M [Assignee] forwarded an eApprovals item to Harrison, Wendy T for action	Can you work with Andrew on this - I'm concerned we've gone a bit too far into decision-making (which K shouldn't be doing) rather than giving information. I'm also not sure we should tell them to call us as it sounds pretty cut and dry	7/16/2021, 10:53:15 AM
Prosser, Andrew [Assignee] approved the item and forwarded it to Blewett, Tyann M for action	For review	7/14/2021, 3:07:35 PM
Lang, Jaimy [Assignee] forwarded an eApprovals item to Prosser, Andrew for action	New ED for drafting - JL	7/8/2021, 9:41:17 AM
Lang, Jaimy added a document: 2161357 (2).msg		7/8/2021, 9:33:00 AM
Lang, Jaimy added a document: RTB - HQ.docx		7/8/2021, 9:23:29 AM
Lang, Jaimy added a document: 618664 s.22 Incoming.msg		7/8/2021, 9:23:10 AM
Lang, Jaimy created this item		7/8/2021, 9:22:48 AM

FW: Seniors and Rent Controls

From: Phillips, Conor PREM:EX <Conor.Phillips@gov.bc.ca>
To: Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Sent: August 16, 2021 7:54:59 AM PDT
Attachments: RetirementHomeSeniorsGetting Screwed210726.doc

Sending for consideration. We will file.

Thanks,

Conor

Conor Phillips

(pronouns: he, him, his)

Correspondence Officer | Office of the Premier

Email: Conor.Phillips@gov.bc.ca

From: s.22

Sent: July 29, 2021 8:31 AM

To: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>

Cc: s.22

Subject: Seniors and Rent Controls

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

29 July 2021

REMARKABLE

The Honorable John Horgan, MLA

Premier of British Columbia

Dear Premier,

In a March 25, 2020 B.C. Government news release MLA, Spencer Chandra Herbert was quoted as saying; “we can't afford to leave anyone behind”. Unfortunately thousands of B.C. Senior Citizens living in “Retirement Homes” have been left behind. Left to fall victim to greedy landlords. Landlords who claim that their Independent Living, Assisted Living and Memory Care residents do not fall under any rent controls. Not even the rent freeze issued under the authority of the Covid 19 Related Measures Act.

If that claim is true then it is of great importance that the B.C. Government take steps to create an additional act that will protect B.C. Seniors who happen to be living in retirement homes that fall beyond the jurisdiction of the B.C. Residential Tenancy Act.

As a Senior Citizen living in a retirement home I take this opportunity to encourage you to read the attached document.

This is an extremely important issue among thousands of B.C. Seniors. The blatant exploitation of Senior Citizens should be addressed on an urgent basis by the government agencies responsible

Thank you for taking the necessary time to carefully read my document.

Respectively,

s.22

Page 37 of 46

Withheld pursuant to/removed as

s.22

Retirement Home Seniors Get Squeezed

26 July 2021

On September 2, 2015 it was announced that the Ontario Teachers Pension Plan had bought Amica Mature Lifestyles Inc. (A Vancouver based chain of retirement homes.) Interestingly the Amica Chairman and CEO., Mr. Samir Manji, stated: “We are very pleased with this attractive offer and the significant value it represents to our shareholders.

It would seem that Mr. Manji had a good reason to be pleased. The terms of the purchase were utterly unbelievable. The shareholders of Amica Mature Lifestyles (ACC) had just been surprised by an offer that paid them 213% of the TSX market value of the previous day. From \$ 8.79 to \$ 18.75 in one day. As a potential investor I had personally been following the stock hoping for a price drop on a very good company that I considered an over-valued stock.

How could it be possible to make any sense out of such a high offer. It was reported that the offer was for \$578 million and the assumption of more than \$350 million in debt.

Now six years after that very generous take-over price, Amica Senior Lifestyles (the new name) has seen it fit to hit their British Columbia Independent Living tenants with a very significant rent increase. Nothing new here as it seems it has been Amica Senior Lifestyle's practice to routinely hit their new tenants with a 4.5% rent increase as soon as the initial one year lease expires. That would be followed up in the following years with rate increases two three times the cost of living increase. Perhaps it is easy to turn a profit on a grossly over-valued purchase when you can operate outside what “the average Joe” would consider the law.

Is was surprising that the rent increase was imposed in the middle of the Covid-19 Pandemic despite the British Columbia Covid-19 Related Measures Act ordering a residential rent freeze. A rent freeze that has been extended until 1 January 2022 ? The management of Amica Senior Lifestyles, from the local G.M. up to the CEO, insist that “they do not fall under any rent controls”.

If one was to question the integrity and morality of Amica Senior Lifestyles senior management you only have to look at the first paragraph of the current CEO's profile on the company website. It claims that under the CEO's stewardship Amica has grown from a start-up to a highly valued senior living brand with 31 residences, Perhaps Mr. Manji, the founder and the guy who really built Amica, would sense some disappointment at that statement from the current Amica Senior Lifestyles CEO.

Not only did the OTPP pay an extremely generous price for the purchase of Amica but the annual advertising budget appears to be equally generous. Massive amounts of print and other advertising and two full time staff members working under the G.M. to keep the tenants moving in. One can truly say the turnover is significant but perhaps that is a good thing as it always presents another opportunity to raise the rent.

It was somewhat annoying recently to watch the staff prepare for a Media Video Event. Considerable time was taken to clear off the Bistro counter-top and rearrange it with delicious looking off site products. It certainly was food that we will seldom see other than in a high end bakery. Some of the staff were also directed to move plants from one area to another to enhance the area that was being videoed. Certainly does make for great advertising videos.

Oh yes, it states in our lease that we have “climate controlled suites”. Well it seems the private condos on the top two floors do have air-conditioning so I guess that covers the commitment for the Independent Living tenants. Interesting that the air-conditioning in some of the common areas was pumping out 42c cooling during our recent heat wave. Oh, and lest I forget, our 200 foot hallway does not have a single ventilation vent. State of the art building!!!

Well, as an s.22 senior citizen, should I just shut up and watch TV ?

I have sought the help of our local MLA, the B.C. Minister of Housing, the B.C. Attorney General (It does appear the laws of B.C. are being broken), and our “people loving NDP Premier”. It would seem that as soon as they realize I am s.22 there is no point in bothering as I will soon disappear. Perhaps the politicians think this issue is far too hot to get near. Is there any hope for the thousands of Senior Citizens who are living in Retirement Homes and are being squeezed by greedy landlords?

I explored the possibility of a successful legal action but the requested \$350.00 per hour plus, plus, legal fees took me out of that ball game.

I can only hope that the people who benefit from the Ontario Teachers Pension Plan s.22 s.22, decide that they want their pensions funded without the abuse of senior citizens.

The thousands of Senior Citizens living in Retirement Homes and being financially abused deserve to get some-one's attention. Hello, are you out there??

God help us all if making money has become the only thing that matters.

s.22

ID: 35474, Title: Reply direct - Bill 19 - 2020: Covid-19 Related Measures Act.

Full Name: s.22

Approval Route: CS --> OHCS CU --> Analyst --> Manager --> ED --> OM

Assigned To: Thompson, Angella N
PSSG:EX

Rush:
No

Category: Correspondence - Direct
Reply

Signature:
Other

Branch: Office of Housing and Construction Standards **Other Number:** 619675 **Link:**

Due Date: 2021-09-02 **Date Completed:** 2021-09-10 **Date Initiated:** 2021-08-04 **Date Reply Sent:** N/A

Title	Comments	Date
Lang, Jaimy [Assignee] has closed this item for the following reason: Completed.	Final email sent. Completed and closed CLIFF log - JL	2021-09-10 12:58:30 PM
McLay, Richard [Assignee] approved the item and forwarded it to Lang, Jaimy for action	No Comment	2021-09-02 1:08:59 PM
Lang, Jaimy [Colleague of Elder, Kathy A] forwarded an eApprovals item to McLay, Richard for action	Please provide A/ED approval. Thanks - JL	2021-09-01 1:08:47 PM
Blewett, Tyann M [Assignee] approved the item and forwarded it to Elder, Kathy A for action	No Comment	2021-08-23 10:00:43 AM
Prosser, Andrew [Assignee] forwarded an eApprovals item to Blewett, Tyann M for action	For review	2021-08-19 3:12:44 PM
Preece, Spencer [Colleague of Phillips, Linda] forwarded an eApprovals item to Prosser, Andrew for action	Please draft response for reply direct. Response due to be sent Sept 2. Please acknowledge 619696 in response.	2021-08-16 3:48:17 PM
Preece, Spencer added a document: RTB_ED_Letter_Template.docx		2021-08-16 3:47:12 PM
Thompson, Angella N PSSG:EX added a document: 619675 incoming.msg		2021-08-16 10:56:44 AM
Thompson, Angella N PSSG:EX deleted a document: Re File no 617583.msg		2021-08-16 10:56:34 AM
Thompson, Angella N PSSG:EX added a document: 619696 incoming.msg		2021-08-16 10:54:16 AM
Thompson, Angella N PSSG:EX [Assignee] forwarded an eApprovals item to Phillips, Linda for action	reply direct	2021-08-13 2:57:10 PM
Thompson, Angella N PSSG:EX created this item		2021-08-13 2:56:54 PM
Thompson, Angella N PSSG:EX added a document: Re File no 617583.msg		2021-08-13 2:56:54 PM

Filing FW: Seniors' Residential Health Care and Climate Change

From: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
To: AG Correspondence AG:EX <MAG.Correspondence@gov.bc.ca>
Sent: October 14, 2021 9:51:03 AM PDT

From: s.22

Sent: October 5, 2021 9:31 AM

To: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>; Minister, HLTH HLTH:EX <HLTH.Minister@gov.bc.ca>; Minister, FIN FIN:EX <FIN.Minister@gov.bc.ca>; Minister, ENV ENV:EX <ENV.Minister@gov.bc.ca>; Seniors Advocate HLTH:EX <info@seniorsadvocatebc.ca>; T.Quinn@amica.ca; Minister, CITZ CITZ:EX <CITZ.Minister@gov.bc.ca>; Minister, AG AG:EX <AG.Minister@gov.bc.ca>; feedback@fraserhealth.ca; Minister, EDUC EDUC:EX <EDUC.Minister@gov.bc.ca>; Minister, JERI JERI:EX <JERI.Minister@gov.bc.ca>; Minister, PSSG PSSG:EX <PSSG.Minister@gov.bc.ca>

Subject: Seniors' Residential Health Care and Climate Change

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Please find below my letter to the Members of the Select Standing Committee on Finance and Government Services.

Sincerely, s.22

September 30, 2021

Members of the Select Standing Committee on Finance and Government Services

Dear Members of the Select Standing Committee on Finance and Government Services

Re: British Columbia Budget Consultation 2022

Seniors' Residential Health Care and Climate Change

Thank you for this opportunity to raise an extremely important and urgent issue regarding climate change and the health and well-being of seniors and their caregivers.

In late June of this year, we in British Columbia experienced an unprecedented heat wave. This is a harbinger of what is to come. Many British Columbians perished in that heat wave and many of them were seniors.

My s.22 mother lives in an AMICA owned and operated seniors' facility in s.22
s.22 During that extreme heat wave when temperatures rose to 39 degrees in s.22 on
June 28, I was shocked to learn that the building **has air conditioning only on the main floor and in the theatre room and NOT in the bedrooms.**

AMICA did implement a contingency plan. However, a family member informed me that still on June 28 staff were scrambling to find portable air conditioners. This is unacceptable, particularly *in a building so recently constructed*. Air conditioning should be mandatory, particularly in these purpose-built facilities.

Upon further investigation through the Office of the Seniors Advocate and the Ministry of Health's Director of the Community Care Facilities Licensing (CCFL), I learned that residential care facilities in British Columbia **are not required to have air conditioning**. The only directive is a vague regulation that requires bedrooms to be "safe and comfortable". This is not good enough.

The regulations for building community care facilities must be changed to include adequate air conditioning for the benefit of both the residents and the people who work there. How can we expect to recruit and retain health-care personnel when they and their patients are expected to deal with the *unsafe working conditions of extreme heat* on top of the other demands of providing care for our most vulnerable citizens?

Recommendation:

I urge you to revise and amend the *Community Care and Assisted Living Act* as well as the *Residential Care Regulations* to ensure that all residential care facilities for seniors, (whether for long-term, continuing care or nursing homes), are required to meet a standard much higher than the current “minimum health and safety requirements”.

It is a sad commentary on our society that we neglect the elderly while failing to protect our planet for future generations.

Respectfully submitted,

s.22

Cc : Hon. John Horgan, Premier
Hon. Adrian Dix Minister of Health
Hon. Selina Robinson, Minister of Finance
Hon. George Heyman, Minister of the Environment and Climate Change Strategy
Isobel MacKenzie, Office of the Seniors Advocate
Sue Bedford, Director of Community Care Facilities Licensing, MOH
Tamara Quinn, General Manager, AMICA White Rock
Hon. Anne Kang, Minister of Citizens' Services
Hon. David Eby, Solicitor General and Minister responsible for Housing
Dr. Victoria Lee, CEO, Fraser Health
Hon. Lisa Beare, Minister of Citizens' Services,
Hon. Jennifer Whiteside, Minister of Education
Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation
The College of Physicians and Surgeons of BC

Rental squeeze on retirement Home Resident

From: s.22
To: The Honorable David Eby <AG.minister@gov.bc.ca>, s.22
Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Sent: October 27, 2021 1:50:17 PM PDT
Attachments: image001.png

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

27 October 2021

Have you forgotten?.

Eighty- seven British Columbia MLA's and not one has yet offered to help seniors who are squeezed by immoral and greedy landlords.

In 2015 the Ontario Teachers Pension Plan purchased a well known B.C. based chain of retirement homes. This chain has numerous retirement homes in Ontario, Alberta and British Columbia. The purchase drew a lot of attention in the Canadian financial community due mostly to the fact the O.T.P.P. had paid 113% more for the stock than the previous day's market price on the Toronto Stock Exchange. The stock had closed at \$8.79 the previous day and the O.T.P.P. paid \$ 18.75 for the outstanding shares.

It has now become apparent how the O.T.P.P. could justify having made such an outrageous offer.

During the Covid 19 Pandemic the tenants of this company have been hit with not only one, but two substantial rent increases. These rent increases have been "demanded" despite the residential rent freeze" issued under the authority of the B.C. Covid -19 Related Measures Act. This rent freeze has been extended to 1 January 2022.

The operator merely promotes units as Independent Living while knowing that these very units have been registered as Assisted Living and thereby they avoid rent controls by not falling under the Residential Tenancy Act

Is it not ironic that Canada's largest private pension fund is so willing to take advantage of thousands of defenceless senior citizens?

The time is well past for the Provincial Government to close such loop-holes and regulate rents on all retirement homes; Independent Living, Assisted Living, Long Term Care etc..

Please discuss this issue with your fellow MLA's.

Ministry of Health response - 1213038

From: HSDDOCS.Processing HLTH:EX <HSDDOCS.Processing@gov.bc.ca>
To: s.22
Cc: pcqo@vch.ca, communitycare.licensing@vch.ca, Minister, AG AG:EX <AG.Minister@gov.bc.ca>
Sent: December 16, 2021 10:52:03 AM PST
1213038
s.22

Dear s.22 :

Thank you for your email of October 5, 2021 addressed to the Members of the Select Standing Committee on Finance and Government Services regarding Seniors Residential Health Care and Climate Change. Your email has been forwarded and I am pleased to respond on behalf of Ministry of Attorney General and Minister Responsible for Housing. I apologize for the delay in response.

The heat wave experienced throughout BC in late June and early July was unprecedented in the province's history. We understand the difficulty some of our most vulnerable citizens, including your mother and other residents of long-term care facilities, may have experienced during this time. The Ministry of Health (the Ministry) and regional health authorities continue to make the health and safety of long-term care residents a top priority.

It is the Ministry's expectation that long-term care and seniors assisted living operators will take all necessary steps to ensure room temperatures are safe for the persons in care. Health authorities have guidance for supporting residents and staff during periods of extreme heat, and this guidance is communicated to operators. Specific measures to support residents may include hydration rounds, cooling residents with showers and wet cloths, and creating cooling zones in a facility.

Nursing staff are trained to identify and assess those residents at highest risk of heat related illnesses. Staff monitor all residents for signs and symptoms of dehydration and heat exhaustion regularly which includes watching for signs and behavior change, decreased fluid intake, and the inability to mobilize and get to a cooler location. Long-term care homes also have access to additional education and support from trained nurse educators to develop care-home specific heat-stress plans.

The Ministry is supporting BC health authorities to reduce or manage climate risks as required in Government climate legislation (*Climate Change Accountability Act*) and the [CleanBC](#) action plan. In December 2020, health authorities issued the [Climate Resilience Guidelines for BC Health Facility Planning & Design](#). This resource provides a roadmap for BC health authority planning and design teams to proactively identify, reduce, and manage climate change risks, and enhance health authority-owned facility resilience. Climate resilient health care facilities are able to anticipate, respond to, cope with, recover from, and adapt to climate-related shocks and stresses to bring ongoing and sustained health care despite a changing climate.

As you know, in British Columbia, the majority of long-term care facilities are regulated under the *Community Care and Assisted Living Act* (the Act) and the Residential Care Regulation. Section 7 of the Act requires all licensed care facilities to operate in a manner that will promote the health, safety and dignity of persons in care, and in the case of adult persons in care, the rights of those persons in care. In extreme heat events there are a variety of approaches that can be taken to meet Section 7 requirements including, for example, the use of portable air conditioners during periods of extreme heat.

Section 51(1)(a) of the Residential Care Regulation requires an operator to have an emergency plan that sets out procedures to prepare for, mitigate, respond to and recover from any emergency, including procedures for the evacuation of persons in care, and (b) a plan that sets out how persons in care will continue to be cared for in the event of an emergency. Additionally, with regards to temperature and lighting, section 16(1) outlines that a licensee must ensure that the temperature in each bedroom, bathroom and common room is safe and comfortable for a person who is carrying out the types of activities that would be reasonably expected in the ordinary use of the room. Every long-term care facility, including AMICA is also required to have policies in place regarding the health and safety of persons in care and, additionally, all long-term care facilities licensed under the Act receive regular compliance inspections from health authority community care licensing officers.

While many of the tragic outcomes of the recent heat wave were unanticipated due to a lack of previous exposures to such temperatures in BC, this experience has nevertheless provided lessons learned to help the Ministry prepare for the future.

I can assure you that Ministry staff will continue to engage with health authorities to support regional and facility level planning and response for extreme heat (and other extreme weather events) and will also work with contract/grant funded community-based seniors' service organizations to support their engagement with seniors in the event of extreme weather conditions.

Additionally, the Federal government has committed \$134 million under the [*Safe Long-term Care Fund*](#) to the Province to support the improvement of infection prevention and control in long-term care, such as improving ventilation and air quality in new or renovated infrastructures. This funding is anticipated to address some heating, ventilation, and air conditioning issues in many long-term care facilities throughout BC.

Newly constructed community care facilities must also comply with the BC Building Code. This includes built-in compliance with the BC Energy Step Code whereby facilities that do not have mechanical cooling (such as air conditioning) must otherwise address overheating risks. BC is exploring opportunities to increase resilience of buildings throughout the province, which could include working with the National Research Council to develop and adopt building codes that include further measures to address overheating in buildings.

If you would like to inform Vancouver Coastal Health Authority (VCHA) of your concerns about a particular facility, you are encouraged to do so. You can connect with the Patient Care Quality Office via email at: pcqo@vch.ca. Alternatively, you can share your concerns anonymously with the VCHA Licensing Office via email at: communitycare.licensing@vch.ca, where your anonymity will be upheld.

Again, I want to thank you for writing and for your commitment to caring for the seniors in our province. I appreciate the opportunity to respond.

Sincerely,

Kiersten Fisher

Executive Director

Seniors Services Branch

Health Services Division

I respectfully acknowledge and with gratitude that I live, work and play on the traditional lands of the Lkwungen speaking peoples of the Esquimalt and Songhees First Nations

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Ministry of Health response - 1213038 - update

From: HSDDOCS.Processing HLTH:EX <HSDDOCS.Processing@gov.bc.ca>
To: s.22
Cc: Minister, AG AG:EX <AG.Minister@gov.bc.ca>, pcqo@vch.ca, EHVC@vch.ca
Sent: December 22, 2021 4:35:40 PM PST
1213038
s.22

Dear s.22 :

It has come to our attention that one of the addresses cc'd on previous email was incorrect. Please accept our sincere apologies for this error. The correct email address for the VCHA Licensing Office is EHVC@vch.ca where you can share your concerns anonymously. Thank you for sharing.

Sincerely,

The Correspondence Team

Health Services Division

I respectfully acknowledge and with gratitude that I live, work and play on the traditional lands of the Lkwungen speaking peoples of the Esquimalt and Songhees First Nations

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