

TENANT RIGHTS

Produced by Pivot Legal Society

PIVOT

www.pivotlegal.org 604.255.9700

WARNING

You have the following rights by law. Most landlords will not illegally evict someone who makes a complaint, but some will.

- If you are going to challenge your landlord, make sure that you are prepared to face an illegal eviction.
- The police have a policy of refusing to prevent illegal evictions.
- The Residential Tenancy Branch may not be able to hear your application about an illegal eviction for weeks.
- The City of Vancouver's current policy is to condemn a building rather than require a landlord to fix and maintain it.

Discrimination

You have a right not to be evicted, harassed or refused service by a landlord based on what you look like (race), whether you have an addiction, or if you're on welfare or disability.

Privacy

You have the right to privacy and freedom from disturbance by a landlord in your unit. A landlord is only allowed to enter your unit if:

(1) There is an emergency, like a fire or flood **OR (2)** You give the landlord permission **OR (3)** You are given at least 24 hours written notice, with the date and time between 8 a.m. and 9 p.m. of when they want to enter, and given a fair reason for entering.

Security deposits

You have a right to have your security/damage deposit returned when you move.

- To keep a security deposit, your landlord must do an inspection at the beginning and end of your tenancy, share the results of the inspection with you, and request your signature on the inspection forms.
- You must give an address where the cheque can be sent to you when you move out. You can give the address of a friend, agency or relative, or your new address.
- You can make a claim for the repayment of a security or pet deposit anytime within two years of the end of your tenancy.

Maintenance

You have a right to live in a home that meets minimum health, safety and housing standards. YOU HAVE A RIGHT TO:

- A home with a working toilet and (hot and cold) running water;
- A home with working showers and heating;
- A home free of mold, bedbugs, cockroaches, and mice.

You can make an anonymous complaint about building conditions to the City of Vancouver property use inspectors at: 604.873.7560.

Guests

You have a right not to be charged guest fees. Make sure you get a receipt for guest fees that are paid with YOUR name on the receipt so you can file for arbitration to get the money back.

Evictions

You have a right to proper notice before you are evicted.

You have a right to fight that eviction notice.

- To fight your eviction you must submit an application for dispute resolution within five days of receiving the notice for not paying rent; 10 days if you are being evicted for cause; or 15 days if you are being evicted so your landlord can use the property or if you no longer qualify for subsidized housing.
- The landlord must use the official two-page eviction form from the Residential Tenancy Branch.
- If you are being evicted, you should visit one of the advocates listed on this card to get advice as soon as possible!

More information

Below is a list of services that provide free legal advice on tenancy issues in the Downtown Eastside:

Downtown Eastside Residents Association (DERA) 604.682.0931

TRAC Tenant Resource & Advisory Centre 604.255.0546

Pivot Legal Society 604.255.9700

UBC Law Students 604.822.1661

First United Church 604.681.9244

Downtown Eastside Women's Centre (Women only) 604.681.8480

Atira (Women only) 604.331.1407 ext. 105

The Residential Tenancy Branch

The Residential Tenancy Branch has all of the forms you need online at www.rto.bc.ca

The Residential Tenancy Branch main office is located at 5021 Kingsway in Burnaby. The closest Skytrain station is Metrotown.

There is a Residential Tenancy Branch officer who can answer questions, give you forms, and accept filings every Tuesday and Thursday from 1:00 p.m. to 3:00 p.m. at Pathways, in the Four Corners Bank building at the corner of Main and Hastings.

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