



BRITISH COLUMBIA APARTMENT OWNERS & MANAGERS ASSOCIATION

PROMOTING AND SUSTAINING RENTAL HOUSING IN BC

MEMBER NEWSLETTER

March 21,

You Rented To One Person: Now You Have Four!

And you have no idea who the other three people are who are living in your suite.

This is a very common call to our office. There are some simple remedies for avoiding this situation initially or for quickly dealing with extra people immediately upon discovery.

Some situations are even worse—the original tenant has left and is no longer living in the rental suite.

Establish your building criteria

When interviewing prospective tenants, advise them of your criteria. For example, you have a one-bedroom suite for rent. Your criteria may be as follows:

- Maximum of two tenants may live in the suite
- Both prospective tenants must be present at the interview
- Both prospective tenants must fill out an application form
- Reference checks and credit checks will be performed for both tenants

At the interview stage, reinforce that if accepted as tenants, only they may live in the suite. Ensure that both tenants understand your criteria.

BCAOMA Tip: Create written criteria and have each prospective tenant initial to show they have read and understand your criteria.

Talk about your building rules

While both tenants sign the BCAOMA tenancy agreement, point out clause thirteen, additional occupants. This clause provides that only the tenants that are listed on the tenancy agreement may live in the rental suite. Advise that they may have guests for up to two weeks only. After that, the guest must leave. If the tenants bring in another person(s) without applying for permission in writing from the landlord, advise the tenants the people will be considered trespassers and will be asked to leave. Communicate the rules at the beginning of the tenancy.

Additional occupants

In many cases, the existing tenants have allowed other people to

move in without your permission. Deal with this situation immediately upon discovery. Notify the errant tenants in writing that they have breached clause 13 of the BCAOMA tenancy agreement and the occupants must leave (by a certain date) or you will be serving a one month notice to end the tenancy. Make sure everything is in writing with dates, times and all other pertinent information kept in the tenant's files.

You may decide to accept another tenant or occupant but you will require the prospective tenant to go through the full tenant screening process (BCAOMA application for tenancy form, reference checks, credit checks). If your tenants have brought in an additional occupant without written permission and you have found out about it, you can serve the BCAOMA breach letter for additional occupants. The breach letter advises the tenant that the additional occupant must go through the full screening process. If your tenant complies with your request accept their application and apply the same screening criteria that you would for any vacancy in your building. Make the necessary changes to adjust your existing BCAOMA tenancy agreement to include your newly accepted tenant or occupant, you and the existing tenant should both date and initial the changes. Be certain to collect emergency contact information as well.

BCAOMA Tip: The Residential Tenancy Act now allows owners to inspect their rental properties monthly! Keep an eye on your rental property by performing regular inspections. Advise prospective tenants that you regularly inspect your properties. That should deter anyone who is thinking about bringing in additional occupants and, even better, deter criminal activity such as grow operations and methamphetamine labs.

Of course to enter for a suite inspection the landlord must give the tenant written notice at least 24 hours and not more than 30 days in advance. The notice must give the reasons for entering and the time at which the landlord will enter the rental unit. The time must fall between 8 am and 9 pm unless the tenants agree to another time.

Continue to next page ...

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Continued from page 1 ...

Assigning or subletting a tenancy

Sometimes circumstances come up where one tenant has to leave—marriage, loss of job, moving to another location, etc. You may decide to allow the existing tenant to assign or sublet their tenancy (after receiving a request in writing from the existing tenant). If the tenant and the additional occupant refuse to comply, serve a Notice to End a Residential Tenancy based on Section 47(1) (h) of the Residential Tenancy Act, for subletting without your permission. If your tenant complies with your request, accept their application and apply the same screening criteria that you would for any vacancy in your building. Make a note on the agreement that the previous tenant left on a particular date. Keep a copy of the permission letter in your files. Be certain to collect emergency contact information as well.

What is assignment?

In an assignment, the tenant transfers all his or her rights under a tenancy agreement to a third party who then becomes the tenant of the original landlord.

What is a sublet?

A sublease conveys part of the tenant's rights to a third party. For example, the sublease may be for a rental period that is shorter than the original period. The sub-tenant receives only the rights contained in the sublease. The original tenant remains the tenant of the original landlord.

If a tenant agrees to sublet for the full period of the original tenancy, the agreement will be treated as an assignment of the tenancy.

When can a tenant assign or sublet a tenancy agreement?

A tenant may assign or sublet his or her interest in a tenancy agreement with the written consent of the landlord. The original tenant must make the request. If a tenant assigns or sublets a tenancy agreement without the landlord's consent, the landlord may serve a one month notice to end the tenancy.

If a request is made by the original tenant, the landlord's consent cannot be unreasonably or arbitrarily withheld if the tenancy agreement is for a fixed period of six months or more.

Remember, you have the right to protect your investment. Ensure that you know who is living in your rental property.

Reduce Your Natural Gas Bills

Whether you are or aren't in the gas pooling program, using natural gas in a more efficient way can definitely reduce your natural gas bill no matter how much it costs. Although replacing old boilers & water heaters to high efficiency ones for your buildings is a very straightforward way to improve energy efficiency, it might not seem that promising to some members due to high up-front capital costs and long payback period. That is why FortisBC (formerly Terasen Gas) provides incentives to such building upgrading measures in order to offset the high costs and shorten payback period. However, what exactly are these incentive programs?

There are mainly five incentive programs available right now for BCAOMA members:

Light Commercial Energy Star Boiler Program (Space Heating)

Conserve energy & earn a cash rebate of up to \$ 1,495

Efficient Boiler Program (Space Heating)

Install an efficient boiler with input rate more than 299 MBH & earn a cash rebate of up to 75% of the purchase price premium.

Efficient Commercial Water Heater Program

Install a high-efficiency water heater & receive a rebate up to \$15,000

Energy Assessment Program

Receive free energy assessment with an annual natural gas consumption of more than 2,000 GJ. Upon approval of the application, an appointment will be set up for an energy efficiency consultant to visit your site and make recommendations.

Fireplace Timer Pilot Program (Only available till May 31, 2011)

Install free timers for decorative natural gas fireplaces in qualifying multi-family buildings to get an incentive of \$30 for each timer installed. Display sample can be found in our office.

Other than above incentive programs, there is one more great thing you should know—the **Gas EcoKit**, a perfect way to implement gas conservation solutions throughout your houses/buildings. This kit includes:

- 1.5 GPM Earth Massage showerhead
- 1.5 GPM dual-spray kitchen swivel aerator
- (2) 1.0 GPM bathroom aerators
- Shrink-Fit Window Kit
- Draft Stoppers(12), Switch & Outlet Gaskets (4 of each)
- Foam Weather Strips
- Energy Wheel

With a price only **\$17.18 (valid till July 31, 2011)**, this kit is a simple but effective way to reduce your gas bill. It can also be used as wonderful educational materials to help tenants understand the importance of saving energy. Don't miss this great opportunity to get started saving natural gas consumption. Detailed description of each product and display sample can be found in our office.

For more information of FortisBC's incentive programs and Gas EcoKit, please contact me: Natalie Yao (Energy Specialist) @ 604.733.9440 or nyao@bcaoma.com. I will be more than happy to hear from you and help you assess and apply for FortisBC's incentives.