



**-AFTON-
HOTEL**

KNOW YOUR RIGHTS

**A STREET GUIDE FOR YOUR RIGHTS &
RESPONSIBILITIES AS A TENANT IN**

**SRO +
SUPPORTIVE
HOUSING**



**SURREY
UNION OF
DRUG
USERS**



This resource was created on
unceded traditional territories of
the x^wməθk^wə́yəm (Musqueam),
Sk̓w̓x̓wú7mesh (Squamish), and
səlilwətał (Tsleil-Waututh)
Nations.



BC Housing and your landlord don't decide your rights – the law does.

Sometimes landlords or housing providers will say the Residential Tenancy Act **(RTA)** doesn't apply to your home, or that you don't have certain protections. **That doesn't make it true.**

**Two important laws protect
tenants in BC:**

- 1. The Residential Tenancy Act (RTA)**
- 2. The BC Human Rights Code**





The BC Human Rights Code: What It Does

The Human Rights Code says you cannot be treated unfairly because of who you are.

This includes:

- ☐ Disability (physical or mental)
- ☐ Race, ancestry, Indigenous identity, or place of origin
- ☐ Gender, sex, or sexual orientation
 - ☐ Religion or beliefs
 - ☐ Age or family status

Your housing provider **cannot discriminate against you** and **has a duty to accommodate you**— this means making your home accessible.

If your housing provider discriminates against you, or they haven't accommodated your needs, you can file a complaint against them with the Human Rights Tribunal.

The Human Rights Tribunal can order:

- ☒ Compensation for losses (like moving costs or higher rent)
- ☒ Money for harm to your dignity
- ☒ Changes to make housing more accessible (like ramps or automatic doors)
- ☒ Steps to stop future discrimination

Your landlord can't retaliate against you when you speak up for your tenancy rights.

The Human Rights Code may apply to you, even if the RTA doesn't.

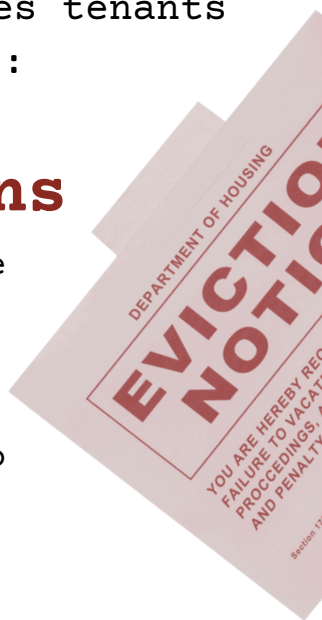


The RTA: What It Does

The RTA exists to balance power between landlords and tenants. It gives tenants basic rights, such as:

Eviction Protections

- ☑ Landlords must give proper notice (e.g. 10 days for unpaid rent, 1 month for cause) and you have the right to dispute it at the Residential Tenancy Branch (RTB) to have it cancelled.



Repairs & Maintenance

- ☑ Your landlord must keep your home in good condition (e.g. appliances need to work)



The RTA: What It Does

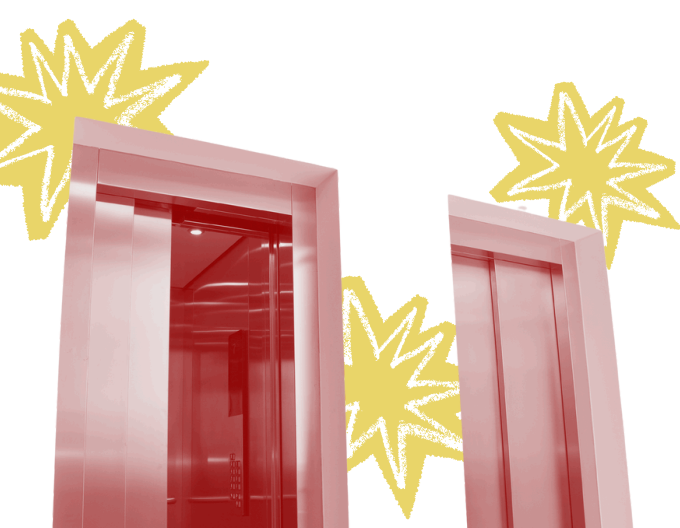


Services & Facilities

☑ If your building has things like elevators, your landlord must keep them working.

Fair Agreements

☑ Your landlord cannot make you follow terms in your agreement that are **unconscionable**—that means terms that are unfair, one-sided, or take advantage of you in any way.



Important: Landlords often break these rules – but the RTA lets you challenge them, hold them accountable, or ask for compensation at the RTB.

Does the RTA apply to
supportive housing?

Yes .

The RTA does apply to
supportive housing,
**even if a tenant signed
a Program Agreement.**



**Tenancy Agreements vs.
Program Agreements**



In 2024, the government removed some important rights for tenants living in supportive housing.

These include:

- **Privacy:** Landlords no longer have to give 24 hours' notice before entering a tenant's home.
- **Guests:** Landlords can now restrict a tenant's ability to have guests.
- **Quiet Enjoyment:** A tenant no longer has the right to quiet enjoyment, which means if their privacy is violated or the landlord ignores noise problems, tenants cannot go to the RTB to ask for compensation.

Tenants in supportive housing still keep their other rights under the RTA. This includes the right to fair agreements, the right to challenge an eviction, the right to have repairs made, rent control, and the right to safe and working services and facilities (like elevators).



**ATTACK ON RTA RIGHTS
FOR SUPPORTIVE HOUSING**

Tenancy Agreements vs. Program Agreements

Q

“ My landlord says
the RTA doesn’t apply because I
signed a “program agreement,”
is that true? ”

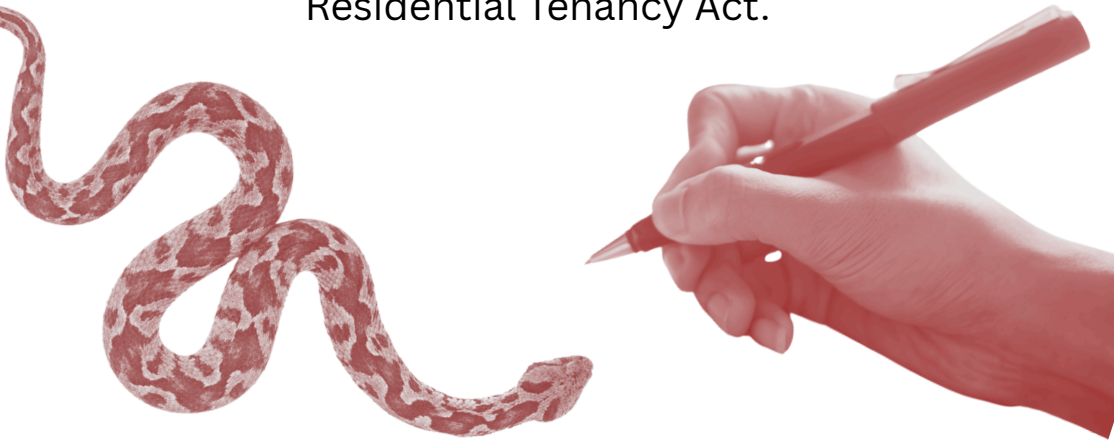
A

Not necessarily.
Sometimes landlords say
the RTA doesn’t apply
because a tenant signed a
“program agreement.”

**Signing a program
agreement alone does not
take away your rights
under the RTA.**

Tenancy Agreements vs. Program Agreements

Signing a program agreement does not decide whether the RTA applies to a tenant. What matters is whether the housing actually fits the legal definition of a type of housing the RTA doesn't **cover**. These definitions are set out in the Residential Tenancy Act.



Only an RTB arbitrator can decide if the RTA does or does not apply to a person's home
— **not the landlord and not BC Housing.**

Tenants don't have to take their word for it.
If you're not sure whether the RTA applies to you,
you have the right to apply to the RTB and get
an official decision.

WHAT THE RTA DOES NOT COVER

Section 5 of the RTA lists certain types of housing where the **RTA does not apply**.

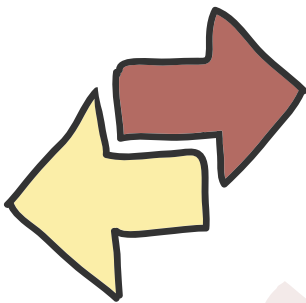
These are the most common types that housing providers often point to:

Emergency Shelters

Short-term,
usually free.

Transitional Housing

Temporary, government-funded, with programs attached. Must meet all criteria to be exempt.



Health-Based Housing

Exempt only if health care is the main focus (having nurse visits or wellness checks isn't enough).



Q “I’m not sure what
“type” of housing I
have?”



A Only the RTB – not your landlord
or BC Housing – can decide what
kind of housing you live in and if
the RTA covers it.

**If you’re not sure, you have the right to
apply to the RTB and get an official
decision.** If the RTB decides the RTA applies
to your home, your landlord must follow it.
If your landlord doesn’t follow it, you can
go back to the RTB to have your rights
enforced or to ask for compensation if your
rights were violated.





Q

But what if I signed a program agreement that says the RTA doesn't apply to my home – did I sign my rights away?

A

No. Section 5 of the RTA is clear: tenants cannot sign away their rights. Even if your agreement says the RTA doesn't apply, it still might.

What matters is the kind of housing you actually live in, as defined by the law and the RTB – not what your landlord or BC Housing call it, and not what they say about the RTA.

If you live in supportive housing or independent housing, the RTA still applies (except for the rights the government removed from supportive housing in 2024) – even if you signed something saying it doesn't. Your rights come from the law, not from your landlord's paperwork.

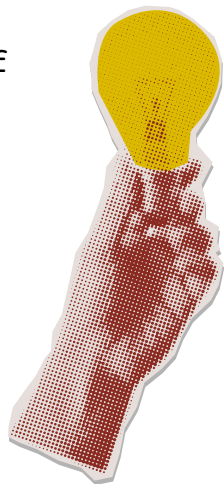


I think my home might be **transitional housing or a health-based facility**. If the RTA doesn't apply, do I still have rights?



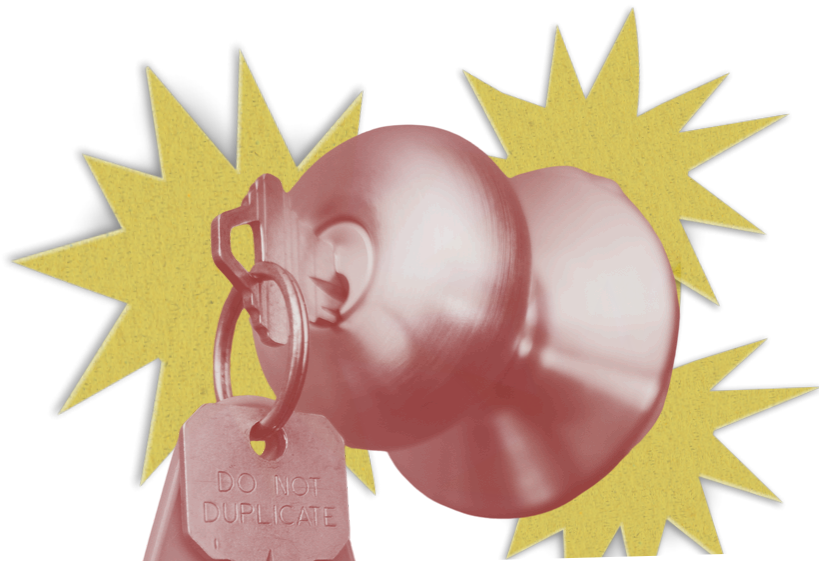
Even if the RTA doesn't apply (and this is often unclear, even in the law), you can still make sure the landlord follows what is in the written agreement. If the landlord breaks a term and you experience harm, you can take legal action for breach of contract.

But the RTB cannot hear these cases if your housing is not covered by the RTA. Instead, you may need to go to another place, like the Civil Resolution Tribunal, Small Claims Court, or BC Supreme Court. Which one depends on the issue.



**Transitional Housing or
Health-Based Facilities**

This is why it's so important to **confirm whether or not the RTA applies**. If it does not, your rights are fewer, the protections are weaker, and enforcing them can be harder because you may need to go through the courts, which are more complicated than the RTB.



**Transitional Housing or
Health-Based Facilities**

Q

**My tenancy agreement
is only verbal.
Do I still have rights?**

A

Yes. if your home is covered by the RTA, verbal tenancy agreements are still tenancy agreements, and the protections and rights in the RTA apply. It's always better to have a written agreement, and it is best to always ask for it to be in writing if you can.



TENANCY AGREEMENTS

Q

Can my landlord change the agreement without my consent?

A

No .



Any change must be in writing and signed by both you and your landlord. Even then, if a term takes away your rights under the RTA or is very unfair, you may not have to follow it. Because it's not always clear which terms are illegal or unfair, it's a good idea to check with a legal advocate or the RTB before accepting or following those terms. Otherwise, it may put your tenancy at risk.

TENANCY AGREEMENTS

TENANCY AGREEMENTS



Q

Do I have to sign a new tenancy agreement if my landlord asks me to?



A

No. The first tenancy agreement you signed (or agreed to verbally) is the only one you are required to agree to – unless a new agreement is clearly better for you, like lowering your rent.

If your landlord tries to change the agreement in ways you don't agree with, you do not have to sign it to keep living there.

Even if nothing has changed, but your landlord still asks you to sign a new agreement, be cautious – they may have another reason for asking that doesn't benefit you. For example, if you signed your agreement before a new limiting rule (like a smoking ban) was brought in, that rule may not apply to you. **Sometimes landlords ask tenants to sign new agreements just to reset the date of the tenancy so the new rules apply.**

TENANCY AGREEMENTS

Q

Do I have to sign a new tenancy agreement if my landlord asks me to?



A

This also applies to fixed-term agreements (tenancy agreements for a set time, like one year). When the term ends, you don't have to sign a new agreement unless you want another fixed term. By law, your tenancy automatically switches to month-to-month – no new agreement needed.

If you're not sure whether signing a new agreement is in your best interest, you can talk it over with a legal advocate.

I want the RTB to decide if my home is covered by the RTA, or to make my landlord follow the RTA and respect my rights. How do I apply?

- **Apply:** You can apply to the RTB online, at the RTB office in Burnaby, or at any Service BC office. The application is only available online. If you don't have access to a computer, a legal advocate may be able to help you apply from their office in a private and confidential space.
- **Hearing package:** After you apply, you'll get a hearing package with the date and details of your hearing. You must give a copy of this package to your landlord within 3 days.
- **Hearings:** Most hearings are done by phone. If you can't do it by phone and need another option, you can ask for an in-person hearing as an accommodation.



TENANCY AGREEMENTS

Q

I want the RTB to decide if my home is covered by the RTA, or to make my landlord follow the RTA and respect my rights. **How do I apply?** (Cont.)

A



At the RTB, you can get an official decision about whether your home is covered by the RTA. **The RTB can make your landlord follow the law and respect your rights.** If your landlord broke the rules and caused you harm, you can also ask for money (compensation) for what you lost.



**Just because your landlord says you don't
have rights doesn't make it true.**

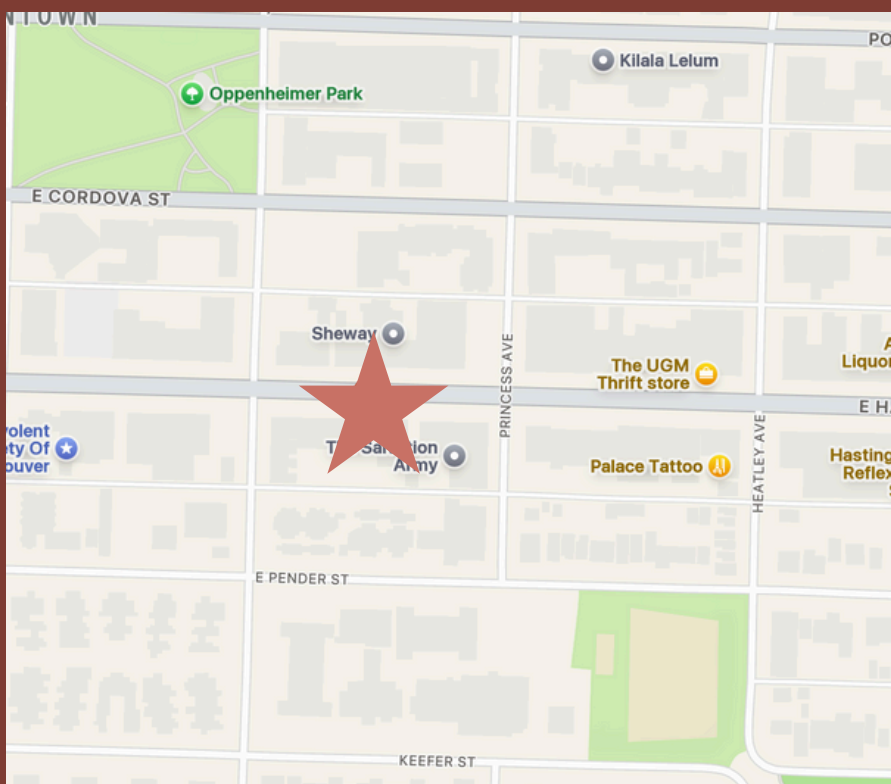
The RTA was created to protect tenants, not landlords. RTB arbitrators must keep this in mind when deciding your rights and protections. You can always make a Human Rights complaint to the BC Human Rights Tribunal even if the RTA does not apply.

You don't have to do this alone



Advocacy groups and legal clinics can support you through the process. Here is a list of advocacy organizations that may help tenants living in supportive housing





First United Advocacy

542 East Hastings Street, Vancouver

Phone: 604.251.3323

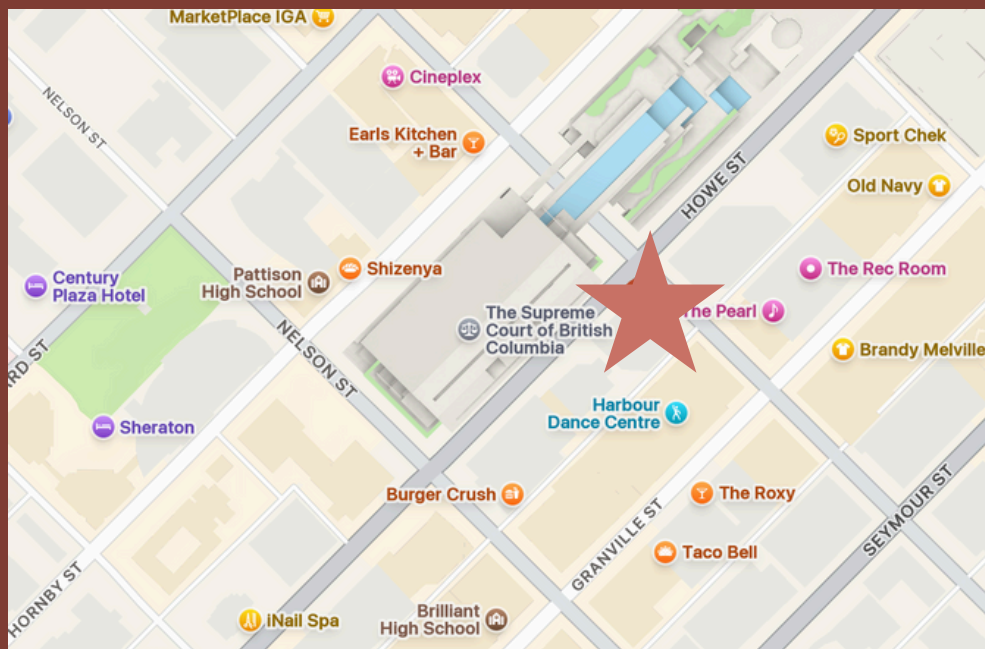
Email: advocacy@firstunited.ca

Website: <https://firstunited.ca/how-we-help/legal-advocacy>

Intake Times:

Monday, Wednesday, Friday 9:30-11:30 AM

Tuesday Thursday, 1:00-3:00 PM



Tenant Resource and Advisory Centre (TRAC)

150 - 900 Howe Street Vancouver

Tenant Infoline: 604.255.0546

Website: <https://tenants.bc.ca/get-help/>

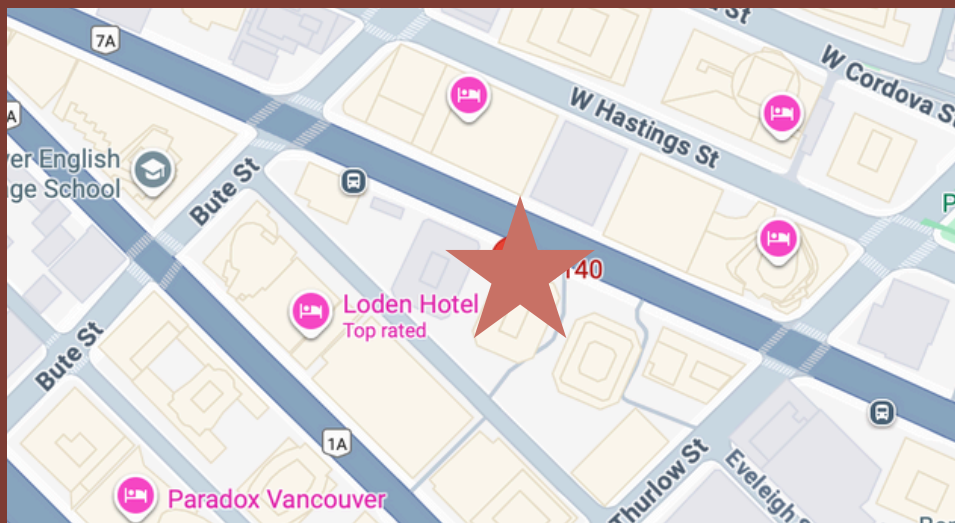
Drop-in Times:

Monday: 10am - 4pm

Tuesday: 10am - 4pm

Wednesday: 10am - 4pm

Thursday: 2pm - 6pm



**If you are interested in knowing more about the
human rights complaint process:**

BC Human Rights Clinic

300-1140 West Pender St., Vancouver

Phone: 604.622.1100

Email: infobchrc@clasbc.net.

Website: <https://bchrc.net/services/>

Phone hours: Monday to Friday
from 8:30-4:00 PM



**Note: This is legal
information, not legal advice.**

**Everyone's situation is
different. If you're unsure,
get help from a legal advocate.**

