A STUDENT'S INTRODUCTION TO TENANCY RIGHTS

CONTRACTS

What is a tenancy agreement?

LANDLORDS

What can landlords request from you?

ROOMMATES

What are your rights as a roommate?

Renting a place for the first time can be a stressful experience. While it may be easier to agree to everything so you can find a place to live, it is important to understand your rights as a tenant. You are protected by the law.

If you are living in UBC Student Housing, your rights will differ from those of tenants renting in BC. Your rights and responsibilities are outlined in your Residence Contract.

WHAT IS THE RTB?

The Residential Tenancy Branch (RTB) is a government department that deals with tenancy law in BC, including the Residential Tenancy Act (RTA).

RTB provides information and dispute resolution services for landlords and tenants.

They can be contacted via phone, email, or in-person.

RESIDENTIAL TENANCY ACT

The Residential Tenancy Act (RTA) outlines the rights of landlords and tenants, regulations around tenancy, and dispute resolutions.

If you are a tenant who is under age 19, the RTA still protects you.

There are some cases, regardless of age, where the RTA does not cover you. You are not covered if you:

- Share a bathroom or kitchen with your landlord
- Are a student living in school-provided housing
- Are renting from another tenant

TENANCY AGREEMENTS

A tenancy agreement is a legal contract between the tenant(s) and the landlord. This contract outlines the terms of the tenancy, including cost of rent and tenancy period.

It is legal for you to negotiate terms in your tenancy agreement such as rent cost, but remember to do so before signing it.

Since a tenancy agreement is a legally-binding contract, all the terms agreed upon by the tenant and landlord must be legal. Illegal terms are unenforceable.

Helpful Tip!

As a renter, you can purchase tenant insurance to protect yourself. Tenant insurance covers you and your belongings from damage caused by theft, fire, and other disasters.

Many landlords require you to have tenant insurance and it is a legal requirement as long as it has been agreed upon in the tenancy agreement.

If it’s affordable for you, tenant insurance is worth serious consideration. UBC Housing lists BCAA as one option for a tenant insurance provider.

WHO IS YOUR LANDLORD?

A landlord is the person who allows a tenant to use the property in exchange for rent. The landlord can be the owner of the property or a tenant that you are renting from.

Landlords are required to include their legal name and address in your tenancy agreement.

You will be connecting with your landlord for matters regarding rental applications, rent payment, emergency repairs, and more.

PERSONAL INFORMATION

Your landlord can only request personal information from you that is necessary for evaluating your eligibility for tenancy. (e.g. legal name)

The Office of the Information and Privacy Commissioner for BC_outlines what information landlords can request from you.

You can file a complaint if a landlord refuses to rent to you because you didn't provide personal information.

Personal information that your landlord cannot ask for includes:

Criminal record check, bank account info, social insurance number, credit card info, and a copy of driver's license info

WHAT FEES CAN YOUR LANDLORD CHARGE YOU?

VS

LEGAL

Non-refundable:

- Late rent payment fee
- Replacement key fee
- Returned cheque fee
- Moving fee

Refundable:

- Additional key fee

ILLEGAL

- Key fee (after you request a lock change)
- Application fees
- Tenancy acceptance fee
- Guest fee (including overnight guests)

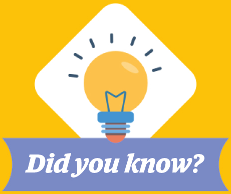
Remember your landlord can only charge you legal fees if there is a term allowing it in your tenancy agreement!

RENT INCREASES

Rent amount is agreed upon in your tenancy agreement.

Your landlord can only raise your rent by max. 2% + inflation, once every 12 months.

Your landlord must provide you with a Notice of Rent Increase form three full months before the rent increase takes effect.


Did you know?

There is a free online course for first-time renters called Renting It Right. Through the course, you will learn how to: search for housing, submit a strong rental application, and evaluate a tenancy agreement before signing it.

If you pass the final exam, you will receive a certificate that can be used as a reference.

TYPES OF ROOMMATES

OCCUPANTS

Do not have a tenancy agreement with landlord

Occupants are renting from a tenant

Not covered by the RTA

TENANTS IN COMMON

Each person has separate agreement with landlord

Responsible for own behaviour

Landlord will choose your roommates

CO-TENANTS

Multiple people share one tenancy agreement

Joint responsibility for rent and damages

Choose your own roommates

Curious about your legal relationship with each type of roommate?

Learn more at: tenants.bc.ca/roommates