

MR. ANDREW WEAVER

RESIDENTIAL TENANCY AMENDMENT ACT, 2019

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1 Section 45.1 of the Residential Tenancy Act, S.B.C. 2002, c. 78, is amended

(a) in subsection (1) by adding “and section 45.2” after “In this section” and by adding the following definition:

“occupant violence” means violence that has adversely affected an occupant’s quiet enjoyment, security, safety or physical well-being or is likely to adversely affect those if the occupant remains in a rental unit, including

- (a) physical abuse of the tenant or other occupant, or a dependant of the tenant or other occupant, including forced confinement or deprivation of the necessities of life, but not including the use of reasonable force to protect oneself or others from harm,
- (b) sexual abuse of the tenant or other occupant, or a dependant of the tenant or other occupant,
- (c) attempts to physically or sexually abuse the tenant or other occupant, or a dependant of the tenant or other occupant,
- (d) psychological or emotional abuse of the tenant or other occupant, or a dependant of the tenant or other occupant, including
 - (i) intimidation, harassment, coercion or threats, including threats respecting other persons, pets or property,
 - (ii) unreasonable restrictions on, or prevention of, the financial or personal autonomy of the tenant or other occupant, or the dependant of the tenant or other occupant,
 - (iii) stalking or following of the tenant or other occupant, or the dependant of the tenant or other occupant, and
 - (iv) intentional damage to property, and
- (e) in the case of a child, direct or indirect exposure to violence against the tenant or other occupant, or a dependant of the tenant or other occupant. ,
and

(b) by repealing subsection (2) (a) and substituting the following:

- (a) if the tenant remains in the rental unit, the safety or security of

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- (i) either the tenant or a dependant of the tenant who lives in the rental unit is or is likely at risk from family violence carried out by a family member of the tenant, or
- (ii) the tenant or other occupant, or a dependant of the tenant or other occupant who lives in the rental unit is or is likely at risk from occupant violence; .

2 ***Section 45.2 is amended by adding the following subsection:***

- (4) If the regulations do not provide for the making of confirmation statements about occupant violence, a person’s authority under this section to make a confirmation statement about family violence is deemed to include the authority to make a confirmation statement about occupant violence.

Commencement

- 3** This Act comes into force on the date of Royal Assent.

Explanatory Notes

SECTION 1: ***[Residential Tenancy Act, section 45.1]*** adds a definition of “occupant violence” and provides that a tenant is eligible to end a fixed-term tenancy in a circumstance of occupant violence, as defined.

SECTION 2: ***[Residential Tenancy Act, section 45.2]*** extends a person’s authority to make confirmation statements about family violence to include authority to make confirmation statements about occupant violence.