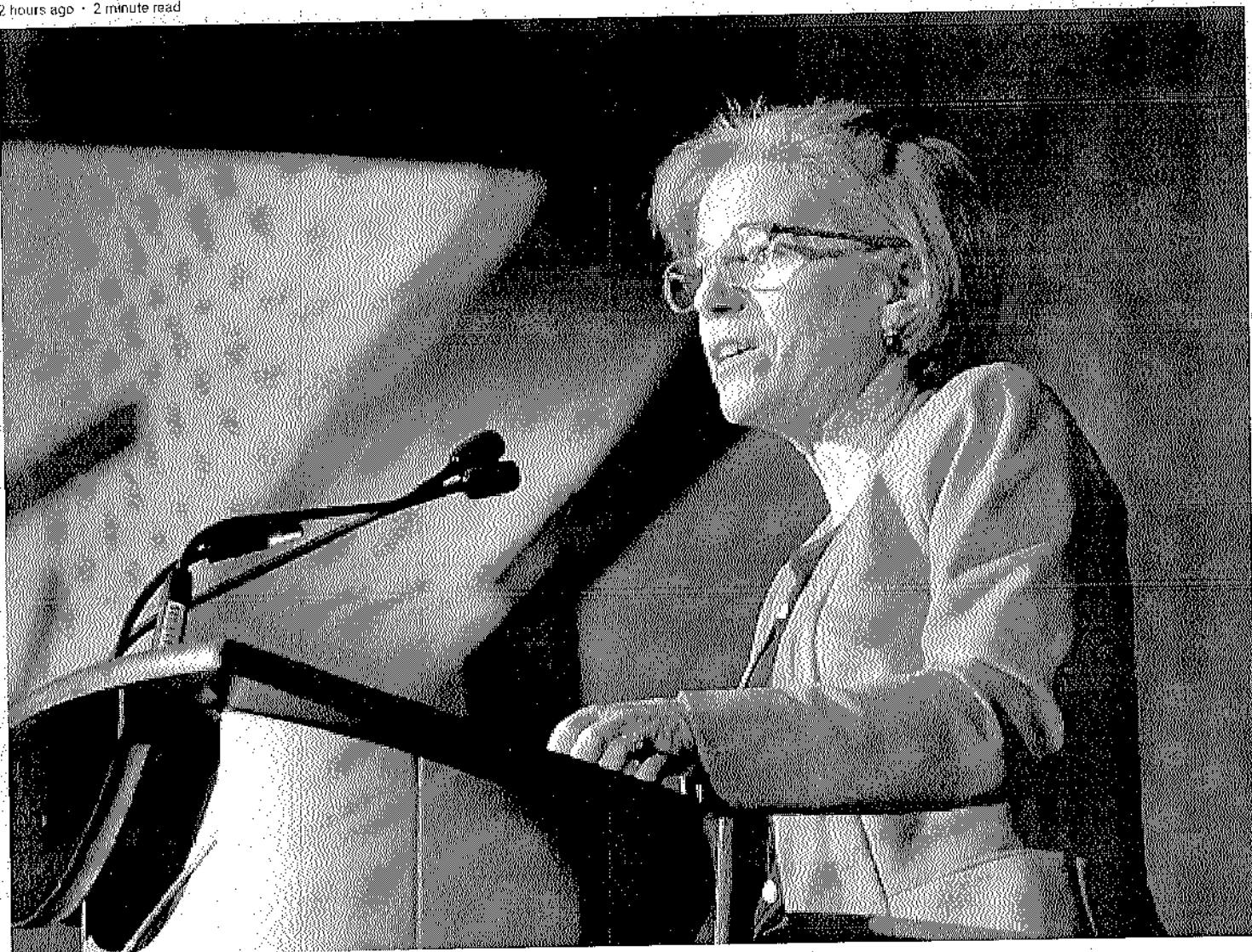


Local News

Richmond leaseholders part of larger call for government to protect affordable housing

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Selina Robinson is B.C.'s minister of municipal affairs and housing. B.C. NON-PROFIT HOUSING ASSOCIAT / PNG

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Richmond leaseholders part of larger call for government to protect affordable housing

The two dozen leaseholders in an older apartment building in Richmond who have been named as defendants in a civil suit for not paying around \$40,000 in charges per suite for building repairs are divided on how to respond.

The case involving low-income leaseholders who have no legal options and face losing their homes and savings is an example of a larger, unfolding story about calls to protect affordable housing.

Westpark Investments, the owner of the Richmond building, and its private owners also own companies such as Westsea Construction that own several buildings constructed mostly in the 1970s.

There is an estimated 2,000 such long-term, leasehold suites in B.C. The ones owned by these related companies include hundreds in buildings in Victoria and Vancouver's West End, another in Richmond, and a townhouse development in Surrey.

Postmedia reached out to various companies related to Westpark, but most declined to comment or did not reply.

Leaseholders at other buildings, in particular Orchard House in Victoria, have already been through years of legal battles and infighting about how to handle similar dealings with owners.

It is the residents at the Bluehaven building at 6420 Buswell St. in Richmond who are facing a deadline on June 20 to reply to the most-recent civil claim.

A leaseholder in Victoria has been calling for the Ministry of Municipal Affairs and Housing to consider legislation to support leaseholders and address affordable housing issues.

The ministry and most legal observers say these leases are individual agreements and because they are for more than 20 years (usually 99 years) they are not subject to the Strata Property Act or the Residential Tenancy Act.

But Gerald Rotering, who lives at Orchard House, said that a recent B.C. Court of Appeal decision on May 28 should change the way these leases are understood and supports government action to protect leaseholders.

“All of the individual, long-term residential lessees should tell their MLA that B.C.’s highest court directly contradicts how the leases have been portrayed. These leases were all created in 1974 by a lessor/s with no input or negotiation on behalf of lessees,” he wrote at orchardhouseleaseholder.ca.

“I don’t think the ministry has digested the meaning of this imbalance of power. Legislation would not likely be able to avoid lessees being billed to repair the buildings in which they live until the leases expire,” he said. “But (it) could ensure that lessees receive a year or two notice, have ample time to pay, and receive disclosure about who is doing what with the money they must pay.

“Keep in mind that it is often people who can’t afford to have true-ownership condominium homes who turn to leasehold option.”

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