The Honourable Gregor Robertson, P.C., M.P.
Minister of Housing and Infrastructure
House of Commons
Ottawa, Ontario K1A 0A6

August 25, 2026

Re: Federal assistance for B.C. residents holding 99-year residential leases

Dear Minister Robertson:

I am a resident of Orchard House in Victoria and holder of a long-term residential lease originally granted for 99 years. I am writing to ask the Government of Canada to assist leaseholders who are being required to pay owner-scale capital costs and major repair expenses, but who lack the protections available to homeowners, strata owners and ordinary tenants.

The problem

Orchard House is a 211-suite building constructed in 1969. The leases for each suite are identical and expire in 2073. Leaseholders recognize that an aging building requires necessary building repair and maintenance. My concern is, however, that major projects are being charged to residents without the financing, oversight or protections normally associated with ownership or that might be afforded other forms of housing tenure.

In 2024, the Province of B.C. enaged 99-year leasholders in British Columbia and found that 58% of respondents were retired or receiving a pension, 47% reported household income below $50,000, and 27% identified as low-income. [1] The 2024 consultation identified about 2,500 comparable units in about 20 buildings.

These 99-year leases require leaseholders to pay for all building repair and maintenance costs at the discretion of the lessors, in addition to repair and maintenance costs of their own suite interiors. In the face of aging buildings, leaseholders face escalating major renovation assessments. Accordingly, leaseholders are increasingly unable to pay for these costs, and risk losing what was otherwise affordable housing. The current situation outlined below for Orchard House reflects a pattern seen across many of B.C.'s 99-year leasehold buildings.

In 2026, the lessor and owner of Orchard House, Westsea Construction Ltd. ("Westsea"), charged leaseholders approximately $2.4 million for a fire-alarm project. Soon afterward, Westsea announced a major water-pipe replacement for approximately $5 million that is proceeding at the same time. Leaseholders face total payments over 18 months between ~$27,000 to $50,000, depending on the size of their suites. These costs follow a 2024/2025 ~$1 million first phase boiler replacement and hot-tub repair project, and a second phase for the boiler not yet billed to leaseholders. This itself follows a $5.5 million (~$37,000 plus substantial loan interest for my 2-bdrm suite) windows and doors replacement project in 2016 – 2018. [2] I have only just recently finished paying off loans for the windows and doors costs. This followed a series of smaller charges starting when I acquired my leasehold in 2011. These costs are all extraordinary expenses payable over and above regular building maintenance and repair which typically entail annual shortfalls charged to leaseholders. Under the lease, leaseholders bear the entire burden of these costs; there is no sharing of costs between leaseholders and lessors.

For seniors and people on fixed incomes, these piled-on charges can mean exhausting retirement savings, taking high-interest debt, selling under pressure or facing enforcement and forfeiture by the lessor through the B.C. Supreme Court.

Although these costs are imposed as building operating expenses, leaseholders have no statutory framework comparable to a strata corporation. There is no elected council, statutory voting process, depreciation-report requirement, or specialized dispute resolution tribunal. While the lease requires a minimal annual audit report, there is no requirement for lessors to disclose engineering reports or other reports that justify the costs imposed. This form of housing tenure falls outside both the *Residential Tenancy Act* and the *Strata Property Act*, and any other related regulatory legislstion. [3]

The result is an egregiously unfair gap: leaseholders are treated financially like owners when major repairs and capital projects arise, but like short-term tenants when they seek information, representation or a meaningful role in decisions.

The federal role

I recognize that property law and direct lease regulation are primarily provincial responsibilities. However, the federal government has an important role through housing programs, CMHC financing and mortgage insurance, federal-provincial agreements, housing benefits and access-to-justice initiatives.

Federal housing policy should not exclude occupied homes simply because their legal structure does not fit conventional categories. The federal government should help ensure that leaseholders can finance essential repairs and remain safely housed when lessors pass major capital costs through to them.

I respectfully ask the Government of Canada to take the following actions:

1. Create a federal repair and capital-cost program

The federal government should establish, or adapt an existing program to create, a dedicated stream for non-strata long-term residential leasehold buildings.

This program should provide grants, forgivable loans and low-interest financing for essential projects. Assistance should be available where these projects are charged to leaseholders by lessors as operating costs, special assessments or other mandatory housing expenses.

Eligibility should not depend solely on the lessor owning the building or on the existence of a conventional affordable-housing provider. Applications should be possible through a leaseholder association, nonprofit or public intermediary, or through individual leaseholders. No existing federal program currently serves this purpose: CMHC's Canada Greener Affordable Housing program [5] and Affordable Housing Fund [6] are both closed to new applications, and the Canada Greener Homes Affordability Program [4], while active and now available in British Columbia, funds only energy-efficiency retrofits rather than structural or life-safety capital work such as ours.

2. Provide direct assistance to affected households

Canada should work with British Columbia to establish a means-tested leaseholder assistance program. [8] It should include:

- Grants for low-income and fixed-income residents;
- Interest-free or low-interest loans for capital assessments;
- Deferred repayment for leaseholders until the sale or transfer of a leasehold interest; and
- Emergency support to prevent displacement while financing is arranged.

These measures are especially important because many leaseholders cannot obtain conventional financing secured against the building or their lease interests, even though they are required to pay costs normally associated with ownership.

3. Adapt CMHC financing

CMHC should work with federally regulated lenders to develop a loan-guarantee or financing product secured against registered, long-term leasehold interests. Existing CMHC programs generally assume that the borrower owns the building or is an established housing provider. A tailored product is needed for leaseholders who are responsible for major capital obligations but do not own the underlying property.

4. Include leaseholders in federal housing policy

Housing, Infrastructure and Communities Canada and CMHC should formally recognize non-strata long-term residential leasehold housing, collect reliable data on these homes and include them in federal housing-needs assessments and program reviews. [7]

Federal officials should also work with the Province of British Columbia to develop minimum protections, including:

- Access to financial statements, engineering reports, insurance information and contracts;
- Independent review of proposed major projects;
- Transparent procurement;
- Long-term capital planning;
- Reasonable notice and payment periods;
- Fair allocation of capital costs;
- A recognized leaseholder association;
- Accessible dispute resolution; and
- Protection against disproportionate forfeiture or displacement.

Requested next steps

I respectfully request:

1. A written response identifying existing federal programs that could assist Orchard House residents;
2. Referral of this issue to senior officials at Housing, Infrastructure and Communities Canada, CMHC and Build Canada Homes;
3. Consideration of a federal-B.C. pilot program for long-term leasehold buildings;
4. Inclusion of leaseholder representatives in relevant federal consultations; and

5. A meeting with a delegation of affected B.C. residents.

Residents can provide registered leases, assessment notices, payment schedules and other available project information.

We are not asking the government to eliminate legitimate obligations to maintain aging buildings. We are asking for a fair federal response when leaseholders are required to pay substantial capital and major-repair costs through their housing expenses, without the financing options or protections available to other Canadians.

Preserving existing homes is an essential part of housing policy. For an older leaseholder, displacement caused by an unaffordable assessment cannot realistically be solved by constructing a new home elsewhere years later.

Thank you for considering this request. I look forward to your response.

Yours sincerely,
Hugh Trenchard
Hugh Trenchard

99-year residential leaseholder, Orchard House
Victoria, British Columbia

cc: Will Greaves, MP Victoria; Marie-Josée Houle, Federal Housing Advocate; The Honourable Christine Boyle, B.C. Minister of Housing and Municipal Affairs; Canada Mortgage and Housing Corporation; Build Canada Homes

References

1. B.C. long-term residential leaseholder engagement report (August 30, 2024)
2. www.orchardhouseleaseholder.ca
3. Province of British Columbia: Long-term residential leases
4. Natural Resources Canada: Canada Greener Homes Affordability Program
5. CMHC: Canada Greener Affordable Housing
6. CMHC: Affordable Housing Fund
7. Housing, Infrastructure and Communities Canada: Progress on the National Housing Strategy - March 2026
8. B.C. Housing: Canada-B.C. Housing Benefit eligibility