

DRAFT RESOLUTION

Re: RESOLUTION TO OMMA – Minimum Heating Standards

THAT the following resolution be advanced for debate at the 2001 Okanagan Mainline Municipal Association Convention:

WHEREAS the Province has enacted legislation through the Residential Tenancy Act to protect tenants from unacceptable living conditions, while providing appropriate protection for landlords;

AND WHEREAS Section 10 – Duty to Repair and Keep Clean of the Residential Tenancy Act states, under subsection (1)(a), that the landlord must ensure a rental premises “complies with health, safety and housing standards required by law”; and, under subsection 1(b), is “reasonably suitable for occupation by a reasonable tenant”; yet no health, safety or housing standards are provided as part of the Act nor does the Act define “reasonable”;

AND WHEREAS heating is essential in order to survive the cold winter months, and municipalities are aware of situations where the tenant does not control the availability of heat;

AND WHEREAS there is currently no legislation that specifically states what level of heat is acceptable for rental housing;

THEREFORE BE IT RESOLVED that the Okanagan Mainline Municipal Association be requested to lobby the Ministry of the Attorney General to address minimum heating standards in the Residential Tenancy Act.

BACKGROUND

At the Regular Meeting of Monday, March 5, 2001, Council authorized staff to proceed with the necessary steps to enact a minimum heating standards bylaw; determine how such a bylaw would be enacted, and draft a resolution for debate by OMMA for inclusion of minimum heating standards in the Residential Tenancy Act. The above resolution addresses the latter request.

The deadline for resolutions for the 2001 OMMA Convention was March 2nd; however, we are told this could likely be accepted as a late resolution.

Date: March 6, 2001

File: 0230-20