
From: M M
Sent: July 28, 2020 1:05 PM
To: Clerks
Subject: RE: Public hearing July 28th, 2020- 4330 Maywood Street, Burnaby (Rezoning Application #7-10004)
Attachments: addendum.jpg; #308- 4330 Maywood - Letter to non eligible tenants.docx; Marta Maminska - Madeira Manor - Signed Lease 2018.pdf; Pictures_RTA.docx

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ATTN: City of Burnaby
RE: 4330 Maywood Street, Burnaby (Rezoning Application #7-10004)

Good morning,

My name is Marta Maminska and I am writing this letter to inform the City of Burnaby of the misconduct by the landlord at my building. I have been a resident at Madeira Manor (308-4330 Maywood St in Burnaby) since June 1st, 2018. The building in which I reside is set for a public hearing today (July 28th, 2020) at 5:00 pm PDT. I received an e-mail at 5:14 pm PDT yesterday evening (July 27th, 2020) from the developer's "relocation specialist" specifying that I would not be qualifying for Relocation and Tenant Assistance as I am ineligible. I would like to first mention my dissatisfaction to the fact that this information was sent to me in the evening the day before the public hearing. I found this extremely unprofessional to send such important and time-sensitive information at the last minute, and it prohibited me from being able to contact people in advance to get more information prior to the hearing taking place.

In the said e-mail which I had received (see attached), I was advised that ***"as per the City of Burnaby's Tenant Assistance Policy, compensation and assistance will be provided to eligible tenants – those that were residing on the site at the time the rezoning application was submitted to the City. The application date for this project was June 1, 2018. As your tenancy agreement began June 1, 2018, but the previous tenant was eligible and received the compensation, you will not be eligible for relocation benefits under the Tenant Assistance Plan."***

My lease began on June 1st, 2018 (see attached). the building manager had not diligently disclosed or provided any documents to make me aware of the potential rezoning of this building. ***Prior to signing a lease***, a tenant is supposed to be advised that a building is set to be rezoned if known by landlord – this was the landlord/building managers fiduciary duty to ensure proactive disclosure. In September – ***4 months through my lease*** – I was asked by the building manager to sign an "addendum" (as per attached) which specified that the owner made a rezoning application for the property and that public hearing may occur sometime ***that year or in 2019***. It read ***"tenants acknowledged that financial compensation has already been given to the previous tenant, and this unit will no longer be eligible for tenant assistance plan."*** It was only then in September when seeing this letter that I knew that this building was owned by a developer. Because of (a) my lack of information as to what was going on, and (b) the inability for me to get more answers and information, I was under duress to sign a document which I believe is actually not even legitimate (as per me consulting with a professional shortly after).

I have been studying the newly revised Burnaby RTA since it was released. I do not have any knowledge of who the old tenant for this unit was or what he received because this was under the outdated policy which does not apply to my situation. During my tenure at the building, the RTA has since been revised and what the landlord has specified here is irrelevant to the new policy which the Mayor's Task Force had recently implemented. Also, the landlord is implying that Tenant Assistance and Relocation is specific to the unit and not the tenant. This new RTA policy was adopted in **December 2019**, so the fact that a tenant in 2018 was given compensation under the previous RTA before has no bearing on the compensation that I am owed as a new tenant on the lease. Also, I would appreciate if the City of Burnaby could clarify the application date of this project, as the letter I received specified that **they submitted this rezoning application to the City of Burnaby on June 1st 2018** (which was over two years ago and the public hearing is only now). Please refer to Appendix item 1.1 (end of document) which was copied out of the revised RTA and specifies tenant eligibility.

Furthermore, I feel that the landlord is not in compliance with the policy which the City of Burnaby and the Mayor's Task Force had worked very hard on to adopt for renters all over Burnaby. Displacement is a very big issue especially in this area of Lower Mainland – it is extremely important that a precedent is set whereby developers follow guidelines and are held accountable when they are not in compliance. The revised RTA is an amazing milestone, but if instances like this continue to happen then there will really be no progress made in supporting renters. As you can imagine, I am under the impression that the landlord is looking for a loophole and is attempting to minimize costs as much as possible and relocate as few people as possible. As a tenant who **is eligible**, I want to be relocated or compensated – if this cannot be rectified, then I will have no choice but to take further legal action to ensure that this is indeed taken seriously by the landlord.

Aside from my personal situation, there are several issues which I would like to reiterate. As you are probably already aware, there have been several complaints by tenants about this building regarding its lack of maintenance. I also question the integrity of the landlord and the fact that tenant policies are not enforced. This apartment does not allow pets – yet a neighbour in this building has had a dog for several months – and this dog has disturbed me on several occasions (Unit 309). I for one **still** have a leaking fridge which has not been fixed since May (I have forwarded a follow-up of this to Burnaby Renter's Office on July 28th, 2020). There is no proper protocol for contacting the landlord for concerns, repairs, or any issues. A few months back, I located a memo which was conveniently placed in the corner of a hallway next to a fire extinguisher (see picture attached) – not a visible spot for tenants who actually need to know how to contact the landlord. If it was not for that tenant who lives in the corner of the hallway next to where this notice was placed, I would never have seen this important notice. I believe this was placed in hidden area so that diligence was done by the landlord, but it was not done with the intention of giving this knowledge to the tenants. There are several tenants which have sent complaints to the City of Burnaby as they had broken appliances for months as well. The building lobby and public areas are not being cleaned regularly, and I often find myself cleaning before I can even do a load of laundry (see picture attached). There are even tenants who keep garbage on their balconies, as well as propane tanks which are prohibited. **I have lived in rentals for many years of my life and I find the treatment of tenants and the management of this building of 27-units both to be absolutely egregious.**

In regard to the supporting documentation, you will find the following:

- Appendix (at the end of this letter)
- E-Mail Correspondence from Relocation Specialist (attached in the e-mail)
- Tenant Lease Agreement beginning June 1st, 2018 (attached in the e-mail)
- Addendum to Tenancy Agreement – September 2018 (attached in the e-mail)

Thank you,

Marta Maminska, (Tenant) Apt 308-4330 Maywood Street, Burnaby, BC, V5H 2J7 / [REDACTED]

Appendix

Appendix Item - 1.1

3.3.1 For Rezoning Applications Made Prior to December 2, 2019

As the City had previous versions of the Tenant Assistance Policy, the following eligibility dates establish when a tenancy is considered eligible under the current policy:

- For rezoning applications that received Council authorization for staff to work with the applicant on a suitable plan of development prior to December 2, 2019, the eligibility date is the Council authorization date.
- For rezoning applications that **did not** receive Council authorization for staff to work with the applicant on a suitable plan of development prior to December 2, 2019, the eligibility date is the **date the application is submitted to the City**

From: Heather Verriet
Sent: July 28, 2020 9:52 AM
To: Clerks; Mayor
Subject: Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 2020 - Bylaw No. 14182
- Rez. #17-10004 4330 Maywood Street

Importance: High

Categories: Blue Category

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Laurel Heather Verriet
303 – 6630 McKay Avenue
Burnaby, BC V5H 2X2

Rez Ref # 17-10004
Bylaw # 14182

July 28, 2020

RE: Burnaby Zoning Bylaw 1965, Amendment Bylaw No. 22, 2020 – Bylaw No. 141182

Rez. # 17-10004, 4330 Maywood Street Applicant: Kirpal Properties Ltd.

Dear Mayor Mike Hurley and Burnaby City Council

I have lived and paid taxes in this city for approximately 15 years. I am writing to you concerning this building which is directly behind me. I do not feel that it is appropriate at this point in time to remove any rental properties due to the current rental crisis.

I believe the people of Burnaby made their feelings clear on the matter of protecting our current rental properties when we voted out the last mayor whose habit of tearing down over 25 rental buildings in Burnaby city alone led to the current lower mainland rental crisis and homelessness across our cities.

It may have escaped your notice but as a result of this gross error in judgement of our prior council there are now people living in the parks across the various cities. This is completely unacceptable and speaks to the dire urgent need of every building we have to remain exactly where it is. People living in parks is unsafe for them and unnecessary in this day and age when we have the capability and intelligence to home every person in our city.

In fact, I believe it would be appropriate to pass a bylaw in regards to this matter that all rental buildings be protected until such time as we have replaced our lost buildings with equal quality and value.

The few newer rental properties that have been built are smaller in square footage and are hundreds of dollars above what is affordable for our middle and lower class. I have inspected them myself so I know firsthand they are inappropriate replacements. In fact, the prices are clearly built for the wealthy who usually purchase instead. As a result, many of them are rendered useless.

I received a copy of the prior council's city plan called the Burnaby Housing Profile 2016 for rentals, seniors etc., and it was clear to me, that it is not anywhere close to what it needs to be to correct the error made when all of those rental buildings were torn down. The plan desperately needs to be revamped and furthermore is not very helpful when people are left in the meantime with no homes and as such are living in the parks.

Because I have lived in this area for several years, I was present when the various buildings were torn down. It was horrifying to see that those living in those buildings were unable to find homes and as such their belongings along with the building were enclosed with the rubble as they had nowhere to move to. To witness this was traumatizing for our community as well as those displaced.

Furthermore, this location is not the best for this type of development. If you would actually visit the area you would notice that this peaceful street is not the place for a dense building.

A better location would be Imperial Street and along Kingsway for this type of building. This is because there are a lot of one story, very old, decrepit, commercial small businesses along these streets that could do with replacement and upgrading for better use in our city. Some of them even have vacant units and as such are clearly not needed.

I think it's pretty clear this proposed bylaw change to remove the building at 4330 Maywood needs to be rejected and the people of Burnaby have been speaking to the council regarding this serious matter for several years now and in our frustration of our wishes not being respected, voted out our last mayor accordingly.

We would appreciate it Mayor Hurley if you would honour your campaign promise by ensuring that no more rental properties are approved for tear down and development. This is the reason I voted for you and will continue to vote for you as long as you continue to work on behalf of the citizens of Burnaby and not large corporate interest that is only interested in profit over people.

You and our council work for us the citizens of Burnaby and are bound by contract to ensure that the people of Burnaby are protected and housed not displaced and forced to move into the forests around us. We expect you to act accordingly, or we will be forced to fire you and replace you with a council that will.

Thank you for your urgent attention to this matter.

Laurel Heather Verriet

From:
Sent: July 28, 2020 8:54 AM
To: Clerks
Subject: Re: REZ #17 - 10004 4330 Maywood Street, Burnaby, B.C.
Categories: Blue Category

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Hi,

There is no need to discuss this at the hearing for REZ #17 - 10004,
Address: 301 - 4330 Maywood Street, Burnaby, BC

As there is limited time for hearings, there is no need to discuss my concerns re the above at the hearing today.

Parveen, from the Burnaby Renters Officer has answered all the questions I listed.

Kind regards,
Lili Wpng
#301 - 4330 Maywood Street, Burnaby, BC

From: "Clerks" <Clerks@burnaby.ca>
To: [REDACTED]
Sent: Monday, July 27, 2020 1:20:03 PM
Subject: RE: REZ #17 - 10004 4330 Maywood Street, Burnaby, B.C.

Good afternoon,

This is to acknowledge receipt of your email. It has been forwarded appropriately to our Administrative staff in charge of Public Hearings.

All comments received require the sender's full name, first and last, and **residential address including suite number**. Please provide at your earliest convenience.

Thank you.