

Criteria for Maintaining the Original Eligibility Date Under the Burnaby Tenant Assistance Policy (TAP) for New Rezoning Applications for Development Sites with In-stream Applications (Option 1)

These key criteria, outlined in Table 1, will be used by staff to determine the eligibility date in rezoning resubmissions that have affected eligibility. These key criteria have been approved by Council to authorize staff to provide an exception to the Burnaby Tenant Assistance Policy (TAP) to retain the original eligibility date.

For all cases that do not meet the criteria set out in this document, but has determined that tenant eligibility has been affected, these cases will be brought forward to Council on a case-by-case basis, with site-specific information, to obtain Council direction.

The key criteria to retaining the original eligibility date include the following:

1. Was there a tenant meeting held and were Tenant Assistance Forms distributed?

Tenant meetings are held by the project's Applicant, Tenant Relocation Coordinator and the City of Burnaby prior to the Initial Council Report. These meetings introduce the development plan, project timeline, and review eligible tenant compensation and assistance options. Tenant meetings are held in the initial stages of the project to ensure timely communication with tenants.

The Tenant Assistance Forms (TAF) are distributed to tenants by the applicant directly following the tenant meeting. These forms indicated that tenants are eligible for benefits under the current rezoning and ask tenants to select their preferred assistance and compensation.

While the tenant meeting, TAFs and tenant eligibility letters do indicate that eligibility for TAP benefits is based on the date the rezoning application is submitted to the City (the "eligibility date"), it is not explicitly outlined to eligible tenants that if a project resubmitted a new rezoning application that this would impact tenant eligibility (e.g. if an eligible tenant moved out, and their unit was re-tenanted prior to the new resubmitted rezoning date, these tenants would no longer be eligible if the eligibility date changed.)

2. Did all tenants who moved in after the eligibility date receive and sign an addendum acknowledging their ineligibility for TAP?

The TAP Guide (page 12) indicates that for tenants who started their tenancy after the eligibility date, applicants are strongly recommended to include an addendum to the tenancy agreement to ensure that the tenant understand they are not eligible for assistance.

In cases where applicants have followed this recommended guideline from the TAP Guide and provided signed addendums for all tenancy agreements entered into after the eligibility date, this will be used as the second key criterion for considering a deviating from the TAP.

Table 1: Criteria for Determining the Eligibility Date

Criteria	Outcomes
<p>a. Was there a tenant meeting held, and Tenant Assistance Forms distributed, indicating that tenants under previous rezoning could move out early and retain eligibility?</p> <p>AND</p> <p>b. Did all tenants who moved in after the eligibility date receive and sign an addendum acknowledging their ineligibility for TAP?</p>	<p>Yes, to both. Maintain original eligibility date.</p> <p>If a or b are No, these cases will be brought back to Council to address on a case-by-case basis, with site-specific information.</p>

Note: If the eligibility list has not changed, the new rezoning application date will be used, in accordance with TAP.