

City of Vancouver Tenants: New Protection against Being Turned Down for a Rental Unit

Should I read this?

Yes, if:

- You have a section 8 voucher or other rental subsidy (see next section) OR your income is from public benefits (see next section) AND
- You are trying to find a place to rent in the City of Vancouver

❖ This new ordinance does **not** apply to you if you live in unincorporated Vancouver (outside city limits). This map shows city limits:
<http://tinyurl.com/o28f68a>.

What is this new protection?

Under a new Vancouver city ordinance (law) Vancouver Municipal Code (VMC) 8.45, a landlord may not refuse to rent to you **based on the source of your income**, including:

- Federal, state, and local public benefits, such as (but not limited to) Social Security, Veteran's benefits, retirement, Temporary Assistance to Needy Families (TANF) or Aged, Blind and Disabled (ABD) benefits
- Rent subsidies from federal, state or local housing programs, such as (but not limited to) the Section 8 voucher

program, Share Aspire or the Housing and Essential Needs (HEN) program

❖ See VMC 8.45.010 for more information on how income and benefits are defined.

Why do I need this protection?

The Vancouver housing market is experiencing very low vacancy rates and high rents. Low-income renters who receive help from rental assistance programs are having a harder time using their vouchers. (Many landlords are refusing to accept Section 8 vouchers or other rental assistance payments.)

When does the ordinance take effect?

October 21, 2015.

May a landlord still turn down my rental application for other reasons?

Yes. Some **examples:** a negative credit rating or criminal history, depending on the landlord's rental criteria.

❖ Our publication called [Tenant Screening: Your Rights](#) has more information about your rights when you apply for a rental.

I get a rent subsidy. If a landlord requires me to have income that is two or three times more than the rent amount, does the landlord count just my portion of the rent?

Yes. If a landlord uses the amount of your household income in determining whether to approve a rental application and you get a rental subsidy, the landlord may count only the portion of rent you are responsible for paying in determining whether your income is enough.

Example: Jane applies for a unit renting for \$1,000 a month. Jane's Section 8 Voucher will cover \$600 of the rent. The landlord requires all tenants to have a monthly income that is twice the rent amount. Before the new ordinance, Jane's income would have to be \$2,000 to qualify for the apartment. Now, the landlord must subtract the voucher amount (\$600) from the total rent (\$1000) before calculating whether Jane's income is enough. In this case, Jane's portion of the rent is \$400. So 2x Jane's portion of rent = \$800. Jane's monthly income only needs to be \$800 to qualify.

Does the new ordinance apply to all landlords in Vancouver?

No. It does not apply to homeowners who rent out or sublet a portion of the home in which

they live (as their permanent residence).

Also, **religious organizations that rent to tenants** may still give a preference or limit occupancy to tenants from the same religion, unless membership in that religion discriminates against individuals based on race, color, ethnicity, national origin, gender, sexual orientation, disability or military status.

Does the new ordinance apply to a renewal of my lease or rental agreement? Does my current landlord have to accept my Section 8 Voucher if I get one while I'm renting from him?

The ordinance is new and does not provide any information on this issue. It is hard to know for certain whether a landlord may refuse to renew a lease or must accept a voucher from a current tenant. If you are in one of these situations, talk to a lawyer. This area of law is new and still developing. This publication provides general advice only and is not a substitute for advice from a lawyer about your situation.

I think the landlord denied my rental application because of my income. Can I get legal help?

If you are low-income, [you may apply online](#) or call 1-888-201-1014 to speak with a free lawyer or paralegal at CLEAR.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

This information is current as of October 2015.

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