

Policy Number: E-3
Title: Institutional Housing Provincial Regulation and Residential Contracts Recommendation Policy

Passed: March 25, 2015
Expires:

Summary:

Supports the development of provincial regulations or legislation to protect tenants' rights for students living in post-secondary institutional housing and the strengthening of UBC's residential contracts to enshrine student rental rights. Directs the AMS to advocate to the provincial government and the university for these rental rights.

Number & Title:

E-3: Institutional Housing Provincial Regulation and Residential Contracts Recommendations Policy

Effective Date:

March 25, 2015

Approval Date:

July 19, 2017

Policy Type:

External Policy

Review Date:

This policy shall be reviewed every one (1) year.

Responsible Body:

Advocacy Committee

Authority:

AMS Code of Procedure Section II, Article 11 (1)

"Council may create external and internal policies as well as combined policies."

Purpose and Goals:

This policy is designed to:

- 1) Promote the development of provincial regulations, and eventually legislation, to guarantee tenants' rights to students living in post-secondary institutional housing.
- 2) Promote the amendment of UBC's residence contracts to better protect the rights of students.

Applicability:

This policy is applicable to the AMS' stance towards the provincial government and the University, and to the advocacy of the Offices of the VP External, the VP Academic and University Affairs and the President.

Exclusions:

There are no exclusions for this policy.

Definitions:

For the purposes of this policy and in all other policies in which they are not otherwise defined:

<i>Residence</i>	shall mean all on-campus institutional housing ¹
<i>RTA</i>	shall mean the Residential Tenancy Act of British Columbia.

Policy:

Whereas post-secondary institutional housing is exempt from the RTA, thus leaving students without tenants' rights;

Whereas this exemption is especially concerning in the context of the relationship between a post-secondary institution and their students, where significant power imbalances exist;

Whereas student groups have expressed dissatisfaction with UBC's current residence contract;

Whereas an analysis of several post-secondary institutional housing contracts shows that different approaches to residence contracts are possible and sustainable;

Whereas several other Canadian provinces have provincial legislation regulating living arrangements in institutional housing;

Whereas provincial and institutional discussions surrounding options for financing the construction of additional student housing, including the possibility of public-private partnerships, makes this issue even more pressing; and,

Whereas one-fifth of students are faced with housing insecurity while at UBC;

1. Be it resolved that the AMS adopt the stance that new provincial regulations, and eventually legislation, be created to specifically oversee Institutional Housing;
2. Be it further resolved that the AMS endorse the recommendations contained in the advocacy document "Rent With Rights," which builds on the work contained in the previous report "AMS Residence Contract Assessment and Recommendations";
3. Be it further resolved that the offices of the VP External and VP Academic and University Affairs advocate to the provincial government and university administration, respectively, for these changes and take all additional measures to ensure that the recommendations are implemented.
4. Be it further resolved that the AMS advocate to the University that any amendments to the residence contract or resident rights be consulted on with the AMS, as a representative of students that is independent from Student Housing and Hospitality Services.

¹ As of June 2017, this includes, but is not limited to, Place Vanier, Totem Park, Risumeikan-UBC House, Walter Gage, Fairview Crescent, Marine Drive, Fraser Hall, Ponderosa Commons, Thunderbird, Acadia Park, Green College, St. John's College, Orchard Commons, and Brock Commons.

Consultations:

The following groups have been consulted during the review of this policy:

Vice President Academic and University Affairs, Associate Vice President Academic and University Affairs, Vice President External Affairs, Associate Vice President External Affairs, President, Policy Advisor, and Advocacy Committee.

The following groups have been consulted during the development of this policy:

The VP Academic and University Affairs, the VP External, the UBC Residence Hall Association, UBC Student Housing and Hospitality Services, Alliance of British Columbian Students, Campus Development Commissioner, AMS University and External Relations Committee.

History:

1999-04 Renewal of the Residential Tenancy Act.

Related Policies:

There are no policies related to this policy.

Appendix:

Protecting the Rights of Student Renters: Rent with Rights²

Beyond the Residential Tenancy Act: Creating New Regulations in British Columbia to Oversee Post-Secondary Institutional Housing

AMS Residence Contract Assessment and Recommendations

² http://www.ams.ubc.ca/wp-content/uploads/2016/10/Rent-with-Rights_Protecting-the-Rights-of-Student-Renters.pdf