

THE CORPORATION OF THE CITY OF NANAIMO

BY-LAW NO. 1534

A BY-LAW TO ESTABLISH A LANDLORD AND TENANT ADVISORY BUREAU, PURSUANT TO THE PROVISIONS OF PART II OF THE "LANDLORD AND TENANT ACT"

WHEREAS the Council of a City Municipality is required to establish a Landlord and Tenant Advisory Bureau to carry out the functions assigned to a Landlord and Tenant Advisory Bureau under the provisions of Part II of the "Landlord and Tenant Act," being Chapter 207 of the R.S.B.C. 1970.

THEREFORE the Council of The Corporation of the City of Nanaimo in open meeting assembled enacts as follows:

1. This By-law may be cited as the "LANDLORD AND TENANT ADVISORY BUREAU BY-LAW 1973 NO. 1534".
2. An Advisory Bureau, to be known as the "Landlord and Tenant Advisory Bureau", and hereinafter called the "Bureau", is hereby established:
 - (a) to advise landlords and tenants in tenancy matters;
 - (b) to receive complaints and seek to mediate disputes between landlords and tenants;
 - (c) to disseminate information for the purpose of educating and advising landlords and tenants concerning rental practices, rights and remedies; and
 - (d) to receive and investigate complaints of conduct in contravention of legislation governing tenancies.
3. (1) The Bureau shall consist of three members appointed by the Council in the following manner:

One member shall be appointed for the period ending on the first Monday following the First day of January, 1974.

One member shall be appointed for the period ending on the first Monday following the First day of January, 1975.

One member shall be appointed for the period ending on the first Monday following the First day of January, 1976.

Thereafter successors shall be appointed to serve three year terms.

- (2) Every person appointed to the Bureau shall continue to hold office until his successor has been appointed if a successor has not been appointed before the expiration of the term of such member, except in the case where the appointment of a member has been revoked by the Council.

4. Each member of the Bureau shall have been a resident of the City of Nanaimo for at least two years prior to his appointment and shall be by occupation or experience a person knowledgeable in respect to tenancy matters, rental practices of landlords and complaints of tenants about tenancy matters or likely to become proficient therein so as to be able to advise and mediate disputes arising between landlords and tenants referred to the Bureau and to be able to receive and investigate complaints of conduct in contravention of legislation governing tenancies including Provincial Statutes and municipal by-laws relating to public health and safety through officers and employees of the City assigned by the Council.
5. The Council may by an affirmative vote of not less than two thirds of all the members thereof remove any member of the Bureau from office at any time.
6. Upon the resignation or death of any member during his term of office, or upon the revocation of the appointment of a member, the Council shall appoint a successor who shall hold office during the remainder of the term of the vacating member.
7. The Bureau shall be presided over by a Chairman to be chosen by itself annually from among its members.
8. The Bureau shall be responsible for the organization of all its formal and informal activities, including such rules and procedures with respect to its affairs as it shall deem expedient and the same may be amended from time to time, and the City Clerk is hereby authorized to insert from time to time on behalf of the Bureau appropriate public notices in newspapers of the times of meeting and other activities of the Bureau meriting public attention.
9. All communications with the Bureau shall be in writing addressed to the Secretary, Landlord and Tenant Advisory Bureau, c/o City Clerk, City Hall, 455 Wallace Street, Nanaimo, B. C.
10. The City Clerk shall provide members of the Bureau with such stenographic and other assistance as the Council shall direct, including a place where the Bureau can carry out its mediation and other functions with the parties concerned in camera or otherwise as the Bureau shall direct.
11. A disputant appearing before the Bureau in any mediation matter, where the Bureau has determined that the parties seeking mediation should appear separately or together in person before it, may appear with or without a friend.

12. All investigations of complaints of conduct in contravention of legislation governing tenancies shall be carried out for the purpose of determining whether sufficient evidence is available to place before the City Solicitor for his inspection and to determine whether any further or other measures should be sought in the form of legislation to further regulate tenancies of residential premises.

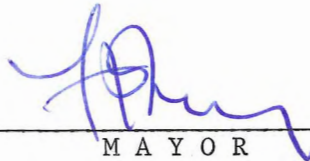
13. At the end of each period of six (6) months of operation the Bureau shall report to the City Council the extent and effect of its work in order that the Council may appreciate the worth of the Bureau's programme and what may be done to assist in furthering the Bureau's functions. Advice to landlords and tenants in tenancy matters will include information of tenancy contracts currently in use and will include advice to prospective landlords and tenants concerning current rental practices, rights and remedies as filed with the Bureau for public dissemination.

14. (a) In addition to a security deposit for rent a landlord may require or receive a security deposit for damage from a tenant under a tenancy agreement entered into or renewed after the said Act comes into force. Such security deposits for damage shall not exceed \$50.00.

(b) A landlord shall pay annually, or fifteen days after the tenancy is terminated, whichever is earlier, to the tenant, interest on the security deposit for damage at the rate of six (6%) per cent per annum.

PASSED BY THE COUNCIL on the Eighteenth day of June, 1973.

RECONSIDERED, FINALLY PASSED AND ADOPTED on the Thirtieth day of July, 1973.


M A Y O R


CITY CLERK