



SPRING 2023

ISSUE 144

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WHERE TO FIND US

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The TAPS office is located on the traditional, ancestral, and unceded territory of the lək̓ʷəŋən People known today as the Songhees and Esquimalt Nations.

BC Budget 2023

Too little, too late for many Ministry clients

GILLIAN GAFFNEY, INCOME ASSISTANCE LEGAL ADVOCATE



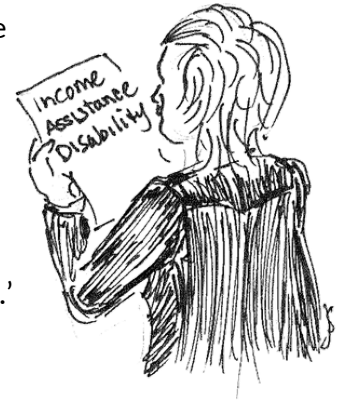
Since 2007, the 'shelter allowance' for folks who receive social assistance from the Ministry of Social Development & Poverty Reduction has been frozen at an unlivable \$375 per month. With a lack of vacancy control dragging tenants into a veritable wild west of a rental market, recipients of provincial income assistance and disability benefits have been left in the dust when it comes to competing in an already-tight race for housing.

It's no secret that many Ministry clients spend a disproportionate amount of their assistance on subpar housing. They are also frequently in rental situations that fall outside of the protection of the *Residential Tenancy Act*, which leaves them with little legal recourse when things go wrong. While Budget 2023 does bring some sorely needed relief to some Ministry clients, it's a far cry from enough...

ARTICLE CONTINUES ON NEXT PAGE

Starting with the July 19th cheque date, the shelter allowance for an individual receiving income, hardship, or Persons With Disability (PWD) assistance will change from \$375 to \$500 per month, an increase of \$125. This is certainly a step in the right direction... for some. For many others – namely those living in subsidized housing – this increase will never hit their pockets. This is because in subsidized housing, the cost of rent is tied to each residents' income, and is therefore subject to change when their income changes. Depending on the to-be-announced fine print about how this increased shelter amount will interact with B.C. Housing subsidies, we are left with two potential outcomes for Ministry clients in subsidized housing: one, if a housing provider is charging residents the "shelter rate" for rent, they could increase rents accordingly to \$500, meaning that extra \$125 would go directly to the housing provider. On the other hand, for those whose rent does not increase beyond the previous shelter maximum of \$375, they won't see this additional money at all since they would need to prove to the Ministry that their shelter costs have increased in order to be eligible. Of those who are eligible for the increase and are not living in subsidized housing but rather are struggling to keep their heads above water paying market rent, this increase will do little to stopple hemorrhaging living costs during a worsening affordability crisis. In short, the increase is nice but it's simply too little, too late for many folks living in poverty in B.C.

In addition to the shelter allowance increase, we are pleased to see that the Budget 2023 will also include increases to some supplements available to Ministry clients. Effective August 1, 2023, there will be rate increases to crisis supplements for food and clothing; monthly nutritional, diet, and natal supplements; infant formula supplements; medical transportation and associated meal allowance supplements; and the school start-up supplement. In addition, starting this fall, the Ministry has confirmed that the annual 'Christmas supplement' will be increased and renamed the 'Winter Supplement.' The amounts of these increases will be announced closer to the effective date of the change.



As always, any raise to rates is considered a welcome change and we appreciate that Budget 2023 has introduced some critically needed and long-awaited increases for some folks receiving social assistance. However, while a step in the right direction, these increases fall short of meaningful change for some of the most vulnerable members of our community. While \$125 is not an insignificant amount of money for folks trying to survive on social assistance, these changes are little more than a band-aid approach to addressing gaping systemic wounds. TAPS will continue to advocate for foundational changes to these broken social systems. In the meantime, TAPS advocates are here for Ministry clients who need assistance in learning about and accessing the benefits they are entitled to.



Taproot welcomes articles, stories, and poetry from readers.

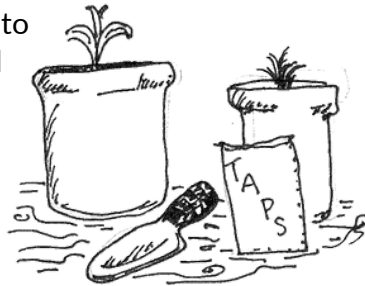
Submit your writing by email to community@tapsbc.ca,
by mail to 828 View St. Victoria BC, V8W 1K2,
or by dropping off your submission in person!

What's New at TAPS?

As we welcome the arrival of spring, watching the cherry blossoms return on View Street, we wanted to take a moment to update you on some exciting news and acknowledge the hard work of our volunteers and staff.

First and foremost, tax season is off to a great start. We are proud to announce that we have already filed over 1000 years of taxes with a cumulative return of over \$1.15 million in benefits. We couldn't have done it without the tireless efforts of tax coordinator, Morghan, and our amazing tax volunteers. They have also been supported through the rush by John Dixon, a co-op student from Camosun College completing his accounting degree. His expertise and compassionate approach to helping people have already made a significant impact on our team. John will be helping us out until May, and we are incredibly grateful for his assistance.

Furthermore, we are excited to announce that we have hired Sydnie Lazina as our permanent Front Desk Coordinator. Sydnie was our VDAP practicum student with the School of Social Work last semester.



We are thrilled that Sydnie will be joining the team in a permanent capacity, and we know her organizational skills and welcoming demeanour will be a fantastic fit for the front desk coordinator role.

Lastly, we have some big news to share. TAPS has been running a Nanaimo advocacy program on a temporary basis for the past year as per a special request from the Law Foundation. We just received word that our application to host the Nanaimo program on a long-term basis was officially approved, which means we will be opening TAPS Nanaimo in earnest. We will keep you updated in the coming weeks and months as we announce the details of this exciting development.

As always, we appreciate your continued support, and we hope you have a happy and healthy spring season.

DOUGLAS KING
EXECUTIVE DIRECTOR

EMILY ROGERS
DIRECTOR OF OPERATIONS



We are thrilled to announce the successful conclusion of our annual holiday fundraising drive. **This year, we raised over \$14,000, thanks in large part to the incredible generosity of one of our most consistent donors, the Andrew D. Beckerman Fund through the Victoria Foundation.**

For the past three years, Andrew has been an essential partner in our holiday fundraising efforts, providing us with the ability to match donations received during the holiday season. Thanks to his continued support, we have been able to raise more funds and increase the impact of our advocacy work within the community.

This year's holiday drive was especially meaningful to us, as we continue to navigate the challenges posed by the ongoing COVID-19 pandemic. We know that many of our community members have been struggling, and these donations will go a long way in supporting our legal advocacy and anti-poverty organizing efforts.

We want to take this opportunity to express our deep gratitude to Andrew and the Victoria Foundation for their ongoing support, and to all those who contributed to our work during the holiday drive. We could not do this work without the generosity of our donors, and we are incredibly fortunate to have such a committed and passionate community of supporters.

Landlord's Abuse of Property

DOUGLAS KING, TAPS EXECUTIVE DIRECTOR

When the Residential Tenancy Branch changed the rules for evicting tenants by renovation ("renovictions"), they likely didn't envision the problems it would cause just a year later. In many ways, the decision to make it harder for a landlord to issue an eviction notice for renovations, changing the process to an application through the branch instead of serving an eviction notice, was too successful. Forcing a landlord to prove to the branch that they had all the necessary permits to conduct work, and that it was necessary for a tenancy to end due to that work, resulted in a drastic drop in evictions. Landlords shied away from the process, and the branch could easily sniff out dishonesty. It effectively showed what we at TAPS always knew: that eviction notices for renovations were being used as a disingenuous way to evict a tenant who had done nothing wrong and couldn't be evicted for cause, effectively circumventing the protections the *Residential Tenancy Act* put in place to preserve tenancies.



What we didn't know at the time was how quickly landlords would move on to the next best thing, handing tenants their marching orders on the guise that they themselves would be moving in, a process known as an eviction for "landlord's use of property". The decision to make the change in the rules around renovictions was rightfully lauded at the time, but half measures are sometimes worse than no measure at all and without also changing the rules for evictions based on landlord's use, landlords have found the hot new way to violate a tenant's rights.

"Who's moving in? Well, that's private..."

When a landlord issues an eviction notice for their own use, all they have to do is say that they or a close family member will be moving in, and the standard of proof is quite low. On the eviction notice, a landlord is not even required to say who the owner of the property is, or who will ultimately be moving in, it's just... "trust us." While a tenant can contest the eviction and argue the landlord is being dishonest or has an ulterior motive, it often comes down to a landlord's word, which has always been held in high regard by the Residential Tenancy Branch. Perhaps out of fear that this provision could be exploited, the penalties for when a landlord is dishonest about claiming to move into a unit were increased in the legislation, but that is cold comfort to a tenant who has already lost their home. And, expecting a tenant to be able to creep around their old place looking for evidence of dishonesty is unrealistic to say the least. For those who are able to prove they were wrongfully evicted there is still the wait time to get a hearing, often the better part of a year, and collecting the penalty is no sure thing.

To complicate matters, the sections of the *Residential Tenancy Act* that deal with landlord's use of property are by far the most complicated in the entire Act, much harder to understand than the provisions surrounding renovations, and frankly over the head of most of the arbitrators tasked with deciding if a landlord is qualified to evict. In an effort to bring it in line with other pieces of legislation like the *Land Title Act*, government lawyers were allowed to run amok, crafting rules around qualification which make little sense to seasoned property litigators. Not surprisingly, when a landlord is challenged about their ownership at the Residential Tenancy Branch they are often given the benefit of the doubt, and tenants are so daunted by the complexity of proving if their landlord has a "revisionary interest" or is a "family corporation", that they give up, taking

the certainty of a set move out day over the possibility that if they lose in a hearing they may be asked to leave within 48 hours.

At TAPS, we have seen the number of evictions for landlord's use of property skyrocket in the last two years, and many of the cases defy belief. We have seen a well-known local property developer evict a senior on disability from a low-rise apartment building on the grounds that his son would move in, only to say six months later that another tenant in a different unit needed to be evicted because his son had changed his mind and wanted to move into that unit after realizing "the balcony is nicer". We have seen the Vice-President of a real estate company argue they wanted a tiny unit on Esquimalt Road for themselves as "respite" from the large mansion they lived in with their mother in James Bay, and the owner of multiple apartment buildings in Victoria claim someone needed to be evicted because her daughter needed to move into one specific unit in a 43-unit building. When it was shown that there was another open unit in the same building available just a few doors down the landlord said that that one was too big and they didn't want their daughter to take it because they were afraid it "would spoil her". What do all of these tenants have in common? They are all longstanding tenants who pay low rent, the lowest in their buildings, due to rent control during tenancies. But without rent control between tenancies, known as vacancy control, they become a target, an object to move so a new tenancy can start at market rates. Landlord's use of property is an effective way to evict those pesky tenants paying low rent, the ones who also happen to be the least likely to land on their feet once they are kicked out.

We will continue to ask the government and the Residential Tenancy Branch to change the rules and make landlord's use of property only possible by an application to the branch, just like they did with renovictions. But until we address the bigger issue – the financial incentive that motivates a landlord to turn over their longest and most loyal tenants – we'll continue to chase the bad actors from one section of the *Residential Tenancy Act* to another. The only way to truly fix this problem and finally restore some balance in our housing market is by bringing back vacancy control. Tenants need meaningful protection that prevents evictions based on financial gain, and vacancy control would show us which landlords really need to use their properties, and which ones are looking to abuse the system.

Gimme (Stable) Shelter

CAITLIN WRIGHT, INCOME ASSISTANCE LEGAL ADVOCATE

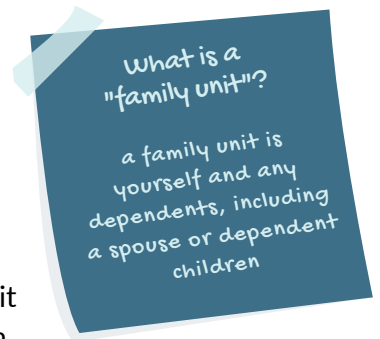


Starting March 1, 2023, the Ministry of Social Development and Poverty Reduction (referred to here as simply "the Ministry") rolled out a new supplement called the Housing Stability Supplement (HSS), available to clients currently receiving income, hardship, Persons with Persistent Multiple Barriers (PPMB), or Persons With Disabilities (PWD) assistance benefits.

On the next page, the supplement is discussed in detail. But first, it would be disingenuous to ignore the current reality of trying to maintain housing while surviving on Ministry assistance in BC. A new supplement to temporarily help with housing costs in some narrow and specific ways does not address the chronic unaffordability challenges faced by Ministry clients. At TAPS, we see escalating crisis situations repeating themselves month after month: the ability for folks relying on social assistance to pay rent in addition to food and other necessities is deeply precarious and is placing people in increasingly desperate situations. Until we see meaningful systemic change – including substantial rate increases, a complete overhaul of the PWD application process, removal of barriers like spousal dependency and non-exempt and deductible income, and continued partition of support and shelter allowances that prevent unhoused Ministry clients from accessing their full benefit – stop-gap measures like this new supplement will do little to ensure housing stability for some of the most vulnerable people in the province.

What's the new supplement for?

The Housing Stability Supplement (HSS), may be used to assist Ministry clients maintain their housing in situations where there is a temporary absence of a member of the family unit from the residence (for example, if someone is staying at a special care facility, in hospital, or temporarily incarcerated.) Typically, if the size of the family unit decreases, so too does the amount of monthly assistance that it is eligible for, which would make it even more difficult to maintain housing and shelter costs. In some limited situations, the Ministry may consider a family unit of one person to be eligible for the supplement. For example, if you a single person becomes temporarily incarcerated or if someone's spouse passes away thus making them a single person, the Ministry may consider them eligible for the HSS if it is needed to maintain stable housing.



How much could a person receive? How long can they receive it for?

The amount a family unit could receive will depend on a few factors. The maximum supplement amount will be equal to one month of assistance for a family unit (which includes both the shelter and support amounts.)

The Ministry will make the following calculations and grant the lesser of the two amounts:

- the difference between a family's actual shelter costs and the shelter allowance they would be entitled to based on the change in circumstances (absence of family unit member), or
- the difference between the assistance (support and shelter amount) the family unit was eligible for prior to the change in circumstances (temporary absence or death of unit member) and the assistance (support, shelter or applicable comforts allowance) they are entitled to based on the change in circumstances.

The HSS may be available for up to 3 consecutive months to eligible family units. A 3-month extension may be considered if the Ministry believes there to be "extenuating circumstances" (forces outside of the family unit's control): for example, if a family member at a special care facility is scheduled for discharge within the 4th month of their absence. If you believe you may be eligible for the extension, it's best to provide as much relevant and timely information to the Ministry as possible. The maximum number of consecutive months to receive the HSS is 6 months.

What about the removal of children?

If children are being cared for under the *Child, Family, and Community Service Act*, including under an interim order or temporary custody order or agreement, the Ministry of Children and Family Development (MCFD) should notify the Ministry of Social Development and Poverty Reduction. While their support allowance will decrease based on the absence of one or more dependent children, the family unit should still be receiving their actual shelter costs through the HSS, while their child or children are temporarily in care. If eligible, the HSS should be provided to the family for 6 months at a time. In order to continue receiving their normal shelter costs for these 6 months, an MCFD worker must confirm that the parent(s) are actively working towards reuniting their family.

**If you are a Ministry client who lives in the Capital Regional District and need help accessing the Housing Stability Supplement, you can reach out to TAPS for assistance:
250-361-3521**

About TAPS

Together Against Poverty Society (TAPS) is the largest anti-poverty organization on Vancouver Island. Established in 1989, TAPS is a recognized leader and resource for citizens, community groups, and social agencies attempting to reduce poverty, serving over 7,000 residents of Greater Victoria, adjacent municipalities, and the Southern Gulf Islands each year... and we still cannot meet the needs of all who approach us.

At TAPS, we believe that the causes of poverty are in the social, economic and political institutions of our society – not the failings of the individual. Through legal advocacy and public education, we have a positive impact on people's lives in ways that honour and promote human rights, justice, and a healthy, sustainable community. TAPS is a non-profit society whose membership is open to individuals or groups concerned with the preservation of civil society, social justice, the eradication of poverty, as well as the continuing moral progress of those ideals.



become a DONOR

The simplest way to support TAPS with a financial donation is online at: www.tapsbc.ca/donate

Want your contribution to go farther? Consider becoming a **monthly donor!**

Physical donations can be mailed to or dropped off at:
828 View St.

Victoria BC, V8W 1K2

If you'd like a charitable tax receipt, be sure to include your name, contact information, and mailing address!

become a MEMBER

Please consider becoming a member of our organization to support the important work we do in the fight against poverty.

TAPS members can vote at our AGM and receive updates on our work throughout the year. There is no cost to membership.

To fill out a membership form, visit: www.tapsbc.ca/taps-membership or swing by our office!

OUR FUNDERS:



THIS ISSUE OF TAPROOT WAS EXPERTLY PRINTED BY:



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ACKNOWLEDGEMENTS:

Taproot is edited and designed by Emma White.

Illustrations by Joan Stiebel and Emma White.

Special thanks to the wonderful volunteers at the Garth Homer Society for helping us distribute Taproot within the community.