

Bill introduced the 7th day of
March, 2019
Kate Ryan-Lloyd
A/ Clerk of the House

Members' Bill

Fourth Session, Forty-first Parliament
68 Elizabeth II, 2019
Legislative Assembly of British Columbia

FOR REPORT
Certified correct as amended in
Committee of the Whole on the
29th day of May, 2019
Kate Ryan-Lloyd
A/ Clerk of the House

BILL M 206

**RESIDENTIAL TENANCY
AMENDMENT ACT, 2019**

Mr. Andrew Weaver

SECTION 1, by deleting the text shown as struck out and adding the underlined text as shown:

- 1 Section 45.1 of the Residential Tenancy Act, S.B.C. 2002, c. 78, is amended
- (a) in subsection (1) by adding "and section 45.2" after "In this section" and by adding the following definitions:

"~~occupant~~household violence" means violence that has adversely affected a tenant or an occupant's quiet enjoyment, security, safety or physical well-being or is likely to adversely affect those if the tenant or occupant remains in a rental unit, including

- (a) physical abuse of the tenant or ~~other occupant, or a dependant of the tenant or other~~ occupant, including forced confinement or deprivation of the necessities of life, but not including the use of reasonable force to protect oneself or others from harm,
- (b) sexual abuse of the tenant or ~~other occupant, or a dependant of the tenant or other~~ occupant,
- (c) attempts to physically or sexually abuse the tenant or ~~other occupant, or a dependant of the tenant or other~~ occupant,
- (d) psychological or emotional abuse of the tenant or ~~other occupant, or a dependant of the tenant or other~~ occupant, including
- (i) intimidation, harassment, coercion or threats, including threats respecting other persons, pets or property,
- (ii) unreasonable restrictions on, or prevention of, the financial or personal autonomy of the tenant or ~~other occupant, or the dependant of the tenant or other~~ occupant,
- (iii) stalking or following of the tenant or ~~other occupant, or the dependant of the tenant or other~~ occupant, and
- (iv) intentional damage to property, and
- (e) in the case of a ~~child~~ an individual under the age of 19, direct or indirect exposure to violence against the tenant or ~~other occupant, or a dependant of the tenant or other~~ occupant, and

"occupant" means an individual, other than a tenant, who occupies a rental unit.

- (b) by repealing subsection (2) (a) and substituting the following:

- (a) if the tenant remains in the rental unit, the safety or security of
- (i) either the tenant or a dependant of the tenant who lives in the rental unit is or is likely at risk from family violence carried out by a family member of the tenant, or
- (ii) either the tenant or an other-occupant or a dependant of the tenant or other occupant who lives in the rental unit is or is likely at risk from occupant household violence; and

- (c) by adding the following subsection:

- (5) For certainty, a reference in this section or section 45.2 to "occupant" includes a dependant of a tenant or occupant, if the dependant occupies the rental unit.

Struck out by

SECTION 2, by deleting the text shown as struck out and adding the underlined text as shown:

- KRL
- 2 Section 45.2 (1) (b) is amended by adding "and, if applicable in respect of household violence, the occupant and the occupant's circumstances" after "the tenant's circumstances". the following subsection:

(4) ~~If the regulations do not provide for the making of a statement under this section in relation to occupant violence, a person's authority under this section to make a statement in relation to family violence is deemed to include the authority to make a statement in relation to occupant violence.~~

- (4) If the regulations do not provide for the making of a statement under this section in relation to occupant violence, a person's authority under this section to make a statement in relation to family violence is deemed to include the authority to make a statement in relation to occupant violence.

Commencement

2 This Act comes into force on the date of Royal Assent.

SECTION 3, by deleting the text shown as struck out and adding the underlined text as shown:

KRL

Commencement

- 3 This Act comes into force ~~on the date of Royal Assent~~ by regulation of the Lieutenant Governor in Council or on the date that is one year after the date of Royal Assent, whichever is earlier.