

NOTICE OF COUNCIL MEMBERS' MOTION

2. Ensuring That People With Health and Mobility Issues Have Protection and Support When Elevators Break Down

Submitted by: Councillors Swanson and Boyle

WHEREAS

1. As stated in the City's Seniors' Advisory Committee 'Lack of Timely Elevator Repair/Replacement in Vancouver' report, attached as Appendix A, seniors and persons with disabilities in Vancouver have experienced lengthy delays due to malfunctioning elevator repair or replacement in their buildings. This poses an immediate danger to their health and safety;
2. Despite existing City by-laws, many residents have not been able to access timely recourse in such circumstances;
3. Accessibility is a human right issue for all vulnerable seniors and persons with disabilities;
4. Proactive measures that would maintain accessibility, in the event of elevator repair or replacement, would ensure residents can maintain their health, safety and quality of life through disruptions in elevator operations; and
5. The Seniors' Advisory Committee asked its liaison Councillors to bring forward this motion.

THEREFORE BE IT RESOLVED THAT Council direct staff to review the *Vancouver Building By-law* and *Standards of Maintenance By-law* and report back with suggested amendments and/or actions to ensure that housing operators, including, but not limited to, landlords, owners, strata councils, and co-ops, have realistic plans in place and the necessary tools to provide assistance to residents who have difficulty with stairs when elevators are broken and/or out of service;

FURTHER THAT alternative means of access to all floors, including the basement of the building, be provided in the case of malfunctioning elevators and/or lengthy repairs or replacement.

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LACK OF TIMELY ELEVATOR REPAIR/REPLACEMENT IN VANCOUVER

**SENIORS' ADVISORY COMMITTEE
Sept 23, 2020**

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Introduction

A CBC report in 2016 Broken elevators reaching 'crisis' proportions across Canada <https://www.cbc.ca/news/business/elevator-broken-1.3689394> describes the problems people had with broken elevators across Canada, including Vancouver.

The following are relatively recent incidents that happened in Vancouver that showed the seriousness of this problem.

<https://www.cbc.ca/news/canada/british-columbia/broken-elevator-seniors-stuck-1.4082258>

<https://www.vancourier.com/news/elevator-breakdown-highlights-seniors-social-housing-plight-in-vancouver-1.23800734>

<https://globalnews.ca/news/5371205/vancouver-teacher-trapped-apartment-broken-elevator-update/>

In 2019, City of Vancouver, Property Use Development, Buildings & Licensing Branch had received 40 complaints related to elevators malfunction, in all building types, across the city. In 2020, they have received 15 complaints.

City of Vancouver Standards of Maintenance Bylaw #5462 (Sept 17, 2014) states:

11A. 1 (1) Every elevator in any building used for residential purposes shall be maintained in an operational condition at all times.

BC Residential Tenancy Act Nov 26, 2002 (current to August 12, 2020) states:

Landlord and tenant obligations to repair and maintain:

32 (1) (a) A landlord must provide and maintain residential property in a state of decoration and repair that complies with the health, safety and housing standards required by law

Problems statement:

Vancouver has many multi-level apartment buildings where vulnerable Seniors and Persons with Disabilities reside in and they need elevator(s) to access different floors of the building. When the elevator(s) is broken, they often experienced lengthy delays in elevator repair/replacement in their building, which posed an immediate danger to their health and safety and it greatly affects their quality of life and many activities of their daily living. Some have been confined, for an extended period of time, to their apartments because of lack of access to a functional elevator. Many of the older buildings have only one elevator.

There are only a few elevator companies that provide services to Vancouver residents and it is our understanding that there are limited number of elevator service technicians in this city, which compounds the problem. The cost of elevator repairs is expensive which may discourage some landlords/owners to get timely elevator maintenance/repair services for their building. Buildings, with aging equipment, have problems getting replacement parts.

The City of Vancouver Property Use Branch 'does not have a formal process for identifying properties that house vulnerable (Seniors and Persons with Disabilities)

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population that are impacted by an out-of-order elevator'. That department 'enforces on a complaint basis'. The current approach is: '**It depends on the severity of the situation. It could be an immediate order to repair, to a verbal request to keep us posted on progress. Obviously, tenants' ability to safely enter/exit the premises would play a role.**'

It is my understanding that the Property Use Branch will work with the City's 311 Call Centre ' , to determine if they can revise their process for taking in cases when out-of-order elevators are reported' (e.g. asking questions about tenants/residents mobility and the number of elevators the property has) and will prioritize complaints based on the complaint itself.

Proposed solutions:

Create a specific protocol (or if necessary, create a bylaw) for elevator repairs for residential buildings where vulnerable Seniors and Persons with Disabilities reside in. Accessibility is a human right issue for this population. It is recommended that the protocol should include proactive measures, but not limited to, the following standards:

- Minimum response timeline by landlords & elevator company to address elevator issues
- Minimum time frame to complete elevator/elevating device repair/replacement
- Realistic schedule for regular elevator maintenance – annually at the minimum
- Realistic access to replacement of elevator parts
- Requirements to replace obsolete elevators
- Contact information for elevator company be readily accessible to residents
- For single elevator buildings, provide an alternative mechanical means of access to different floors; if feasible, install a second elevator in the building
- Provide timely and appropriate communication to building residents when outages are planned or unplanned, so they can make alternative arrangements as needed
- Owners/landlords/strata council of buildings have a realistic plan to provide assistance to those in need due to non-functioning elevators and/or lengthy repairs/replacement

Respectfully submitted
Callie Wong, member
Senior Advisory Committee
Sept 23, 2020

References:

1. <https://bylaws.vancouver.ca/5462c.PDF>
2. https://www.bclaws.ca/civix/document/id/complete/statreg/02078_01
3. http://app.oshawa.ca/agendas/corporate_services/2019/02-25/REPORT_CORP-19-22.pdf
4. <https://www.cbc.ca/news/business/elevator-broken-1.3689394>

5. <https://www.vancourier.com/news/elevator-breakdown-highlights-seniors-social-housing-plight-in-vancouver-1.23800734>
6. <https://globalnews.ca/news/5348374/vancouver-teacher-trapped-in-apartment-broken-elevator/>
7. <https://vancouver.ca/files/cov/housing-design-and-technical-guidelines.pdf>
8. <https://www.bchousing.org/publications/BCH-Design-Guidelines-Construction-Standards.pdf>
9. <https://www.cbc.ca/news/canada/british-columbia/bc-human-rights-tribunal-accessibility-1.5727424>