

COUNCIL MEMBERS' MOTION

For consideration at the Standing Committee meeting of City Council on April 16, 2025

4. Enhanced Tools for Standards of Property Maintenance

Submitted by: Councillor Fry

WHEREAS

1. The Vancouver Standards of Maintenance By-law does not specifically enforce or address mould, water damage, or indoor air quality;
2. Standards of property maintenance are guidelines and procedures that local governments (including Vancouver) employ to variously prevent hazards, check resilience against fire and emergencies, and protect the health and safety of residents;
3. In British Columbia, the Province has created guidelines¹ to help local governments meet the needs of tenants who live in unsafe and unhealthy accommodation due to poor building maintenance, along with remedies, enforcement and penalties. Some of the caveats in the guide advise that local Standards of Maintenance bylaws:
 - a. Must be consistent with current local regulations and municipal bylaws;
 - b. Cannot exceed standards established by the building code; and
 - c. Any adoption or modification should seek legal advice from city solicitors;
4. The BC Residential Tenancy Act says landlords must follow local standards of maintenance bylaws: *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*²;

In its Residential Tenancy advisory for repairs, maintenance, and dispute resolution, the provincial agency directs tenants to first “Check with your local government to learn more about the standards of maintenance in your community.”;
5. The standards referenced by BC’s Residential Tenancy advisory, Vancouver’s Standards of Maintenance By-law, while retrievable via the City’s website is not particularly accessible to the general public in plain language and in the absence of dedicated renter services staff at the city;
6. In Vancouver, the *Vancouver Charter* (306, i) allows regulation of building standards for dwellings in respect of standards of “fitness for human

¹ BC Gov Standards of Maintenance Guide 2014

<https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/uploads/somguidevfin.pdf>

² BC Residential Tenancy Act https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_02078_01#section32

habitation”. The Standards of Maintenance Bylaw No. 5462³ prescribes standards for the maintenance and occupancy of building sites within the City of Vancouver “to ensure that such buildings and sites are free from hazard and are maintained continuously in conformity with accepted health, fire, and building requirements”. In the context of the *Vancouver Charter* the by-law implicitly targets residential buildings;

7. Mould is a fungi typically found where moisture, decay and oxygen are present. Exposure to mould spores can cause serious and chronic health impacts including mild to severe allergic reactions, headaches, dizziness, even death. Mould testing is typically performed by way of visual identification and on-site or lab testing. The *Vancouver Charter* (330k) considers regulations for *(iv) the suitability of any such room in respect of dampness or insanitation;*

Victoria BC’s Rental Property Standards of Maintenance bylaw⁴ lists mould as a hazard, “*if a tenant reports mould to the landlord, the landlord must respond in a timely way and take all reasonable steps to eliminate the mould from all structures and surfaces of a residential property;*” ;

8. Indoor Air Quality (IAQ) is important for residential safety because poor air quality exposure can lead to a great number of health issues including allergies, asthma, respiratory infections, fatigue, heart disease, cancer, even death. Air Quality testing typically looks for chemical, biological or combustion pollutants and can include exposure to mould, carbon monoxide, carbon dioxide and other harmful particulates. Health Canada advises “proper ventilation is a key component of good indoor air quality”.⁵ IAQ in residential buildings is not regulated by Vancouver Coast Health. Vancouver’s Standards of Maintenance Bylaw currently regulates that mechanical ventilation systems are in working order but to not regulate systems effectiveness for IAQ. The *Vancouver Charter* (330k) considers regulations for *(iii) the degree of ventilation, cleanliness, and access of natural light to be afforded in each room intended to be occupied.*

The City of Kitchener Ontario standards of maintenance has a clause on air quality, advising Interior spaces within a building or structure shall be kept free from accumulations of air borne contaminants that may pose a health concern to any person⁶; and

9. Water damage is not explicitly identified in Vancouver Standards of Maintenance By-law, which variously otherwise advises pipes in good working order, and not leaking. Water damage sources may result from leaking pipes, but also weather events like atmospheric rivers, failure of building envelope, or blockage overflows from otherwise properly functioning plumbing. Water damage is often evidenced from warped,

³ Vancouver <https://bylaws.vancouver.ca/5462c.pdf>

⁴ Victoria BC <https://www.victoria.ca/media/file/rental-property-standards-maintenance-bylaw-20-091>

⁵ Health Canada | Improve air quality in your home

<https://www.canada.ca/en/health-canada/services/air-quality/improve-indoor-air-quality-in-your-home.html>

⁶ Kitchener Ontario <https://lf.kitchener.ca/WebLinkExt/DocView.aspx?dbid=0&id=1737934&cr=1>

bubbled, or sagging interior finishes that often indicate more serious issues inside the walls that can function as a catalyst for mould, IAQ problems, and structural damage. *Vancouver Charter* (330k) considers regulations for *(iv) the suitability of any such room in respect of dampness or insanitation.*

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to report back with considerations and amendments to improve the existing Standards of Maintenance By-law to include references and remedies for instances of mould, indoor air quality, and water damage.
- B. THAT Council direct staff to report back on creating a simpler, more accessible plain-language delivery of information to advise Vancouver tenants of their rights, health, safety, and remedies under the Standards of Maintenance By-law on the city's public facing website, information portals and bulletins including but not limited City tenant services.

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