

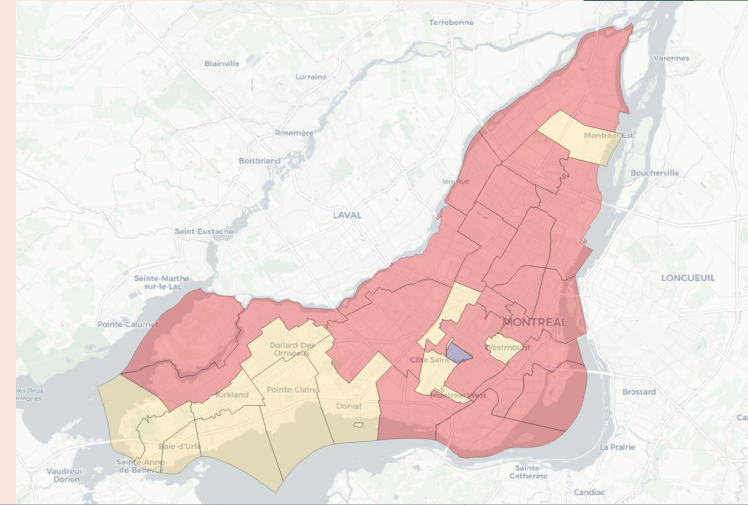
SMALL(TOWN) STEPS: HAMPSTEAD'S ANTI-RENOVICTION LAW



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BACKGROUND

- Hampstead is a small suburb of Montreal (shown in blue)
- About half of dwellings are single family homes
- Rental units tend to be duplexes and low-rise apartments on town's perimeter
- 2019-21 - Town and owners of apartments wanted to demolish and replace buildings with condos, fell through after referendum
- Major issue of 2021 election was apartment redevelopment, new mayor elected with support of tenants
- 2022 - one tenant is almost evicted under pretense of renovation, landlord submitted false info to town, new mayor amends law to protect renters from "renoviction"



2021 Canadian Census	Hampstead	Montreal
Population	7,037	1,762,949
Median household income (CDN \$)	150,000	63,600
Total private households	2,490	816,355
Renting households	795 (31.93% of total)	519,020 (63.68% of total)
Median monthly cost for rented dwelling (CDN \$)	1,120	870

OBJECTIVES FOR THE LAW

- The practice of renoviction gained a lot of attention in local media around the time of the COVID pandemic
- Coalition of Housing Committees and Tenants Associations of Quebec reported an increase from 597 renovictions in 2020 to 874 in 2021
- Hampstead's mayor is politically supported by tenants and is obligated to their interests
- Existing building permit law is amended to make renoviction harder in theory, owners must now ensure tenants are aware of their rights under Quebec law for the owner to get a permit
- Hopefully create a more fair environment for tenants and discourage shady practices by landlords
- Tenants in Hampstead have been supportive of change, homeowners have not put up resistance
- Tenants rights advocates see the law as a good start, possibly help reduce litigation, want to see more like it in other municipalities
- Coalition of Housing Committees is sceptical the law can make a difference, fear that tenants can still be intimidated into signing their rights away
- Landlords are resistive, do not want burden, renovictions are a popular mechanism of illegal eviction



THE LAW

- The following clause was amended to Hampstead's by-law on permit issuing (law 1004) to the section on conditions that must be met for the issuance of a building permit:

The Property Owner must provide proof in writing that the tenant(s) affected by the renovation work on their dwelling has agreed, in writing, to be temporarily relocated or has agreed to voluntarily vacate their dwellings.

Source: <https://www.hampstead.qc.ca/wp-content/uploads/2022/10/ODJ06OCT2022-WEBETANNEXES2.pdf>

- Existing issuance conditions generally involved a property owner paying fees and submitting plans to the town, this is the first condition relating to tenants' rights
- No specific enforcement mechanism for verifying the conditions the contract is signed under
- Penalty would be the rejection of permit issuance if it can be shown there was a failure to comply
- No special penalties imposed on the landlord/property owner if they are shown to have violated a tenant's rights
- Reaffirms existing Quebec law that prevents eviction due to renovation, Quebec law is very precise on governing renovation, eviction can only occur if a unit is being demolished, subdivided, enlarged or having its use changed

EFFECTS OF THE LAW

- Law is still too new to determine its long term effects, only passed in October 2022
- Hampstead does not keep clear statistics for evictions/renovictions or requests to renovate
- Some have argued to implement similar laws in other municipalities and to put more burden on landlords at provincial level, by Quebec law burden is on tenant to report renovictions (15 small towns in Montreal + Montreal itself, ~1000+ municipalities in Quebec)
- Due to the nature of law, some fear tenants could be intimidated to sign away rights in a legally binding way
- Desire for more activism from towns to educate tenants on their rights, Hampstead has added info on rights to their website
- Montreal is creating a rental registry to track prices and landlord reputation
- Create a province wide registry or other towns could implement similar



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