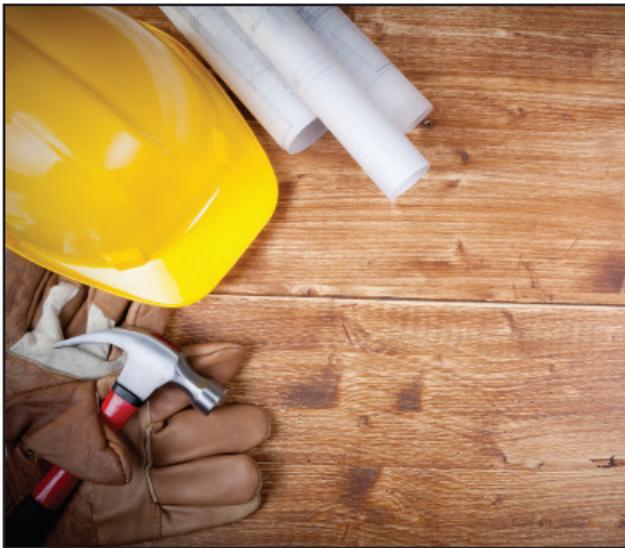


Learning about the Law



Working in BC



Renting a Home

This booklet will help you understand the laws that may affect you at work and at home.

It focuses on how the law protects you when you are working and when you are a tenant or a landlord.



THIS BOOKLET PROVIDES PUBLIC LEGAL INFORMATION ONLY.
IF YOU NEED LEGAL ADVICE YOU SHOULD CONTACT A LEGAL PROFESSIONAL.

FREE

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About this booklet

This booklet is divided into two sections:

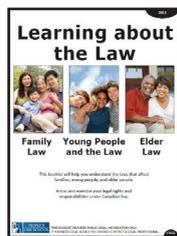
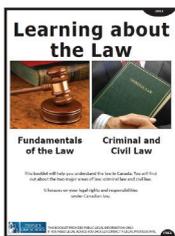
- Working in BC
- Renting a home

We tried to keep the language easy, but some parts may still be hard. The words that are in bold type and underlined are defined in the section, **What the words mean**.

Be sure to use the **Find out more** section at the back of the booklet. It refers you to resources that will answer your questions and provides help if you have a legal problem.

This booklet is one of a three-part series of booklets, *Learning About the Law*. The other two booklets in the series are:

- Learning about the Law: Fundamentals of the Law, Criminal Law, Civil Law
- Learning about the Law: Family Law, Young People and the Law, Older People and Elder Law



Working in BC

In BC, many laws apply to the workplace. This chapter looks at laws that deal with:

- Minimum wage
- Hours of work
- Overtime pay
- Work breaks
- Vacation pay
- Pregnancy and parental leave
- Losing your job
- Quitting your job
- Getting hurt on the job
- Belonging to a union
- Preventing discrimination in the workplace

These laws come from several sources including:

- BC Employment Standards Act
- BC Labour Relations Code
- BC Human Rights Code
- BC Workers Compensation Act
- Employment Insurance Act of Canada

BC Employment Standards

In BC there is a law to protect you and your basic rights as a worker. It is called the Employment Standards Act. This law protects most workers.

The Employment Standards Act and Regulations set minimum standards for working conditions in most workplaces in British Columbia and governs:

- certain aspects of hiring,
- the minimum wage rate,
- hours of work and overtime,
- statutory holidays (and pay),
- certain leaves of absence (including pregnancy leave),
- annual vacation (and pay), and
- ending employment.

The Employment Standards Branch, is responsible for labour and employment law in the province, including the BC Employment Standards Act and Employment Standards Regulations.

Farm workers are protected by some but not all sections of the Employment Standards Act. The Act **excludes** veterinarians, lawyers, babysitters and students.

A **collective agreement** between an employer and a union may replace certain sections for unionized employees. For more information, contact the Employment Standards Branch.

The Employment Standards Branch has a range of useful information materials about the Employment Standards Act. For more information, contact:

Employment Standards Branch

1-800-663-3316

www.labour.gov.bc.ca/esb

www.labour.gov.bc.ca/esb/esaguide

Ministry of Jobs, Tourism & Skills Training and Responsible for Labour

www.gov.bc.ca/jtst/

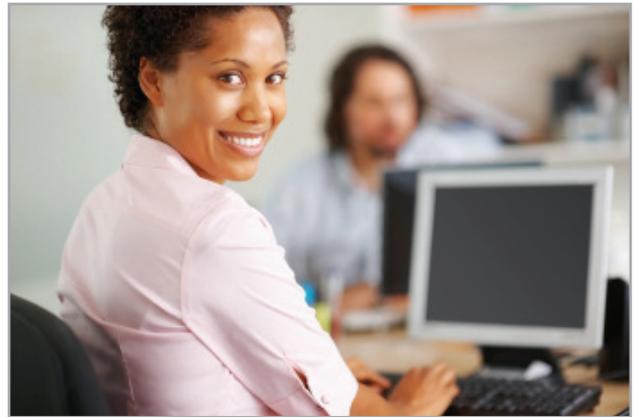
Accepting a job

When you accept a job, you enter into a legal agreement (or contract) with your employer. Your employer agrees to pay you a salary and provide other benefits and **entitlements** in return for your work.

Minimum wage

There is a minimum wage law for most jobs. Each province sets a minimum wage, which is the lowest amount of money the employer may pay you for your work. In 2013, the minimum wage in BC is \$10.25 per hour except for liquor servers, who receive a minimum wage of \$9.00 per hour. The rates change from time to time.

Both full-time and part-time workers have the right to minimum wage. You can find information on the Employment Standards Branch website, www.labour.gov.bc.ca/esb.



Hours of work

Unless you have an averaging agreement with your employer (described in the next paragraph), your employer must pay you overtime after eight hours of work in one day, or more than 40 regular hours in one week.

If you agree, your employer may establish a “time bank” in which your overtime entitlement would be saved up and paid out at a later date. For more information, read the section called “Overtime Pay” or access the factsheet on the Employment Standards Branch website: www.labour.gov.bc.ca/esb.

Averaging agreements

Under an averaging agreement, you and your employer can enter into a written agreement that allows your employer to schedule your working time in a way that better meets the employer’s needs.

In effect, an averaging agreement allows your employer to compress your regularly scheduled workweek into fewer, longer work days without paying the usual overtime.

To use a simple example: If you usually work 40 hours a week, on average, under a one-week averaging agreement, your employer could schedule you to work for 10 hours a day for the four busiest days of work. In this case, your 40-hour, five-day work week has been “averaged” to fit into four days of 10 hours each. No overtime is paid for the 10-hour days.

Averaging agreements can be complicated. To find out more contact the Employment Standards Branch or read the fact sheet on averaging agreements on the Employment Standards Branch website at www.labour.gov.bc.ca/esb.

Overtime pay

Generally, your employer must pay you overtime:

- when you have no averaging agreement with your employer, and you are required to work more than 8 hours in a day or more than 40 hours in a week; or
- when you do have an averaging agreement with your employer, and your employer asks you to work more hours in a day than you agreed to in the averaging agreement.

The amount of overtime pay you get depends on the number of extra hours you work. You must be paid overtime after eight hours of work in one day. Your employer must pay you one-and-a-half times your regular pay for each hour you work after eight hours. This is called time-and-a-half.

Your employer must pay you two times your regular pay for each hour you work after 12 hours. This is called double-time.

The Employment Standards Branch website has more information about the complicated overtime rules: www.labour.gov.bc.ca/esb.

Minimum daily pay

If you come to work as your employer asks you to do, you must be paid for at least two hours at

your regular wage, even if you work less. If you have an averaging agreement and you agreed to work more than eight hours in a day, you must be paid for at least four hours, even if you work less.

If you come to work but you are unfit to work because for example you have been drinking or because you forgot your safety equipment, your employer does not need to pay you minimum daily pay.

Meal break

You can work for five hours without a break. After five hours, your employer has to give you a break of at least 30 minutes. An employer who requires an employee to work or be available for work during a meal break must count the meal break as time worked by the employee. Employers are not required to provide coffee breaks.

Holidays you get paid for

There are ten public holidays in BC. They are called statutory holidays because the Employment Standards Act says they are holidays. Statute is another name for a law made by the government.

Normally, on a statutory holiday, you take the day off work but you still get paid. The statutory holidays are:

- New Year’s Day
- Family Day
- Good Friday
- Victoria Day
- Canada Day
- British Columbia Day
- Labour Day
- Thanksgiving Day
- Remembrance Day
- Christmas Day

Easter Sunday, Easter Monday, and Boxing Day are not statutory holidays, though many employers will offer employees a day off with pay on those dates.

To get paid for the statutory holiday, you must:

- have been employed for at least 30 calendar days, and
- have worked on at least 15 of the 30 days before the statutory holiday.

If you work under an averaging agreement any time in the 30 days before the statutory holiday, you automatically have the right to the statutory holiday.

There are different payment rules which apply if you are required to work on a statutory holiday. The Employment Standards Branch website has information about this: www.labour.gov.bc.ca/esb.

Vacation pay

After your first 12 months of employment, employers have to give you at least two weeks paid vacation every year. If you have worked for the same employer for five years or more, your employer has to give you three weeks paid vacation every year. Usually you must take your vacation within 12 months of earning it. You may take it in periods of one or more weeks. Statutory holidays are in addition to annual vacation.

If you leave your job before you use up your vacation, your employer still has to pay you for that unused vacation time.

Losing your job

If you work for an employer for three months or less, he or she can let you go without giving you notice or extra pay. If you work more than three months, the employer must give you notice in writing before your job ends or must pay you **compensation**. The amount of notice

or compensation depends on how long you worked for the employer but is usually no more than 8 weeks.

For example: Chui worked in a large store for four months. After Christmas, her employer said, “Today is your last day.” She gave Chui one week’s extra pay.

Sometimes an employer does not have enough work for the employees or does not have money to pay the bills. The employer might lay off the employees for a few weeks.

A **layoff** is usually temporary. The employer doesn’t have to tell you ahead of time. If the layoff lasts longer than 13 weeks in a 20-week period, it means your employment has ended.

If the layoff is permanent and your employment has ended, the employer must give you compensation.

Employees can lose their job without notice or compensation for stealing from an employer, repeat lateness or harassing another employee.



Quitting your job

Employees can quit a job any time. It is usual to give your employer notice that you are quitting. Two weeks of notice is considered customary but is not required by the Employment Standards Act.

If you can, giving plenty of notice that you are quitting is a good idea especially if you want your employer to give a good report about you when you apply for another job. This is called giving a **reference**.

It is important to note that if you quit your job, or if you are fired for misconduct, you will usually not be eligible to receive employment insurance (EI) benefits.

You can find out more about the laws about working in BC by looking at the *Guide to the Employment Standards Act*. This guide is online at www.labour.gov.bc.ca/esb/esaguide.

Pregnancy leave

A working pregnant woman has legal rights. For example, she can take up to 17 weeks off work without pay. This is called pregnancy leave.

Pregnancy leave begins no earlier than 11 weeks before the expected birth date and no later than the actual birth date.

Pregnancy leave ends no earlier than 6 weeks after the actual birth date, unless the employee requests a shorter period, and no later than 17 weeks after the actual birth date.

An employer can't fire a woman because she is pregnant. And when she returns to work, she must get back her old job or a similar job for at least the same pay.

A working pregnant woman can apply for money from Employment Insurance during her pregnancy. There are rules about when a woman can apply and how much time she can have. She may be eligible for up to 15 weeks of benefits.

Family responsibility leave

An employee is entitled to up to 5 days of unpaid leave during each employment year to meet responsibilities related to:

- the care, health or education of a child in the employee's care, or
- the care or health of any other member of the employee's immediate family.

Bereavement leave

An employee is entitled to up to 3 days of unpaid leave on the death of a member of the employee's immediate family.

Immediate family is identified as a spouse, child, parent, guardian, sibling, grandchild and grandparent of an employee and any person who lives regularly with the employee's family.

For more information on leaves read the Leave fact sheet on the Employment Standards website - <http://www.labour.gov.bc.ca/esb/facshts/leave.htm>.



Termination of employment

The BC Employment Standards Act does not remove an employer's right to **terminate** an employee.

The Act requires that employees who are terminated are entitled to receive written notice or compensation based on length of service.

An employee who is terminated may be eligible for compensation based on the following formula:

- after three consecutive months of employment – one week’s pay;
- after 12 consecutive months of employment – two weeks’ pay; and
- after three consecutive years – three weeks’ pay, plus one week’s pay for each additional year of employment to a maximum of eight weeks.

The employer is not required to pay compensation if an employee is given advance written notice of termination equal to the number of weeks for which the employee is eligible. This notice must be in writing.

Belonging to a union

A union is a group of employees who join together to negotiate wages and working conditions with the employer. Everyone has the right to form a union if most of the employees want a union. Unions are for the protection of employees.

Your union and your employer will talk together. They will decide about pay, vacation time, sick pay, and other benefits. This is called **collective bargaining**. They will write a contract. This is called a collective agreement.

The collective agreement sets out your rights and working conditions. If you have a problem with your employer, talk to the union. The union will meet with the employer to discuss the concerns.

There are some rules for unions. The rules say what unions can and can’t do. In BC, this law is called the Labour Relations Code.

Getting hurt on the job

Sometimes workers get hurt on the job. Workers’ Compensation is a program run by WorkSafeBC. This program helps workers who are injured or get sick because of their work.

WorkSafeBC makes safety rules and sends **inspectors** to most workplaces to check if they are safe. Employers pay for this protection. There is no cost to workers.

Workers who can’t work because of an accident at work or illness may get money from the Workers’ Compensation program. If a worker dies at work, the family may get compensation. Their website is at www.worksafebc.com.



Employment Insurance (EI)

Employment Insurance (EI) is a federal government insurance program that all workers and employers pay into. It is often known just by its initials: EI.

EI is meant to help workers when they lose their jobs, or need time off work.

You have to work a certain number of weeks before you can apply for benefits.

There are several types of Employment Insurance benefits:

- **Regular Benefits** are for people who lose their jobs through no fault of their own.
- **Maternity and Parental Benefits** are for those who are pregnant, have recently given birth, are adopting a child, or are caring for a newborn.
- **Sickness Benefits** are for people who cannot work because of sickness or injury.

- **Compassionate Care Benefits** are for people who have to provide care or support to a family member who is gravely ill with a significant risk of death.

To apply for EI benefits, you need to fill out an application for EI at a Service Canada Centre or online. At the website, look for “Apply for Employment Insurance Benefits” under “Online Services and Forms.”

Service Canada Centre

Vancouver: 1-800-622-6232

www.servicecanada.ca

Call your local Service Canada Centre to find out if you need to make an appointment. They might ask you for your postal code to find out which office you should go to.

When you go, you should take:

- your social insurance card and proof of your immigration status,
- a second piece of identification, with your photo if possible, like your passport or driver’s licence, and
- your Record of Employment (ROE), if you have it, from every place you worked in the last 12 months.

If you do not speak English or French, take someone who can translate for you.

Note: If you want to get regular EI benefits, be sure to apply as soon as you lose your job. Apply even if you do not yet have your Record of Employment (ROE). If you delay applying for benefits for more than four weeks after your last day of work, you may lose benefits.

If you lost your job because you quit or got fired, it will be difficult to get EI benefits. Check with your EI office for the number of weeks you need to have worked in your area. Their website is

www.servicecanada.gc.ca/eng/sc/ei/benefits/regular.shtml

Discrimination in Employment

In Canada, there are laws to protect workers from discrimination. For example, an employer is expected to hire employees on the basis of skills, experience and education needed for the job.

It is discrimination if an employer doesn’t give a job because of your gender, age, race, religion, birthplace, sexual orientation (gay, bisexual, or straight), marital or family status (single, married, or living common-law), mental or physical disability, or because you have a **criminal record** for an offence that is unrelated to the job you are applying for.

There are also laws to protect you against discrimination while you are on the job.



British Columbia Human Rights Code

The BC Human Rights Code applies to all businesses, agencies, and services in BC. The Code protects people from discrimination in many areas of daily life, including discrimination in the workplace.

To make a complaint under the Code about discrimination in the workplace, the following must usually be true:

- you have been singled out and treated differently and poorly, compared to others; and
- you are being treated differently and poorly because of a personal characteristic, such as your race, colour, religious belief, gender, mental or physical disability, or sexual orientation.

For information about the Human Rights Code and how to file a human rights complaint, you can contact the BC Human Rights Coalition.

BC Human Rights Coalition

1202 – 510 West Hastings Street
Vancouver BC V6B 1L8

Where do you file a complaint?

The BC Human Rights Tribunal is where you can make a complaint that someone has discriminated against you under the Code. The tribunal's job is to resolve human rights complaints in a way that is fair to the person who made the complaint and the person whom the complaint is against.

BC Human Rights Tribunal

Vancouver: 604-775-2000
Toll Free: 1-888-440-8844
www.bchrt.bc.ca

How do you file a complaint?

To file a complaint you need to get a Complaint Form, fill it out, and file it with the tribunal within six months of the incident. These materials are available online at www.bchrt.bc.ca.

Renting a home



In every province in Canada, there are laws about renting. You must follow these laws if you are a **landlord** or **tenant**. Every province also has laws about buying and owning a home.

In this chapter, you will learn about these laws in BC. They include:

- Making an agreement to rent
- Paying rent
- Paying a security deposit
- Making repairs
- Leaving a rented place
- Dealing with problems in renting
- Evicting a tenant
- Discrimination in renting
- Buying a home

Landlords and tenants

When you rent a home or an apartment, you are a tenant, also referred to as a renter. If you own a home or apartment and you rent it to someone else, you are a landlord.

There is a department of the provincial government that is responsible for making sure landlords and tenants follow these laws. It is called the **Residential Tenancy Branch**.

Find out what the law says

Before you rent a place, find out what the law says. There are more rules contained in laws called **Regulations**.

The main law that gives the rules for landlords and tenants is called the **Residential Tenancy Act**. The Residential Tenancy Branch and Tenant Resource & Advisory Centre can provide you with important, free information.

Residential Tenancy Branch

Vancouver: 604-660-1020

Victoria: 250-387-1602

Toll Free: 1-800-665-8779

www.rto.gov.bc.ca

Tenant Resource & Advisory Centre (TRAC)

Vancouver: 604-255-0546

Toll Free: 1-800-665-1185

www.tenants.bc.ca

Looking for a place to rent?

If you are renting for the first time, or if you are new to BC, it is important to ask the landlord what is included in the rent — for example, heat, hot water, cable service, and laundry machines for your use. If you have any doubts or questions, call the Residential Tenancy Branch or the Tenant Resource & Advisory Centre (TRAC). Their phone numbers are in the section called “Find out what the law says.”

When you look at a place to rent, the landlord will tell you how much the rent is. If you apply to rent the place, the landlord cannot charge you money to take your application. Doing this is illegal.

Making an agreement to rent

When a tenant finds a suitable house or apartment to rent, the tenant and the landlord make a contract. A contract is a legal agreement. A contract between a landlord and tenant is called a **tenancy agreement**.

A tenancy agreement must follow the rules about renting in the Residential Tenancy Act and Regulations.

The Residential Tenancy Branch has a tenancy agreement form that you and your landlord can use. The form is called Residential Tenancy Agreement. It is available from their website: www.rto.gov.bc.ca/documents/RTB-1.pdf.

A tenant and a landlord can sign a month-to-month agreement or a fixed term agreement, also known as a **lease**. If you sign a lease, you can't move out until your lease is finished without paying extra money.

For example: if you sign a one year lease, you have to stay until the end of the one year. If you decide to move out before the end of the lease, you may have to pay your landlord some extra money to cover the difference between what you agreed to in writing and what you now want to change.

A tenancy agreement must be in writing. The tenant and the landlord sign it and date it. The landlord must give the tenant a copy of the tenancy agreement within 21 days. The agreement will say how much the rent is and when you must pay it. The agreement should also include what the law says about such things as **security deposits**, **rent increases**, and repairs.

You should read the agreement before you sign it. Get someone to help if you need to.

Move-in and move-out

A tenant and a landlord do an inspection together when a tenant moves in and when a tenant moves out. They check to see that everything is working. Make sure you get a copy of this inspection from the landlord.

Before you move in or move out, call the Residential Tenancy Branch or the Tenant

Resource & Advisory Centre for information about the rules for the inspection. The phone numbers are in the section called “Find out what the law says.”

Paying rent

When you rent a house or apartment, you usually pay rent to the landlord once a month. Make sure you have proof that you paid the rent, such as a witness, a receipt from the landlord, or a cancelled cheque from your bank or credit union. Keep this proof in case there is a dispute about it later.

If your landlord wants to increase your rent, he or she must follow the rules. For example, the landlord cannot increase the rent if you have not been in the place for at least 12 months.

Landlords must give tenants three months’ notice if they increase the rent. This means the landlord must tell you in writing three months before you start to pay the higher rent. The month you receive the notice doesn’t count, even if you receive notice on the first of the month.

The landlord must use a special form called Notice of Rent Increase. To see what this form looks like, go to www.rto.gov.bc.ca/documents/RTB-7.pdf.

The landlord can only increase the rent once a year. In most cases, the landlord can only increase the rent according to a percentage set by the government. This percentage may change from year to year. In 2013, this percentage is 4.3%.

Check with the Residential Tenancy Branch or the Tenant Resource & Advisory Centre to see if this percentage has changed. Their phone numbers are in the section called “Find out what the law says.”

Paying a security deposit

When tenants move into a place, they usually must pay the landlord some extra money that they may get back when they move out. This is called a security deposit. It is to pay for any damage the tenant might do. It can’t be more than one-half of one month’s rent money. It is very important for the tenant to keep the receipt for the security deposit.

Getting your money back

When the tenant moves out, the tenant should give the landlord an address in writing saying where to send the security deposit. Once the tenant has given the landlord this address, the landlord must return the security deposit with interest within 15 days or ask the Residential Tenancy Branch for permission to keep some or all of it.

If the tenant damaged the place, the landlord can use some of the security deposit money for repairs. However, the tenant must agree to this in writing.

The landlord cannot keep the security deposit or part of it unless the tenant agrees in writing to pay for damages or unpaid rent. If the tenant does not agree in writing, the landlord must contact the Residential Tenancy Branch for permission to keep some of the security deposit money. For more information, contact the Residential Tenancy Branch.

Making repairs

The landlord must put up a sign or tell the tenant in writing who to call if there is an emergency. If you have problems with the electricity, or the toilet doesn’t work, or there is no hot water, for example, the landlord must fix it. The law says a landlord must make such repairs.

Ask your landlord to make the repairs. It is a good idea to do this in writing and keep a copy of the letter.

If the landlord doesn't make the repairs, phone the Residential Tenancy Branch or the Tenant Resource & Advisory Centre. Their phone numbers are in the section called "Find out what the law says."



Asking for help with repairs

Some towns and cities have rules about keeping rental suites safe and healthy. You can phone your local city hall or town council and ask them about these rules.

You can use the blue pages of your phone book. Look under "Health", "Fire" or "Building Inspections." Or you can do a search for your local government on the Internet.

If you live in Vancouver, the phone number for the City of Vancouver Property Use Inspector is 604-873-7398.

When you call, ask if they will send an inspector. An inspector can check your place and order the landlord to do the repairs.

For example: Susan Johnson lived in an apartment. The pipe from the toilet had water coming out, and the landlord didn't fix it after Susan asked him to. Susan phoned city hall and told the people there about the problem.

An inspector came to Susan's apartment and looked at the problem. This inspection was free. The inspector told the landlord to fix the pipe right away. If an inspector tells a landlord to do something, he or she must do it.

Another place to get help is at the Residential Tenancy Branch. You can apply for a dispute resolution hearing for repairs.

Residential tenancy dispute resolution

If you have a problem with your landlord, you may be able to resolve the matter by talking to him or her. If you cannot work it out on your own you can access dispute resolution services through the Residential Tenancy Branch. A dispute resolution hearing is a bit like a court. You ask a Dispute Resolution Officer (DRO) to make a decision based on the law. You would need to have evidence in support of your argument.

A dispute resolution hearing can be held on the phone or in person. The (DRO) makes a decision. You and the landlord must obey the decision.

To find out more about dispute resolution, see the Tenant Survival Guide, a free publication of the Tenant Resource & Advisory Centre (TRAC), available online and in print. Contact details are in the **Find Out More - Renting a home** section at the end of this booklet.

Paying for damage

When a tenant or tenant's visitors damage a rented house or apartment, the tenant should tell the landlord right away. The tenant must pay for the repair. The landlord doesn't have to pay for it.

For example: Bill Lee is a tenant living in a suite in an older house. One evening he had a party. One of his friends accidentally broke the big front window. In the morning, Bill called the landlord

and explained what happened. The landlord called a company to replace the window and Bill paid for the new window. It cost \$200.

Letting the landlord in

Landlords can ask to see the rented house or apartment. They may want to come once a month. Landlords must give a letter to the tenant 24 hours before they come. The letter must say what time between 8 a.m. and 9 p.m. the landlord will come and why he or she is coming.

Sometimes there is an emergency. For example, you may have a fire or a broken water pipe. Then the landlord can come in without permission.

Eviction information

For landlords

A landlord can sometimes make a tenant move out. This is called eviction.

If you are a landlord, and you need to evict a tenant, you must:

- Give notice in writing to tell the tenant to move out. You can get a form at the Residential Tenancy Branch or your local Service BC Centre. The notice must contain reasons for eviction and explain to the tenant his or her right to dispute the eviction.
- Give the notice to the tenant yourself or send it by registered mail. Landlords are not supposed to just put the letter under the door.

Give the tenant proper notice. The law says how much time you have to give tenants before they must move out.

For tenants

If a landlord wants you to move out, the law says he or she must follow the rules and put the notice in writing. The landlord cannot just tell you to leave. If you are a tenant and you get an

eviction notice, read it very carefully.

You may disagree with the reason the landlord is evicting you. For example, you don't think you're too noisy, or you don't have too many people living in your place.

You may want to try to stop the eviction. You can **appeal**, which means you ask an official to decide. The eviction form says how much time you have to do that. **Never ignore an eviction notice.** You should ask for help or advice. Look in **Find Out More** at the end of this section.

Eviction: How much notice must a landlord give?

The landlord must give:

- **Immediate Notice** when the tenant is doing something that is likely to be dangerous to others. The landlord can apply to the Residential Tenancy Branch for something called an Order of Possession.
- **10 day notice** when the tenant didn't pay the rent.
- **One month** notice when the tenant is too noisy or has too many people living in the place.
- **Two month** notice when the landlord is going to renovate the apartment, or tear it down, convert it to something else, or live in it. If you get a two-month eviction, check with the Residential Tenancy Branch or the Tenant Resource & Advisory Centre about compensation.

Moving out

When you want to move out of a house or apartment that you are renting, the law requires that you tell your landlord in writing. This is called **giving notice**. You have to write your address and the date you will move out and sign your name.

If you are in a **month-to-month** tenancy, you must give it to the landlord at least one month

before you will move out. The first day of the month before you plan to move out is too late.

If you signed a **fixed term agreement** or lease, you are not allowed to end your tenancy early. If you do, you may have to pay extra money to the landlord for breaking the tenancy agreement.

For example: Raj Gill has a month-to-month agreement and has decided to move. He plans to move out of his apartment on December 31. He will give his notice to his landlord on November 30 at the latest. Giving notice December 1 is too late. If he is late, Raj has to pay an extra month's rent.

It's best to give the notice to the landlord or the building manager yourself. You may want to ask someone to go with you in case the landlord denies receiving the notice. Keep a copy of the notice.

If you mail the notice via registered mail, make sure you keep the receipt and a copy of the notice. Remember that if the landlord denies you gave proper notice, you will need evidence to prove that you did.

Discrimination in renting

Sometimes a house or apartment is for rent. The landlord can't refuse to rent to people because of their gender, age, race, religion, birthplace, sexual orientation (gay, bisexual, or straight), marital or family status (single, married, or living common-law), or mental or physical disability.

Unless the building is reserved for people over 55 years old, a landlord can't refuse to rent to people because they have children. The landlord also can't refuse to rent to you because you are on **welfare**. BC law says this is discrimination.

A landlord can't charge a different price or make different rules for tenants of a different race, skin colour, religion, sex, and so on. This is the

law. You can complain to the BC Human Rights Tribunal if you think a landlord has discriminated against you.

BC Human Rights Tribunal

Vancouver: 604-775-2000

Toll Free: 1-888-440-8844

www.bchrt.bc.ca

For information about the Human Rights Code and how to file a human rights complaint, you can contact the BC Human Rights Coalition.

BC Human Rights Coalition

1202 – 510 West Hastings Street

Vancouver BC V6B 1L8

www.bchrcoalition.org



Buying a home

If you want to buy a home, you need to know how much you can afford. Home expenses include the purchase price, legal fees, property taxes, insurance, maintenance, heating costs and others expenses such as repairs.

It is a good idea to talk to your banker, credit union or mortgage broker to find out how much you can afford to pay for a home.

Most people cannot afford to pay for the entire cost of a home. A lender may lend you money to purchase it. Borrowed money for a home is called a mortgage.

The lender will also expect you to use some of your own money and make a down payment on the home you buy. Sometimes a lender will give you a pre-approved mortgage. This is a mortgage amount at an interest rate they guarantee for a period of time, often for 90 days.

You make a regular payment, most often monthly, to pay down your mortgage. Your monthly payment includes the interest that the bank charges for you to borrow their money.

Most homes in Canada are sold through real estate agents, also called realtors. A real estate agent can assist you through the purchase process including: negotiating the price, providing you with information on the community you want to live in and sharing information about the housing market in general.

The cost associated with working with an agent is usually covered by the seller of the home. It is a good idea to meet with a realtor before you decide if you would like to work with them.

When you find the property you want to purchase, a real estate agent will write an offer, called a Contract of Purchase and Sale. The agent will present your offer to the seller.

Once you and the seller have agreed on a price, the agent will prepare the necessary documents to complete the purchase. Your agent will take care of sending the documents to the bank in order to arrange for the mortgage that you had been pre-approved for.

It is a good idea to have the home inspected before you buy it. This may help you avoid big or small surprises such as a broken frame or mold in the walls. A realtor can help you find a home inspector. You can also find information about home inspectors online or in your local phone book. The buyer pays for the cost of the inspection.

You will need a lawyer or notary public to prepare the documents that transfer legal ownership from the seller to you. Your real estate agent may be able to suggest a lawyer or notary public for you to choose from. Lawyers and notaries can also be found online or in your local phone book.

Owning a home: bylaws

When you own your home, you must still obey the city laws. These are called bylaws. They deal with safety and health issues and allowable uses of the property.

They cover everything from rules about building a house to rules about making noise and maintaining fences. To find out more, read *Buying a Home in British Columbia*, at www.hpo.bc.ca/files/download/Bulletins/BuyingANewHome.pdf.



What the words mean - Working in BC

Appeal	A formal request to a court or to someone in authority asking for a decision to be changed.
Averaging agreement	Agreements that permit hours of work to be averaged over a period of one, two, three or four weeks. Employees may agree to work up to 12 hours in a day, averaging 40 hours in a week, without being paid overtime.
Collective agreement	An agreement between employers and employees which regulates the terms and conditions of employment in their workplace.
Collective bargaining	A process of negotiation between the employer and employees aimed at reaching agreements.
Compensation	Money paid to someone because they have suffered injury or loss (i.e. loss of employment), or because something they own has been damaged.
Criminal record	A record of a person's criminal history.
Dispute resolution	When someone solves a problem, argument, or difficult situation.
Double time	A rate of pay equal to double the standard rate.
Entitlements	Things you have a right to under a law.
Excludes	Keeps something or someone out of an agreement or situation.
Inspector	A person whose job is to check that something is satisfactory and that rules are being obeyed.
Layoff	Temporary or permanent termination of employment.
Overtime	The amount of time someone works beyond their normal working hours.
Pregnancy leave	A leave of absence for an expectant or new mother for the birth and care of the baby.

What the words mean - Renting a home

Appeal	A formal request to a court or to someone in authority asking for a decision to be changed.
Compensation	Money paid to someone because they have suffered a loss (e.g. the landlord is evicting a tenant in order to renovate the place, or tear it down, or move in).
Criminal record	A record of a person's criminal history.
Dispute resolution	When someone solves a problem, argument, or difficult situation.
Eviction	To tell someone legally that they must leave the house they are living in.
Evidence	Facts or signs that show clearly that something exists or is true.
Fixed-term tenancy (lease)	A tenancy agreement where the tenant agrees to live somewhere for a certain amount of time, such as 1 year.
Giving notice	Give written notice to the landlord that you want to move out.
Inspector	A person whose job is to check that something is satisfactory and that rules are being obeyed.
Landlord	A person who owns property and rents or leases it to another person.
Lease	A contract for the temporary use or occupation of an apartment or house in exchange for payment of rent.
Month-to-month tenancy	A tenancy agreement with no fixed term.
Regulations	These are rules that say how a particular law should work in practice.
Rent	The amount of money the tenant pays the landlord each month for the right to live in the landlord's property.
Rent increase	An increase in a tenant's rent.
Residential Tenancy Act	The law that says what tenants and landlords can and cannot do.

Find out more - Working in BC

<p>Clicklaw</p>	<p>A website that will take you to legal information and education from across BC. Clicklaw is operated by Courthouse Libraries BC.</p> <p>Start on the home page (Solve Problems) and explore by topic. Select Employment.</p> <p>You can use the Clicklaw Help Map to find someone who can help with legal problems</p>	<p>www.clicklaw.bc.ca</p> <p>www.clicklaw.bc.ca/helpmap</p>
<p>Dial-A-Law</p>	<p>Has brief legal information on over 130 topics, available in English, Chinese and Punjabi. Dial-A-Law is a free service of the Canadian Bar Association, British Columbia branch. You can listen on the telephone or online. You can also read the information online.</p> <p>Scripts include Protection Against Job Discrimination and Applying for Employment Insurance Benefits.</p>	<p>Phone: 604-687-4680 1-800-565-5297 www.dialalaw.org</p>
<p>Human Rights Coalition</p>	<p>The BC Human Rights Coalition provides information and services to people in BC who need help to protect their rights under the BC Human Rights Code.</p>	<p>Phone: 604-689-8474 1-877-689-8474 www.bchrcoalition.org</p>
<p>ImmigrantLegal.ca</p>	<p>mmigrantLegal.ca provides free legal information and education on legal topics for newcomers to Canada and the people working with them. The website is a project of the Immigrant Public Legal Education and Information Consortium. It is managed by the Justice Education Society.</p> <p>On the home page of the site, select Employment.</p>	<p>www.immigrantlegal.ca</p>

<p>Justice Education Society</p>	<p>Administrative Law BC - Resolving Disputes is a website that explains what tribunals are and how they work.</p> <p>Your Human Rights in BC is a series of five videos for immigrants about human rights in BC and Canada. The videos are available in English, Mandarin and Punjabi.</p>	<p>www.adminlawbc.ca/resolving-disputes/</p> <p>www.justiceeducation.ca/resources/human-rights-in-bc</p>
<p>Lawyer Referral Service</p>	<p>This service can help you find a lawyer who will meet with you for 30 minutes for \$25.</p>	<p>Phone: 604-687-3221 1-800-663-1919 www.cba.org/bc</p>
<p>MOSAIC</p>	<p>Offers programs and services to help immigrants and refugees in their settlement and integration into Canadian society.</p> <p>MultiLingoLegal.ca website features many legal publications in nine languages. MultiLingoLegal is operated by MOSAIC - a settlement and integration organization for immigrants and refugees in BC.</p> <p>Multilingual Legal Glossary is an online dictionary that allows you to search for the meaning of legal words. It provides the meaning of the word in English, and translates it into Chinese (Simplified and Traditional), Farsi, Korean, Punjabi, Russian, Spanish, or Vietnamese.</p>	<p>Phone: 604-254-9626 www.mosaicbc.com</p> <p>www.MultiLingoLegal.ca</p> <p>www.legalglossary.ca/dictionary</p>
<p>People’s Law School</p>	<p>The People’s Law School provides people in BC with free public legal education and information. Visit our website or call us to find out how to access the education and information needed to exercise your legal rights and responsibilities.</p> <p>Booklets are free and are available online and in print. You can order booklets online.</p>	<p>Phone: 604-331-5400 www.publiclegaled.bc.ca</p> <p>www.store.publiclegaled.bc.ca</p>
<p>Pro Bono Legal Services</p>	<p>In these programs, lawyers volunteer to provide free legal advice to those who can’t afford a lawyer or can’t get Legal Aid. If you have a legal problem, you can contact the Access Pro Bono Society of BC. It has legal advice clinics across BC.</p>	<p>Phone: 604-878-7400 1-877-762-6664 www.accessprobono.ca</p>

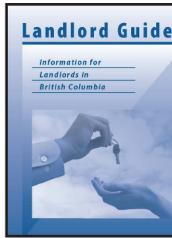
Find out more - Renting a home

<p>Clicklaw</p>	<p>A website that will take you to legal information and education from across BC. Clicklaw is operated by Courthouse Libraries BC.</p> <p>Start on the home page (Solve Problems) and explore by topic. Select Housing, Tenancy & Neighbours.</p> <p>You can use the Clicklaw Help Map to find someone who can help with legal problems</p>	<p>www.clicklaw.bc.ca</p> <p>www.clicklaw.bc.ca/helpmap</p>
<p>Dial-A-Law</p>	<p>Has brief legal information on over 130 topics, available in English, Chinese and Punjabi. Dial-A-Law is a free service of the Canadian Bar Association, British Columbia branch. You can listen on the telephone or online. You can also read the information online.</p> <p>Scripts include Residential Tenancy and Neighbour Law.</p>	<p>Phone: 604-687-4680 1-800-565-5297 www.dialalaw.org</p>
<p>Human Rights Coalition</p>	<p>The BC Human Rights Coalition provides information and services to people in BC who need help to protect their rights under the BC Human Rights Code.</p>	<p>Phone: 604-689-8474 1-877-689-8474 www.bchrcoalition.org</p>
<p>ImmigrantLegal.ca</p>	<p>ImmigrantLegal.ca provides free legal information and education on legal topics for newcomers to Canada and the people working with them. The website is a project of the Immigrant Public Legal Education and Information Consortium. It is managed by the Justice Education Society.</p> <p>On the home page select Residential tenancy.</p>	<p>www.immigrantlegal.ca</p>

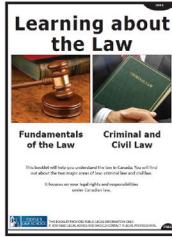
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<p>Lawyer Referral Service</p>	<p>This service can help you find a lawyer who will meet with you for 30 minutes for \$25.</p>	<p>Phone: 604-687-3221 1-800-663-1919 www.cba.org/bc</p>
<p>Legal Services Society of BC</p>	<p>The Legal Services Society also has free print and online booklets in English and many other languages. At the website, select Housing and tenancy.</p>	<p>www.lss.bc.ca/publications/index.php</p>
<p>MOSAIC</p>	<p>Offers programs and services to help immigrants and refugees in their settlement and integration into Canadian society.</p> <p>MultiLingoLegal.ca website features many legal publications in nine languages. MultiLingoLegal is operated by MOSAIC - a settlement and integration organization for immigrants and refugees in BC.</p> <p>Multilingual Legal Glossary is an online dictionary that allows you to search for the meaning of legal words. It provides the meaning of the word in English, and translates it into Chinese (Simplified and Traditional), Farsi, Korean, Punjabi, Russian, Spanish, or Vietnamese.</p>	<p>Phone: 604-254-9626 www.mosaicbc.com</p> <p>www.MultiLingoLegal.ca</p> <p>www.legalglossary.ca/dictionary</p>

<p>People’s Law School</p>	<p>The People’s Law School provides people in BC with free public legal education and information. Visit our website or call us to find out how to access the education and information needed to exercise your legal rights and responsibilities.</p> <p>Booklets are free and are available online and in print. You can order booklets online.</p>	<p>Phone: 604-331-5400 www.publiclegaled.bc.ca</p> <p>www.store.publiclegaled.bc.ca</p>
<p>PovNet</p>	<p>Advocates help low-income people who have renting problems. PovNet is an online resource that can help you contact an advocate in your area. Visit the website and select Find an Advocate.</p>	<p>www.povnet.org</p>
<p>Pro Bono Legal Services</p>	<p>In these programs, lawyers volunteer to provide free legal advice to those who can’t afford a lawyer or can’t get Legal Aid. If you have a legal problem, you can contact the Access Pro Bono Society of BC. It has legal advice clinics across BC.</p>	<p>Phone: 604-878-7400 1-877-762-6664 www.accessprobono.ca</p>
<p>Residential Tenancy Branch</p>	<p>The branch of the BC government responsible for landlord-tenant matters. The website has free publications that contain important information.</p>	<p>Vancouver: 604-660-1020 Victoria: 250-387-1602 1-800-665-8779 www.rto.gov.bc.ca</p>
<p>Tenant Resource and Advisory Centre (TRAC)</p>	<p>The Tenant Resource & Advisory Centre provides tenants with legal education and information about residential tenancy law. You can phone them if you have a problem with renting.</p> <p>You can also read their free publications, including the <i>Tenant Survival Guide</i>. It is available in English or Traditional Chinese. You can read it online at their website or order a copy from the People’s Law School.</p>	<p>Vancouver: 604-255-0546 1-800-665-1185 www.tenants.bc.ca</p>

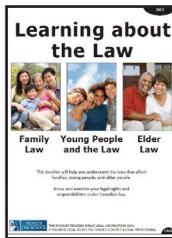
Other related public legal information booklets include:



An introduction to the rights and responsibilities of tenants and landlords and explores their relationship as seen through the Residential Tenancy Act and the Manufactured Home Park Tenancy Act.



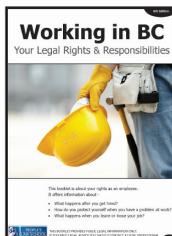
This booklet contains basic information about the fundamentals of the law, criminal law, and dealing with disputes.



This booklet contains basic information about family law, young people and the law, and older people and the law.



Published by the Tenant Resource & Advisory Centre (TRAC), this guide is intended to give tenants a basic understanding of residential tenancy law in British Columbia.



This booklet is about your rights and responsibilities as an employee, and employee protection under the BC Employment Standards Act.

This series and other public legal education booklets are available online at:



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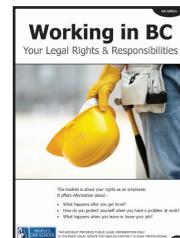
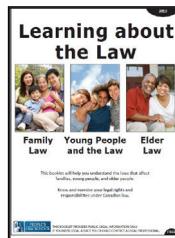
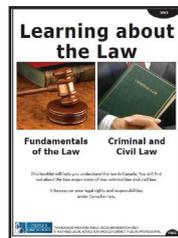
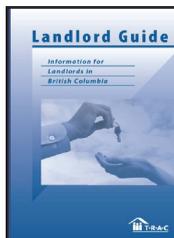
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