SHORT-TERM RENTAL (STR) Community Working Group

TERMS OF REFERENCE (TOR)

NOTE: To support social distancing during the ongoing COVID-19 pandemic, all Working Group meetings will take place remotely through Cisco Webex. Working Group members require access to a laptop, desktop, tablet or smartphone.

1. Purpose:

- The purpose of this Short-term Rental Community (STR) Working Group (herein abbreviated as the "Working Group") is to gather a broad variety of community voices to provide City of Vancouver staff with ongoing insights on STRs and the evolution of the City's STR regulations with the seven guiding principles approved by Council in 2017:
    1. Protect long-term rental supply;
    2. Ensure health and safety;
    3. Encourage neighbourhood fit;
    4. Promote tax and regulatory equity;
    5. Support the tourism industry;
    6. Encourage compliance; and
    7. Enable supplemental income.

- The Working Group shall serve as a platform to foster respectful mutual understanding and dialogue between different community perspectives on STRs.

- The City of Vancouver envisions the Working Group to be an important forum to hear concerns, opportunities and ideas with respect to STR regulations.

- The Working Group is not a decision making body and will not have the authority to commit City resources, direct the work of City employees, or amend Council approved policies.

- Feedback and opinions generated from the Working Group is for information purposes only. Implementation of any ideas are not guaranteed.

2. Context and background:

- On April 10, 2018, Vancouver City Council enacted amendments to the Zoning and Development Bylaw No. 3575 and Licence Bylaw No. 4450 that allowed STRs in a legal dwelling unit that is used as a principal residence.[1]

- The development and implementation of the City's STR regulations are guided by the seven aforementioned principles approved by Council in 2017.

[1] The full regulations can be found in https://vancouver.ca/doing-business/short-term-rentals.aspx.

- Regulating STRs is an important policy of the City's 10-Year Housing Vancouver Strategy to create new housing supply and ensure existing housing provides homes for people who want to live and work in Vancouver.

- All persons wishing to operate a STR in their principal residence must acquire a business licence ($99 in 2020/21) and display the business licence number on any online listing used to market the STR.

- On September 1, 2018, anyone found operating a STR without a business licence became subject to fines of up to $1,000 per offence.

- The City is committed to monitoring the effectiveness and impact of the City's STR regulations. On November 6, 2019, a staff report with findings from the first 12-months of enforcement as well as recommendations to improve the STR regulations was presented to Vancouver City Council.[2]

- One of the recommendations from staff that was approved by Vancouver City Council was the establishment of an STR Community Working Group to gather ideas from local residents on ways to improve the implementation and further policy development of the City's STR regulations.

3. Membership:

- The Working Group shall comprise of 15 members that consist of 14 Vancouver residents and one external facilitator who will also act as the Chair. Members will be selected by City staff on the basis of their interest, relationship to STRs and demographics to ensure a diverse and balanced set of viewpoints.

- Among the Vancouver resident members, staff will aim for an equal number of STR operators who are current holders of the City's STR business licence and non-operators, with spaces reserved as follows:

    a. **Seven STR operators**, selected from current 2020 STR business licence holders to reflect:
        - A mix of tenure (homeowner and renters);
        - A mix of STR unit property types (single-family home, secondary suite, condominiums);
        - A mix of geographic location (i.e. different neighbourhoods of the City); and
        - Where possible, a mix of genders and ages.

    b. **Seven Vancouver residents who are not STR operators**, selected in accordance with the following composition targets:
        - At least one member is a long-term renter;
        - At least one member self-identifies as a housing or renter advocate;
        - At least one member is a neighbour of a STR unit;

[2] The full report can be accessed at https://council.vancouver.ca/20191106/documents/cfsc1.pdf.

  - At least one member is a landlord who rents out their property to long-term rental tenants;
  - At least one member is a sitting member of a strata council or a homeowner of a strata-titled property; and
  - Where possible, a mix of genders and ages.

- The City of Vancouver is committed to selecting a diverse STR Community Working Group that represents the community we serve. We welcome applicants with diverse backgrounds, including Indigenous people, black and persons of colour, all genders and gender identities, and persons with (dis)abilities.

- Despite the grassroots focus of the Working Group, City staff may invite representatives of key interest or stakeholder groups to attend Working Group meetings as guest speakers or experts. These guests are not considered members of the Working Group.

4. Roles and responsibilities:

- Working Group members are responsible for:
  1. Attending each of the five Working Group sessions or, if extenuating circumstances prevent them from attending, notifying the Chair or City staff as early as possible. If you know in advance you are unable to attend all five sessions, you are ineligible from joining the Working Group;
  2. Helping City of Vancouver staff obtain public feedback on the STR regulations;
  3. Providing suggestions on any new initiatives or ideas related to STR regulations; and
  4. Ensuring that they conduct themselves at all times in a respectful and courteous manner and foster a collaborative non-judgmental environment conducive to participation.

- The Chair of the Working Group/external facilitator is responsible for:
  1. Hosting and leading the Working Group meetings;
  2. Ensuring good conduct of Working Group meeting, including sticking to timelines and supporting all members to participate effectively in the discussions;
  3. Working with City staff to select and appoint Working Group members;
  4. Working with City staff on the logistical and support functions of the Working Group meetings, including but not limited to scheduling meetings, preparing agendas, maintaining Working Group records, as well as posting agendas, reference materials, meeting minutes, as well as any other material that City of Vancouver staff wishes to be made public; and
  5. Developing a summary report of the items discussed at the Working Group meetings.

- The role of City of Vancouver staff is to:
  1. Listen and consider feedback and suggestions;
  2. Obtain and provide information that may relate to the mandate of the Working Group as required;
  3. Make final decision on the appointment of Working Group members; and
  4. Support the Chair of the Working Group to promote effective Working Group functioning.

- The following are beyond the scope of the Working Group's role:
  1. Decision-making;
  2. Directing City staff to undertake actions; and
  3. Requesting staff to disclose information including but not limited to staffing, business licence holders, enforcement processes and active enforcement casefiles that contravenes provincial legislation and city rules of conduct which govern the disclosure and use of personal and proprietary information.

5. Term of Membership

- Members are appointed to the Working Group for a one-year term starting November 2020 and ending September 2021.

6. Meeting frequency and format:

- It is expected that the Working Group will meet five times from November 2020 to September 2021.

- Meetings will be timed to occur at bi-monthly intervals, as scheduled below:

  1. November 30, 2020 - Inaugural meeting;
  2. February 1, 2021;
  3. April 5, 2021;
  4. June 7, 2021; and
  5. September 13, 2021.

- City staff will strive to convene the meetings at the aforementioned dates, however meeting dates may be subject to change due to unforeseen circumstances.
- All meetings will occur in the evenings between 6:30pm and 8:00pm. Breaks will be provided.
- All meetings will occur remotely via Cisco Webex. Members will be provided a link to the meeting via email. To participate in the meeting, members may either use their personal laptop/desktop computer, or join the meeting by smartphone by calling the number that will be provided in the email invite.

7. Membership eligibility:

- Membership shall be open to all residents of the City of Vancouver with the target of meeting the cross-representation as identified in Section 3.

- The City will be responsible for selecting and notifying successful applicants for membership of the Working Group.

- In the event of a vacancy, the City reserves the right to fill the vacancy by going through the pool of applicants.

- Members should ideally have access to a personal desktop computer, laptop or smartphone with functioning speaker and microphone in order to participate in remote meetings – note expenses incurred to participate in Working Group meeting, including but not limited to charges related to devices, internet or phone data, will not be reimbursed by the City. Request for reimbursement of any expenses related to meeting participation will not be accepted.

8. Honorariums:

- Time spent preparing for and attending Working Group meetings will not be compensated. The City appreciates the volunteer time and commitment of Working Group members and recognizes the opportunity they give to the City to hear from diverse representatives from the across the community.

9. Meeting expectations and procedures:

- ***Attendance*****:** All members are expected to attend all of the five Working Group meetings. If a member is unable to attend due to a personal illness or other extenuating circumstances, the member must notify the City.

- ***Communications:*** All Working Group meetings, as well as any associated written correspondence, will be conducted in English.

- ***Deemed resignation:*** Members shall be deemed to have resigned their appointment if they are absent for more than one meeting for any reason whatsoever.

- ***Resignation*****:** Members wishing to resign their appointment mid-term shall submit their resignation in writing (electronic or hard copy) to the Chair. The City reserves the right to fill the vacancy.

- ***Quorum*****:** There are no quorum requirements. Working Group meetings shall be undertaken with the number of participants present.

- ***Agenda and minutes*****:** Working Group meeting agenda, minutes and supplemental documents will be made publicly accessible on the City's website at [https://shapeyourcity.ca/str-working-group].

- ***Public release of membership*****:** As a condition of their appointment, members agree that the City shall publicly release the names of Working Group members on the City's website at [https://shapeyourcity.ca/str-working-group].

- ***Public attendance****:* To provide a safe space for discussion of viewpoints, members are not allowed to forward the meeting invite to non-members or have guests in attendance with the intention of listening and/or participating in Working Group meetings. At the start of every meeting, a roll-call will be initiated and attendees who fail to state their name, or who are not Working Group members will be disconnected from the meeting.

Members should ideally participate in the meeting at a private, enclosed space within their personal dwelling, without neglecting any caregiving and/or childcare needs that may arise during the course of the meeting.

While ordinary members of the public are prohibited from attending or listening-in to the meeting, they are welcomed to review meeting materials, including agendas, minutes and presentations at [https://shapeyourcity.ca/str-working-group] and send comments via email to short.term.rentals@vancouver.ca.

- ***Recording:*** Members are not permitted to record meetings with the intention of personal use and/or distribution or sharing to non-members. The City will provide meeting recordings to members who were unable to attend a meeting. Under no circumstances can the meeting recordings be distributed to non-members.

- ***Special meetings*****:** Special meetings may be called by the City or individual members with two-thirds approval of Working Group members. The special meeting is not included in the attendance requirement.

- ***Conduct:*** All members will act in accordance with Code of Conduct guidelines. Contravention of the Code of Conduct by a Member may result in the City rescinding their appointment.

Code of Conduct Guidelines

- Members are expected to attend and participate in all Working Group meetings.

- Members must avoid behavior that amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others.

- Members must respect the confidentiality of Working Group meetings and agree not to disclose publicly personal information or views expressed during the meeting;

- Members must not influence the enforcement actions of city staff.

- Members must not make public statements unfairly attacking or reflecting negatively on the City of Vancouver City Council, individual Council members or staff.

- Members must not use social media to breach confidentiality of the Working Group, City staff or community experts who may present to the Working Group. This includes using social media platforms to disclose any personal information of other Members or views expressed during the meetings.

- The City retains the sole right to remove any Working Group member who has failed to adhere to the Code of Conduct