

UPDATED April 27, 2020

Information for Tenants and Landlords Renting on Westbank First Nation Land

Evictions

Arbitrations related to evictions are deferred until further notice. A Notice to End a Residential Tenancy cannot be issued during the COVID-19 pandemic, including for non-payment of rent, except under the exceptional circumstances stated below. Tenants remain responsible for payment of their rent to the landlord.

Landlords may issue a Notice to End a Residential Tenancy only under the following circumstances:

1. where necessary to protect health and safety; or
2. to prevent undue damage to the property

A Notice to End a Residential Tenancy that does not meet these requirements or requirements identified within the *WFN Residential Premises Law* are not valid.

Arbitrations

Applications for Arbitration not related to an eviction (other than those related to the circumstance stated above) that are submitted under the *WFN Residential Premises Law* will be processed by the Residential Premises Administrator and a hearing will be scheduled. All hearings will be conducted by way of video conference or, if a party is unable to stream video, by telephone. There will be no in-person hearings pending further notice.

The applicant must provide the Residential Premises Administrator with their application for arbitration, proof of payment of the application fee, the tenancy agreement and any other available and relevant evidence. All information can be emailed to tenancy@wfn.ca. If unable to email, requests may be delivered to the Westbank First Nation Government office at 515 Highway 97 South, **attn.: Residential Premises Administrator**. Payment of the application fee may be made over the telephone by calling the Cash Desk at 250-769-4999. Please note requests that do not meet these requirements, or the requirements identified within the *Residential Premises Law*, will not be considered.

Landlord Access

Landlords may still enter residential premises to conduct inspections, repairs, improvements and showings, so long as proper notice is given in accordance with the *WFN Residential Premises Law*. When a landlord accesses a residential premise, landlords and tenants are asked to practice social distancing and take the necessary precautions to ensure the health and safety of others.

What if a landlord or tenant has recently returned from travelling internationally?

Please refer to the Government of Canada website for information on the issued Emergency Order under the *Quarantine Act* found at:

<https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/latest-travel-health-advice.html#f>.

What if a tenant chooses to self-isolate but has not travelled recently, does not have symptoms or has not contracted COVID-19?

Landlords may still enter the residential premises to conduct inspections, repairs, improvements and showings so long as proper notice is given in accordance with the *WFN Residential Premises Law*. In doing so, landlords and tenants are asked to practice social distancing and take the necessary precautions to ensure the health and safety of others nearby.

Rent

Tenants must still pay rent and are responsible for any unpaid rent during this time. If a tenant is unable to pay their rent in full, they are encouraged to have open communication with their landlord to make a suitable arrangement. Parties should keep a record of their communications.

Rent Increases

Effective April 6, 2020 rent increases are not permitted. If a Notice of Rent Increase was issued prior to April 6, 2020, that rent increase will be deferred until further notice. Landlords cannot serve a Notice of Rent Increase on a tenant during the COVID-19 pandemic and until further notice.

Rental Assistance

Those who require financial assistance during this time are encouraged to submit an application for the BC-Temporary Rental Supplement administered through BC Housing at <https://www.bchousing.org/BCTRS>.

Those seeking additional information should email the Residential Premises Administrator at tenancy@wfn.ca or call the government office to leave a voicemail at 250-769-4999.

Serving Documents During the COVID-19 Pandemic

Service of all documents must still be made in accordance with section 84 of the [WFN Residential Premises Law](#). Email is not an acceptable form of service.