

# B.C. tenants able to terminate lease in event of sexual assault

"If you've been sexually assaulted in your home, that home may not feel like a safe place anymore"

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B.C. Green party Leader Andrew Weaver. *ARLEN REDEKOP / POSTMEDIA NEWS FILES*

B.C. lawmakers have unanimously approved legislation to protect survivors of sexual assault.

New amendments to the Residential Tenancy Act allow renters to terminate a lease if staying in the unit threatens their safety.

“If you’ve been sexually assaulted in your home, that home may not feel like a safe place anymore,” said Tracy Porteous, executive director of the End Violence Association of British Columbia.

Provincial Green party Leader Andrew Weaver introduced the bill in March to build on legislation protecting survivors of domestic violence passed by the B.C. Liberal government in 2015.

“We give them a lot of credit for that, but it was not as inclusive as it was intended to be,” said Weaver.

He said the protections extend beyond domestic violence to all abuse, which could also come from roommates or neighbours.

“It’s not only for women; it’s to protect all people,” said Weaver.



Tracy Porteous, executive director of the End Violence Association of British Columbia. *PNG FILES*

Renters can terminate a lease by making a submission to a third-party validator, like a health-care professional or support worker. The official does not have to be a police officer.

“Many people don’t feel comfortable reporting to the police for a myriad of good reasons,” said Porteous. “We don’t want to put them in a position where the only way to get that freedom is do something they’re not comfortable with.”

Similar provisions exist in Quebec, Manitoba, Saskatchewan, Nova Scotia and Ontario.

Elba Bendo, the director of law reform at the West Coast Women’s Legal Education and Action Fund, said the amendments are especially important because of B.C.’s expensive housing market.

Before today, Bendo said a tenant escaping a violent situation would have been liable for unpaid rent and their security deposit, and would see a

negative impact on their credit rating, potentially forcing them to stay in a dangerous home.

“It’s not a choice at all for individuals who cannot afford to pay out their entire lease,” she said.

Bendo and Porteous said it’s a good step, but that more supports for vulnerable communities are needed.

“I think we’re realizing there are a lot of ways the law doesn’t always support marginalized people. This is one of them,” said Bendo.

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