

# Short-Term Rental Accommodations Act

May 1, 2024  
Ministry of Housing  
Southern Interior  
Local Government Association



BRITISH  
COLUMBIA

Ministry of  
Housing



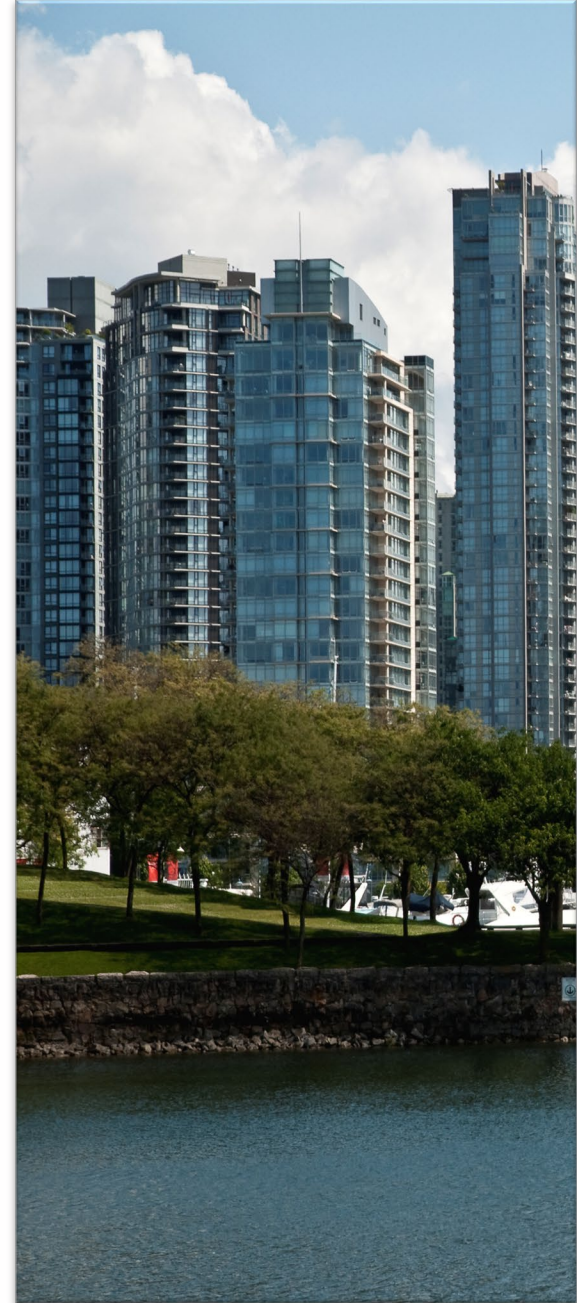
# What We Will Cover Today

- The short-term rental situation in BC
- Overview of the provincial short-term rental legislation
- New tools for local governments
- Principal Residence requirement and changes to legal non-conforming use
- Provincial oversight
- Expected outcomes
- Questions



# The Short-Term Rental Situation

- Affordable housing challenge worsened by rapid growth of STRs, which may include, for example Airbnb and VRBO.
- Approximately 28,000 STR listings in BC (an increase of 20% from 2022).
- Research from McGill University indicates that more than 16,000 “entire homes” in BC frequently used as STRs.
- Various studies and websites dedicated to STR research show:
  - Dominance of profit-driven operators in BC’s STR market.
  - Top 10% of hosts earn 48.8% of all revenue.
  - Nearly half of all operators have multiple listings.



# Short-Term Rental Accommodations Act

Turning more short-term rentals back into homes for people through 3 key responses:



## Strengthening local government tools to enforce STR bylaws

- Increasing maximum MTI fines
- Requiring STR platforms to share data to improve local enforcement
- Increasing STR platform accountability
- Providing regional districts with more tools and support



## Returning short-term rental units to the long-term rental market

- Provincial principal residence requirement
- Removing legal non-conforming use protections for STRs



## Establishing provincial oversight of short-term rentals

- Requiring all STR hosts to join a provincial registry
- Establishing a provincial Short-Term Rental Compliance and Enforcement Unit



# Strengthening Local Government Tools to Enforce Short-Term Rental Bylaws

## Increased fines and tickets

- Maximum penalty for regional districts under the Offense Act raised to \$50,000 (from \$2,000).
- Municipal ticketing fine maximum increased to \$3,000 (from \$1,000) per infraction, per day.

## New business licensing authority for regional districts

- Regional districts can now regulate and license STRs and other businesses.

## Display of business license

- Effective May 1, 2024, STR hosts must display a valid business license number on their listing in areas where a business license is required by the local government.



# Strengthening Local Government Tools to Enforce Short-Term Rental Bylaws

## Data Sharing

- May 2024 a new STR Data Portal will launch, requiring platforms to submit STR data to the Province.
- Platforms will directly provide STR listing data to the system, which will then be distributed to local governments.
- The Province will sign data sharing agreements with local governments in the coming month.

## Platform Accountability

- Starting May 1, 2024 platforms must remove listings without a valid local government business license upon request.





# Timeline

**October 2023:**

- Increased fines for municipal bylaw infractions
- Business licensing authority for regional districts



**May 1, 2024:**

- Principal residence requirement & changes to legal non-conforming use protections
- Requirement to display valid business licenses, where required
- Platforms to remove listings without valid business licenses
- Compliance and Enforcement Unit established



**Summer 2024:**

- Data sharing from short-term rental platforms
- Province to send data to LGs



**Late 2024/Early 2025:**

- Provincial registry launch
- Require platforms to remove listings without valid provincial registry numbers (mid-2025)

# What are the STRAA Requirements May 1?

Date	Regulated Party	Requirement
May 1	Platforms	<ul style="list-style-type: none"><li>• Enable posting of business licence numbers</li><li>• Remove listings upon request of local governments</li></ul>
May 1	Hosts	<ul style="list-style-type: none"><li>• Display business licence number on listings</li><li>• Principal Residence requirement in effect<ul style="list-style-type: none"><li>– Legal non-conforming use protections also end</li></ul></li></ul>
May 15	Platforms	<ul style="list-style-type: none"><li>• Name a BC representative</li></ul>
June 17	Major Platforms	<ul style="list-style-type: none"><li>• Share data with the Ministry</li><li>• Send Ministry monthly listing takedown report</li></ul>

*STR Unit ensures that all of this occurs*





# STR Data Portal

The Short-term Rental Data Portal will be used by the 3 main user groups: Local governments, B.C.'s STR Compliance and Enforcement Unit, and STR platforms.

The STR Data Portal provides new tools and better information to support **local government** enforcement of STR regulations, including:

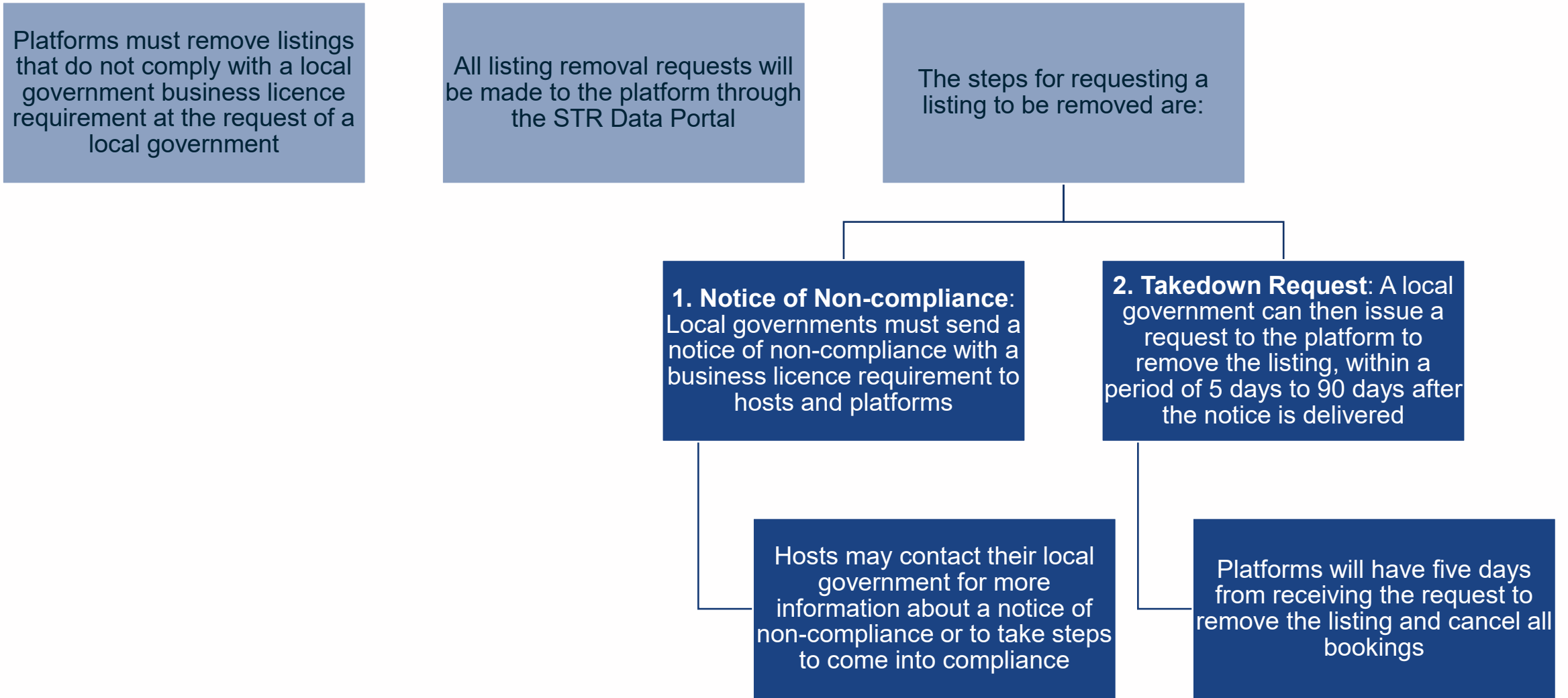
**Notice & Takedown process:**  
Local governments can request platforms remove listings that don't have a valid local government business licence by initiating a two-step process on the Portal

**Monthly STR Platform Data:**  
Local government can access STR platform data each month to better identify non-compliant hosts and properties, and initiate compliance and enforcement activities.

B.C.'s new **Compliance and Enforcement Unit** will also use the portal to monitor compliance with provincial rules by reviewing STR platform data.

**STR Platforms** will upload platform data to the Portal each month in accordance with provincial regulations.

# Notice & Takedown Process





# Returning Short-Term Rental Units to the Long-Term Rental Market

## Changes to legal non-conforming use protections

- As of May 1, 2024, protections for non-conforming use of property will no longer apply to STRs.
- In some areas, these protections have allowed STR hosts to continue to use their property for short-term rentals despite local government rules.

## Provincial principal residence requirement

- As of May 1, 2024, in communities where this requirement applies, STRs will be limited to the host's principal residence, plus one secondary suite or accessory dwelling unit.





# Principal Residence Requirement

## Applies

- Municipalities with 10,000+ population
- Smaller neighbouring communities

## Exemptions

- Mountain resorts
- The 14 resort municipalities
- Regional district electoral areas + small communities
- Trust areas under the Islands Trust Act
- Farm land (BC Assessment farm class, Class 9)

While the principal residence requirement will be enforced at the provincial level, local governments should not grant zoning (or other permission) to short-term rental hosts where inconsistent with the provincial legislation.





# Strata-Hotel exemption clarification

#1 Strata hotels operating in a manner similar to a hotel or motel as of Dec 8, 2023 and ongoing with:

1. a staffed front desk on site;
  2. one or more employees or contractors that provide housekeeping services for overnight accommodations;
- and*
3. a platform providing platform services available exclusively for the use of owners offering short-term rentals at the property.

#2 Accommodation provided as a hotel or motel, and more than one unit on the property cannot be used as a principal residence due to:

- zoning;
- a rental management agreement between the manager and an owner of a strata lot; or
- a restrictive covenant or a covenant under section 219 of the Land Title Act.

Newly constructed strata hotels and motels, occupied on or after Dec. 8, 2023:

All three services listed in #1,

AND

One of the legal-use restrictions described in #2.



# Opting In/Out of Principal Residence Requirement

## Opt-in process

- Communities can request to "opt-in" by resolution to the Province's principal residence requirement.
- Requests are due by March 31 each year, with changes taking effect on November 1.
- Some exempt areas, like designated resorts or farmlands, can't be changed by local requests.
- We have received all opt-in requests for 2024, which will be formalized via regulation prior to November 1.

## Opt-out process

- Communities can request to "opt-out" of the Province's principal residence requirement if their rental vacancy rate is 3% or more for two consecutive years.
- For 2024, the request deadline was February 29. West Kelowna opted-out.

## Treaty Nation processes

- Treaty Nations can approach the Ministry to establish a coordination agreement at any time.



# Establishing Provincial Oversight

## Provincial Registry

- In late 2024/early 2025, the Province will establish a short-term rental registry.
- Registration will be mandatory for hosts and platforms.
- This registry will help ensure that all hosts and platforms are following the rules.
- Once the registry is in place, hosts must display a provincial registration number on their listing and platforms will need to validate those numbers against the Province's registry data.

Exemptions from the principal residence rule don't exempt hosts from other STRAA components, such as mandatory registration with the Province.





# Establishing Provincial Oversight

## Provincial Compliance & Enforcement

- The Province will establish a provincial compliance and enforcement unit to ensure rules are being followed.
- This unit will track compliance, issue orders, and administer penalties for violations.
- This unit will liaise with local governments, other regulators and tax authorities re: STRAA compliance monitoring and enforcement.

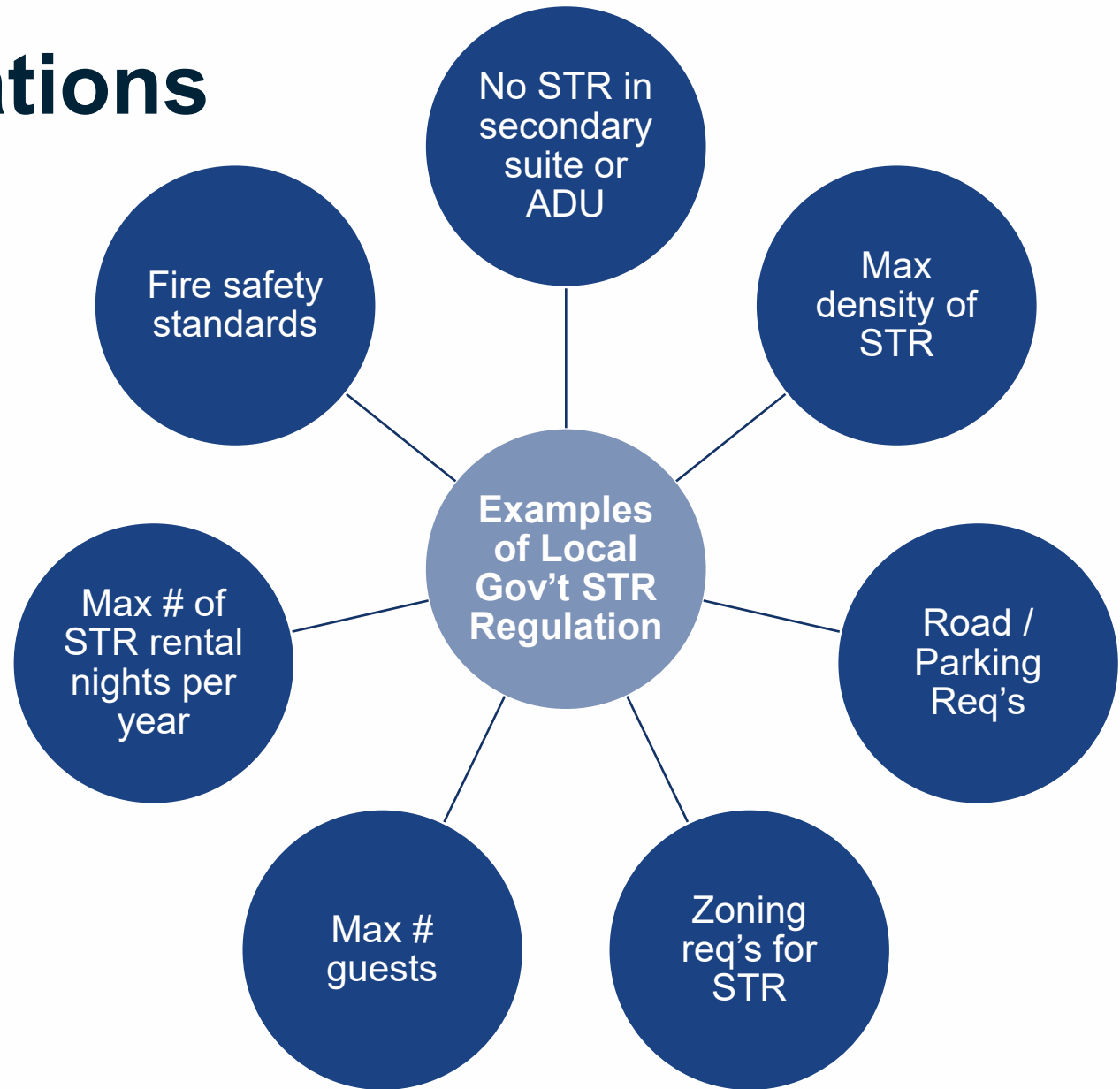
Local governments will continue to enforce their own bylaws, while the provincial compliance unit will be responsible for enforcing the provincial STRAA.





# STR Bylaw Considerations

- The principal residence requirement functions as the minimum requirement, or a “floor”.
- Local governments may prefer to have more restrictive STR bylaws depending on local needs.



# Expected Outcomes

Returning thousands of units to the long-term market.

Allowing people to find the long-term housing they need in their home communities.

Improving the ability for local governments to regulate STRs in their communities.

Continuing to support tourism through flexible rules for tourism-dependent resort communities.

This is just one part of the Homes for People plan which sets out actions the Province is taking to speed up the delivery of new homes, increase the supply of middle-income housing, fight speculation and help those who need it most.



# Questions?

