



THE RESORT MUNICIPALITY OF WHISTLER
COUNCIL POLICY

POLICY NUMBER: K-01

DATE OF RESOLUTION: JULY 23, 2019

NAME: Employee Rental Housing Policy

1.0 SCOPE OF POLICY

To establish governing policy by which the Employee Rental Housing Program is provided within the Resort Municipality of Whistler. This applies to all rental ~~and purchase~~ properties under the management and administration of the Whistler Housing Authority (WHA).

The Employee Rental Housing Policy will apply to all new applicants to the rental waitlist, and to existing rental waitlist members. applicants to the rental and purchase waitlists after 23 July 2019, and will be required to meet policy prior to being approved for the waitlist. A lease agreement for WHA Employee Rental Housing will only be offered to those meeting this policy.

~~All rental applicants will be required to meet the policy prior to signing a lease agreement with the WHA. For applicants on the rental waitlist prior to 23-24 July 2019 that do not meet this policy, they will be entitled to remain on the waitlist & maintain their position until 31 December 2020 to provide time to meet the policy. Should they not meet this policy by 31 December 2020, they will then be removed from the rental waitlist.~~

~~All purchase applicants that were on the purchase waitlist prior to July 23 2019, that met the policy up to that date, but no longer meets the policy outlined, will be entitled to purchase a WHA employee home up until 31 Dec 2019 under the prior eligibility policy. Any applicant that was on the purchase waitlist prior to July 23, 2019, that met the prior eligibility policy, but no longer meets the eligibility outlined, will be entitled to remain on the waitlist & maintain their position until 31 December 2020 to provide time to meet eligibility. From January 1 2020, applicants will not have access to purchase inventory until they become eligible under this policy. Should they not meet this policy by 31 December 2020, they will then be removed from the purchase waitlist.~~

2.0 OBJECTIVE

To define the eligibility and qualification requirements to be met in order for members of Whistler's workforce to access Whistler Housing Authority (WHA) Employee Rental ~~h~~Housing inventory.

Employee Rental Housing is provided within the Resort Municipality of Whistler for the long term success as a vibrant resort community, which is contingent upon retaining a stable resident workforce. This supports Whistler's goals of housing 75% of the resort economy workforce locally. It also continues Whistler's support of aging in place for long term contributors who have committed extensively to the resort economy through their careers in Whistler.

3.0 DEFINITIONS

<i>Annual Declarations</i>	A specific declaration by an owner or a tenant of Employee <u>Rental</u> Housing, used to substantiate the ongoing use of Employee <u>Rental</u> Housing.
<i>Asset Limit</i>	The maximum value of a household's net assets that may be held in order to remain eligible for Employee <u>Rental</u> Housing.
<i>Average Weekly Hours</i>	The average number of hours worked per week, on an annualized basis, for a Qualified Whistler Business(es). The calculation is total hours worked over the most recent year, divided by 50.
<i>Category</i>	A classification used to group applicants with similar financial situation, based on their income and asset level.
<i>Dependent</i>	Under 19 years of age; or between 19 and 25 years of age and registered and attending full-time school, university or vocational institute which provides a recognized diploma, certificate, or degree; or of any age who, because of mental or physical infirmity, is accepted as a dependent for income tax purposes.
<i>Eligible Employee</i>	An individual who works in Full Time Employment, in a Qualified Whistler Business(es), and includes <u>a Retirees</u> , who were eligible employees prior to ceasing employment.
<i>Employee <u>Rental</u> Housing</i>	Housing intended for Eligible Employees – that is attainable relative to their household size and income – and restricted to employee occupancy by way of housing agreement, lease, covenant, zoning or similar means. Employee <u>Rental h</u> Housing may also be subject to additional eligibility, occupancy, resale, price, rent or other restrictions. Employee <u>Rental h</u> Housing is restricted to residential accommodation use.
<i>Full Time Employment</i>	Employment of an applicant that is either employed or self-employed for a minimum average of at least 30 hours per week on an annualized basis.
<i>Gross Household Income</i>	<p>Total gross income of all applicant(s) and adult occupants. Income from secondary applicants and all occupants are included.</p> <p>The gross household income is defined as line 150 from the most recent year's income tax return for each person, with adjustments for items such as deductible home based business expenses and losses on business income.</p> <p>Should an applicant's gross household income fluctuate significantly from year to year, they may choose to use either the most recent year's income tax return, or the average of the past two years, to determine their gross household income.</p>

Median Market Rental The median monthly rental amount paid for a particular sized unrestricted home in Whistler. The source is an aggregation of data from applications for the WHA Rental Waitlist.

Maximum Rental Rates The maximum rental rate determined for each unit size, by category.

Net Assets Calculation of all applicant(s) and adult occupant(s) total assets, including the following:

- Cash, bonds, stocks, mutual funds and term deposits
- Tax Free Savings Accounts (TFSA)
- Real estate equity, net of debt
- Business equity in a private incorporated company, including GICs, cash, stocks, bonds or real estate equity

Occupancy Standards A standard determined to ensure optimal use of rental homes for Eligible Employees, without overcrowding nor with excess capacity.÷

~~No more than two (2) and no less than one (1) person per bedroom.~~

~~Spouses and couples share a bedroom.~~

Qualified Whistler Business

Qualified Whistler business is defined as one that:

1. Has a valid RMOW business ~~license~~license, or be legislatively exempt (eg schools); and
2. Has an office or premises that are physically located in Whistler; and
3. The business must be a permitted use under the municipality's zoning bylaw; and
4. The business must primarily* and directly service Whistler local residents, Whistler homeowners, Whistler businesses or Whistler tourists, *and, either:*
 - i) For Commercial (non-residential) premises, provide services within the RMOW boundary; or
 - ii) For a home based or mobile business, have more than 75% of business income from Whistler local residents, tourists or Whistler local businesses

**Primarily is defined as the main purpose of the business/operation, which would translate to gross sales being generated predominantly by this group of customers. This includes Whistler start-ups that were initially established & operated to produce goods and services for the Whistler local market and met criteria 1) - 4) above during start up, and continue to operate and produce in Whistler.*

Rental Rates	The monthly amount payable for a rental unit, which may vary based on various factors, for example, the unit's age, size, location, and amenities.
Retiree	An individual that is at least 55 years of age and has ceased active full time employment <u>in Whistler</u> but who has been an Employee as per the Eligible Employee definition, for at least ten of the twelve years prior to ceasing employment.
Senior	An applicant who is 55 years or older <u>and meets the definition of an Eligible Employee</u> .

4.0 POLICY

4.1 GUIDING PRINCIPLES

- (i) Promote efforts to enhance the quality of life for all residents and employees
- (ii) Support the health and well-being of Whistler's youth, young adults, and seniors, as well as their active participation in the resort community
- (iii) Promote diversity in housing price ranges to maintain affordability for the varied needs of different workforce groups and retirees within the community
- (iv) Access is made available to Whistler's workforce who are employed full time in Whistler, contributing with their labour to the tourism economy
- (v) Progression in the community's incomes and the variability of different applicants' ability to pay will be considered, including asset ownership
- (vi) The movement from market ownership to Employee Housing is generally not supported
- (vii) Employee housing continues to be financially viable in its own right
- (viii) A broad mix of housing is required for the diversity of Whistler's population in all aspects such as family structure, size and household income
- (ix) The municipality and subsidiaries will leverage its relationships with BC Housing, CMHC, and other government agencies, whenever possible and as appropriate, to support the development of Employee Housing
- (x) To recognize that employers have a role to play in providing employee housing, and that private developers also contribute to the housing mix for employees
- (xi) Consideration is to be given to the scarce and limited resources available to the community including both land availability and the municipality's capacity to finance
- (xii) Administration, including enforcement of the Employee Housing program will be considered to ensure the above principles can be implemented efficiently and effectively

- (xiii) Zero tolerance policy for system misuse or abuse of Employee Housing

4.2 ELIGIBILITY

This section outlines who is eligible for ~~E~~mployee ~~Rental~~ ~~H~~Housing in the Resort Municipality of Whistler.

All applicants, and occupants, of Employee Rental Housing must meet the following eligibility requirements, unless they are a spouse or a Dependent of an Eligible Employee.

4.2.1 MUST HAVE FULL TIME EMPLOYMENT WITH A QUALIFIED WHISTLER BUSINESS

To be eligible, an applicant must work full-time or equivalent, and be employed by one or more Qualified Whistler Business(es).

This acknowledges that Whistler has evolved into a four season economy that enables year round permanent residents to call home, and recognizes that having a secure full-time workforce contributes to a stable and resilient economy in line with the vision for the community. It also ensures optimal use of the municipality's housing assets.

4.2.2 WHISTLER RETIREES

To qualify as a Retiree under the definition of an Eligible Employee, an individual must be at least 55 years of age and have ceased active full time employment, but who met the definition of an Eligible Employee for at least ten of the past twelve years, prior to ceasing employment.

This recognizes the significant contribution Whistler Retirees have made to the development of the resort economy over an extended period of time, and confirms Whistler's support of in-place retirement for long term contributors to the resort.

4.2.3 RESIDENCY REQUIREMENTS

Individuals applying for ~~employee~~ ~~Employee Rental~~ ~~H~~Housing must qualify as an Eligible Employee and be a Canadian Citizen or Permanent Resident ~~to be eligible~~.

This reinforces the objective of the ~~E~~mployee ~~Rental~~ ~~H~~Housing program to provide access to housing Whistler workforce, and supporting a stable resident workforce.

4.3 **EMPLOYEE RENTAL HOUSING PROGRAM POLICY QUALIFICATIONS**

This section outlines the qualifying elements, in addition to the Eligibility as defined in 4.2 above, that determines the type and price of Employee Rental Housing, if any, that may be offered to an Eligible Employee.

4.3.1 **OCCUPANCY STANDARDS**

To support the most optimal use of the available housing for the resorts workforce, Occupancy Standards are applied to determine the number of bedrooms an applicant qualifies for, and is based on the National Occupancy Standards. Standards are defined as follows for all households, and will be referred to in determining an applicant's access to a specific sized Employee Rental Housing unit:

- a) No more than two (2) and no less than one (1) person per bedroom.
- b) Spouses and couples share a bedroom.

4.3.2 **HOUSEHOLD INCOME MUST BE BELOW CERTAIN LIMITS**

To qualify for Employee Rental Housing, the applicant's gross household income must be below certain income limits, as determined from time to time. The applicant's gross household income will be used as a basis for determining the monthly rental to be paid.

All applicants will be required to report their income on their application form, and provide documentation to substantiate their income prior to being offered a WHA tenancy agreement. An annual review will take place for every tenant to confirm their income, and the monthly rental that will be applicable for the following year.

The maximum income limit is based on unit size as follows:

Studio	\$100,000
1 bedroom	\$200,000
2 bedroom +	\$250,000

4.3.3 **ASSETS MUST BE BELOW CERTAIN LIMITS**

To be ~~eligible-qualify~~ for Employee Rental Housing, the ~~Net applicant's assets~~ Assets must be below the maximum allowable assets.

The maximum Net aAssets is \$300,000. Households with Net aAssets greater than the maximum will not be eligible.

4.3.4 **RENT RELATED TO INCOME & ASSETS**

To support an equitable portion of each applicant's income being spent on housing, applicants will be categorized based on their income and asset levels, which will determine the monthly rental payable.

Income and asset limits are distributed across 6 categories as highlighted in Table I.

Applicants will each be assigned a category based on their income and assets levels, whichever is higher. If an applicant exceeds the category 6 income or asset limit, they will cease to be eligible for WHA ~~e~~Employee Rental ~~h~~Housing. Rental rates will be determined based on an applicant's category and the appropriate unit size based on Occupancy Standards.

Similar to the Canadian Mortgage and Housing Corporation (CMHC) affordability metric, the monthly rental will be based on the category determined, and be broadly around 30% of the applicant's gross household income, subject to any other requirements such as funding provider criteria etc. This is intended to support affordable housing for Whistler's workforce in perpetuity.

Table I: Categories with Maximum Income and Asset Limits

<i>Maximum Income & Asset Limits (2019)</i>						
	1	2	3	4	5	6
<i>Studio</i>	\$32,000	\$36,000	\$43,000	\$50,000	\$70,000	\$100,000
<i>1 BR</i>	\$39,000	\$45,000	\$54,000	\$63,000	\$87,000	\$200,000
<i>2 BR</i>	\$58,000	\$66,000	\$79,000	\$92,000	\$129,000	\$250,000
<i>3 BR</i>	\$70,000	\$80,000	\$96,000	\$112,000	\$156,000	\$250,000
<i>Max Assets</i>	\$100,000	\$100,000	\$120,000	\$150,000	\$220,000	\$300,000

Income and Asset limits will be subject to annual adjustments, with reference to CPI and dependent on market and economic conditions.

4.4 ENFORCEMENT

4.4.1 ANNUAL AUDIT FOR THE EMPLOYEE RENTAL HOUSING PROGRAM

Annual verifications will be a mandatory requirement of all tenancy agreements, to ensure an applicant continues to be eligible and meet all the relevant qualifying financial criteria.

The onus is placed on the applicant to report their financial situation, including any documentation required to substantiate their reported income and assets.

Failure of tenant's to complete the required annual verification may result in termination of a tenancy.

Where a tenant is determined to continue to qualify as an Eligible Employee, but does not provide financial disclosures, the tenancy agreement will provide for the

rental rate to be increased to the standard median market rent as determined for that particular rental unit. If this persists, the tenancy may be terminated.

~~4.4.2 ANNUAL AUDIT FOR THE PURCHASE PROGRAM~~

~~Annual statutory declarations will be a mandatory requirement of all owners of WHA Employee Housing, to ensure an owner continues to be eligible and meet all the relevant covenant contractual requirements.~~

~~The onus is placed on the owner to submit their annual statutory declaration, and any supporting documentation to substantiate their declaration.~~

~~Audit processes will be required to perform a sample of all WHA ownership homes each year, review and follow up on statutory declaration submissions (and non-submissions), initiate investigations as required, and provide proactive and regular reporting to the community on the status and findings of the audits. Legal action should be initiated as required.~~

~~4.4.3~~ 4.4.2 CONTROL AND GOVERNANCE

It is expected that dedicated resources be employed to oversee and implement audit processes, promote education and awareness of the ~~employee~~ Employee Rental HH Housing program, and enforce compliance to the relevant policy, and any contractual agreements and legislation.

It is imperative that appropriate controls are maintained and a separation of duties exists between the administrative processing of applications, and the ongoing process of compliance and enforcement.

5.0 RELATED DOCUMENTS

Administrative Report #19-098

Certified Correct:

A. Banman
Municipal Clerk