COMMENTARY: Nova Scotia already has a law to protest tenants when renovations occur

What's missing is enforcement and support for tenants

By Kevin Russell

Jacqueline Porter's latest guest column in the Chronicle Herald ("Houston government could outlaw renovictions, but looks away," March 29) leaves out a lot of relevant facts about the reality of rental housing in Nova Scotia.

In fall 2021, the Nova Scotia legislature passed Bill 30, a new law to crack down on so-called "renovictions," laying out concise detail for landlords and renters to follow when significant renovations that affect tenants occur. Rental property owners weren't consulted in advance on Bill 30, even though all three political parties promised consultation in the 2021 election campaign, and our feedback at the Law Amendments Committee was ignored.

Regardless, we have a law in Bill 30 that's now in place that severely restricts and regulates the ability of property owners to renovate their buildings. Let's give the new law a chance before calling for new laws that may have more negative consequences on tenants.

Anyone calling for a permanent ban on renovating rental properties is basically accepting that tenants should live in substandard living conditions.

Why? Because much of the rental housing stock in Nova Scotia is old and in need of renovation, whether by existing property owners or new property owners. The majority of Nova Scotia rental buildings were built before 1996. These buildings are nearing the end of their life cycle and need work. Renovating these buildings is essential to keeping buildings — and the homes within those buildings — safe, healthy and meeting modern-day energy efficiencies, building and fire codes. But government needs to do more to ensure balance in landlord-tenant relationships.

Starting last summer, the Investment Property Owners Association of Nova Scotia (IPOANS) recommended creating a compliance and enforcement unit to ensure that landlords and tenants respect their responsibilities under the Residential Tenancies Act. This compliance unit is based on successful models in Ontario and more recently created under the NDP government in British Columbia.

IPOANS recommended the government consider creating a "Rent Bank" to help renters who are unable to pay their rent due to experiencing financing difficulties.

IPOANS recommended developing an independent Renter Rights Office, funded by the provincial government, to help build trust and understanding of the Residential Tenancies Act among renters through outreach, education and advocacy.

IPOANS recommended allowing renters to apply for a Residential Tenancies hearing when they believe excessive rent increases are proposed by a property owner.

The government has acted on none of our recommendations. Maybe we should try solutions to enforce existing laws and help tenants make the best use of the Residential Tenancies system before passing news laws that could end up doing more harm than good.

As we predicted several months ago, much of the recent news around tenants facing eviction from rental properties are because Nova Scotia rental housing providers are selling their properties to get out of a hostile market.

Nova Scotia's 6,000 small rental housing providers are struggling to stay in business due to three years of a two per cent rent cap not covering operating costs. A December 2021 survey of IPOANS revealed that 9,000 single-family home and duplex rental units were at risk of being sold, with the new owners looking to live in the buildings, adding to the overall rental housing shortage in Nova Scotia.

Wherever rent control is implemented, high quality affordable housing becomes harder for tenants to find. A new survey released in February 2022 by the U.S.-based National Multifamily Housing Council (NMHC) showed the close to 60 per cent of rental housing providers are reducing or avoiding investment in rent- controlled markets. NMHC concluded that: "…rather than improving the availability of affordable housing, rent-control laws only exacerbate shortages, cause existing buildings to deteriorate and disproportionately benefit higher-income households."

If we make it too hard for property owners to renovate older rental stock, we are essentially expecting to solve the affordable housing crisis on new construction. This is neither affordable nor realistic.
Let's focus on solutions that will work, not populist schemes that will make our housing crisis worse.

Kevin Russell is executive director of the Investment Property Owners Association of Nova Scotia (IPOANS), which has been the voice of residential rental property owners since 1978. IPOANS members collectively have more than 45,000 residential housing units under management across Nova Scotia.