



Gerald Rotering <geraldrotering@gmail.com>

## Long-term leases could, as you know, be regulated, Mr. Enmark

Gerald Rotering <geraldrotering@gmail.com>  
To: Housing.Policy@gov.bc.ca

28 October 2022 at 11:28

Gordon Enemark,  
Acting Executive Director,  
Housing Policy Branch

Mr. Enemark (cc some other lessees):

You replied 26 October 2022 to a desperate plea from Syed Asad Hussain, a long-term residential lessee at Surrey's Sun Creek Estates, owned by Westsea Construction. His family is among about 180 who must pay their shares of \$13 million within two years to reconstruct townhouses and apartments that they do not own... on top of millions they have already paid and more that they are warned are yet to come.

Your response is to state what we all know is true, but is a false policy argument, namely that "...leaseholds are administered by private contracts...", as if that puts them beyond the reach of government policy and possible regulation.

You further respond that when challenged in the courts, "...court rulings have generally favoured the building owners and upheld the lease terms," as if because one clause of a lease is upheld it follows that all others will also be upheld... and how could government possibly regulate contract-law relationships that courts uphold?

These points suggest that you believe the government should never intervene in contractual agreements between parties in housing matters. To which I reply again with sarcasm, "Just like the B.C. government does not regulate the real estate industry, short-term housing rental contracts and mobile-home pad rental contracts!"

For you to close once again with a list of possible legal resources is maddening, as you just said that it appears that these leases are inviolable in the courts.

Your branch appears to have no valid policy objection to the regulation of long-term residential leases, Mr. Enemark, so I ask that if or when you receive an inquiry from Premier-Designate David Eby or the new minister you tell them what is true, namely that regulation is possible and reasonable, that consultation will be needed among the players, and that government will have to decide how far to go. You could reassure the Premier and the Minister that lessees know that not all of their expensive problems can be solved—there are bills we must pay—but that time to pay, rights to financial disclosure and alternative dispute resolution are among the low-cost and reasonable measures that are possible.

I told Premier-Designate Eby this past Monday about the plight of Sun Creek Estates lessees, which followed an earlier exchange with him in September. If you hear from his office, "no more false arguments, please. Government can regulate these leases and provide lessees with basic tenants rights; please say so.

Gerald Rotering, Publicist,  
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PS: My article about possible regulation is at: <https://orchardhouseleaseholder.ca/prov-law-needed/>