

How Surrey Finally Got Serious About Secondary Suites

A Brief Timeline

December 2010

After more than 30 years of grappling with the issue, on Dec. 13, 2010, Surrey enacted legislation allowing one secondary suite per home throughout the city. A city permit was a requirement, as well as:

What was Implemented: [City of Surrey - Secondary Suite Program & Fee Information](http://www.surrey.ca/city-government/7617.aspx)

<http://www.surrey.ca/city-government/7617.aspx>

- a limit of 1 secondary suite per property
- a prohibition on secondary suites on properties with a coach house
- a prohibition on secondary suites in semi-detached or duplex buildings
- a requirement to provide one additional off-street parking space

Conditions for Permitting Secondary Suites

- A secondary suite can only be located in a single family home, and not in a semi-detached or duplex building.
- Only one secondary suite is permitted per single family home.
- **The owner must live on the property in either the main dwelling unit or the secondary suite.**
- **The secondary suite must not exceed 90 square metres (969 sq.ft.)** and must occupy less than 40% of the habitable floor area of the building (as set out in the BC Building Code).
- One additional off-street parking space must be provided for the secondary suite, for a total of three spaces per lot.
- Secondary suites cannot be located on a property where there is a coach house, bed and breakfast, or boarder or lodger.

February 2011

Council adopted a bylaw that authorized a **secondary suite service fee. The annual fee is to pay for the cost of City services, including infrastructure, incurred as a result of additional demand for City services and use of municipal property generated by secondary suites.**

March 2011 — (Surrey North Delta Leader, Kevin Diakiw, March 22, 2011, <http://www.surreyleader.com/news/118439854.html>)

Of the more than 20,000 owners of illegal secondary suites in Surrey, **only one has applied for a permit to legalize their unit since the city passed a law allowing one suite per home three months ago.**

Acting Mayor Barinder Rasode isn't pleased with the situation. "Obviously, we need to do a better job of educating the public that this is something they need to move on quickly," Rasode said Monday. "And we probably haven't done that in a way that we should yet." Rasode, whose home has a suite, initiated the process of obtaining necessary permits before the bylaw was passed.

Foslien said the 46 homes targeted have been drawn to the city's attention through various means, including public complaints. Rasode said **that's not how enforcement should work.** "So, what I'm hearing is that it is still the traditional complaint-driven process?" she asked. "That would not be my intention from the bylaw that we passed."

Rasode expects that when **a new bylaw clerk and two full-time bylaw officers** are in place next month, the notices will be sent out much more quickly. Foslien points out compliance will occur much more rapidly once more bylaw officers are hired to specifically enforce the new legislation.

September 2013 – Surrey Sends Out Letter in Regards to Secondary Suites

Gilbert Real Estate Services, <http://gilberthousesales.com/post-surrey-secondary-suites>

For years now, if the City thought you had (or maybe been informed by a third party) an unauthorized suite, they would send you a letter informing you that they understand you have this suite and would be adding a yearly increase onto your taxes. If you wanted to dispute the claim, you would have to allow their inspectors to come to the home and inspect for the suite. Two things to be clear on though, having a suite and not renting it out, does not mean you don't have a suite! Neither does having a suite, but having family live there (like Mom). The fact family lives in the suite only means there is no tenancy in place, but this is different from the definition of a physical "suite". Both examples are for all intents and purpose . . . a suite!

To have the City rescind the increase requires their inspectors to verify (in their guidelines) that there is no suite in place. If you don't appeal the claim of the suite, then your taxes will automatically be increased to reflect the status of the suite's presence.

Surrey has now decided to take this a step further and encourage those with suites to come forward voluntarily and register their home as having a suite. Same as before, taxes will be increased to reflect this. The major difference now . . . if you have a suite, but don't make this voluntary statement and then later, the City comes to you with the claim "you have a suite!" and you actually do. . . not only will your taxes be increased accordingly, but they will also hand you a fine of \$1000.00.

All in all, we personally don't think the increase of taxes is a bad thing. **With a suite comes increased water usage, sewer use, garbage, maybe children in school . . . all come with extra costs to the infrastructure and in the end, everyone's tax bill.** Think of this as sort of a "pay for use" system, although we are told this extra tax fee doesn't come close to covering the increased uses.

Further, the City of Surrey isn't demanding you remove the suite (as in some neighbouring municipalities) and lose the income (rent) you may be receiving, which may well be the difference in paying your mortgage or not!

One last point on all this, you will have noted we never used the word "legal" suite or like, this is because most suites are not legal in the sense they have passed inspections to code and meet local and provincial building and safety guidelines. Most suites have not been inspected to code and remain unauthorized, even when the City increased the taxes. At this point we think you are safe to state the suite is "acknowledge" by the City as opposed to "now legal" or "authorized". There is a huge difference here, especially when selling your home!

September 25, 2013 - Surrey woman 'sick of' secondary suite owners fooling city

Surrey Now by Amy Reid <http://www.thenownewspaper.com/news/surrey-woman-sick-of-secondary-suite-owners-fooling-city-1.638237#>

The City of Surrey will begin fining homeowners who claim they don't have a secondary suite, but in fact do. Starting next February, homeowners doing so will be subject to a \$1,000 fine, after council approved a corporate report suggesting the changes on Monday.

In 2010, council approved changes to the city's zoning bylaw to allow secondary suites. Then in 2011, the city introduced a secondary suite service fee.

Once a suite fee is attached to a property, the only way to remove it is if the owner arranges for an inspection

by a bylaw enforcement officer to confirm the suite no longer exists. To remove a suite fee from a home, the most common thing to have to prove is that the stove has been removed, said Jas Rehal, Surrey's manager of bylaw enforcement. "That is the main item for a suite," Rehal said. "We were finding individuals removing the stove, we'd do the inspection and it would meet the criteria for having no suite, and then we were finding the stove being put back in and the suite being re-rented." Rehal said the approved amendments will help with enforcement. "This gives a financial penalty if someone puts a suite in without notifying the city," he said.

The city currently has more than 24,000 registered secondary suites, which has grown from 17,300 in 2011. Surrey has a total of 24 bylaw officers, two of which are dedicated to secondary suite matters.

February 2014 - \$1000 Penalty Fee

After February 1, 2014, if the City of Surrey becomes aware of a secondary suite on any property in the City that is not registered with the City, a \$1000 penalty fee will be added to the taxes due on the related property for each unregistered secondary suite at the property. Homeowners are encouraged to notify the City immediately, if their homes contain a secondary suite.

February 13, 2014 -Craigslis rentals aid Surrey crackdown on illegal suites

CBC News: <http://www.cbc.ca/news/canada/british-columbia/craigslis-rentals-aid-surrey-crackdown-on-illegal-suites-1.2534965>

The City of Surrey, B.C., is cracking down on illegal secondary suites by actively pursuing owners advertising online. Councillor Barinder Rasode says bylaw officers are combing through rental listings looking for the illegal suites.

"What they are doing is also looking through ads in local papers, classifieds and Craigslist to see people who are advertising their suites and cross-referencing them with our database," said Rasode.

Those who fail to register their suite face a fine of up to \$1,000. Since the beginning of the month, when the bylaw took effect, about **3,000 new suites have been registered**, but so far no fines have been issued.

July 22, 2014 - High rate of voluntary By-law compliance in the City of Surrey

The City of Surrey <http://www.surrey.ca/city-government/15585.aspx>

While the vast majority of Surrey residents comply with City by-laws, there are still a significant number of complaints that the City deals with annually. Upon investigation by By-law Officers, the voluntary compliance in the City of Surrey continues to remain at a high rate. Between April 1st and June 30th, the By-law Enforcement Division reports a voluntary compliance rate of 95%. This is an increase from the voluntary compliance rate of 90% reported in the first quarter of 2014. The infractions that have been resolved include **Property Maintenance, Secondary Suites and Noise complaints.**

Secondary suite registrations continue to rise notably. As of the end of June, 25,406 secondary suites and 1,060 coach houses have been registered in the City of Surrey. Despite the surge in registrations, By-law officers have issued 31 tickets with the maximum penalty of \$1,000 for illegal suites. **The By-law Enforcement Division will continue to take an aggressive approach with problem properties.**

To meet the needs of the community, the City of Surrey has implemented a new staffing model that will have By-law officers fully deployed throughout the week, **including Saturdays and Sundays**. The balanced coverage will allow for up to 14 By-law officers to quickly respond to issues such as construction without permits, dumping of refuse and **Secondary Suite inspections on weekends**.

“In response to the needs of our residents we are providing 7 days a week coverage of our By-law officers. This will allow residents of Surrey even greater access to our By-law officers,” says Mayor Dianne Watts. “In addition, the enhanced service will allow for a more effective and prompt response to community enforcement needs.”

June 2015 – Current Status

Source: Surrey Planning Department (1-604-591-4441)
Surrey Bylaw Department (1-604-591-4370, 1-604-591-4516)
www.surrey.ca

Complaint and Enforcement Process

Once a complaint is received, an inspection is conducted by one of the City's by-law enforcement officers. If it is determined that that a secondary suite (or more than one secondary suite) exists where a secondary suite it not permitted, the by-law is explained to the property owner, as well as what must be done to bring the property into compliance. Follow up inspections are conducted to ensure compliance with the by-law.

The by-law does not address who the occupant of a secondary suite is or whether the suite is occupied at all. This means that whether or not the secondary suite is occupied by family, rented out or vacant makes no difference in determining if a secondary suite exists. The existence of the cooking equipment and bathroom are the only considerations as to whether or not there is a secondary suite.

Currently, the City of Surrey uses a cost recovery program for utilities associated with secondary suites. **For properties containing one secondary suite, additional water, sewer and garbage rates are applied.** This does not authorize the secondary suite as a permitted use.

Secondary Suite Fees 2015 (Metered Customers)

Secondary Suite Service Fee	\$526.42
Garbage Services	\$142.00
Water	Based on water consumption
Sewer	Based on water consumption
Totals	Consumption plus \$668.42