## Goodman report:

FOR APARTMENT OWNERS

## 2011: The Year In Review

Issue 44 | January 2012

2011 was a great year for the apartment industry. With a complete year of sales activity recorded and now part of the public record, the multi-family rental sector in Greater Vancouver has further solidified its ranking as one of the leading "go to" real estate asset classes. Vancouver has garnered a reputation throughout North America, if not the world, as a veritable oasis scarcely touched by the economic downturn and political turmoil currently experienced in the US, Britain and particularly the Mideast and the Eurozone. Canada's stable democratic government, secure banking sector, historically low mortgage rates, solid economy, along with Greater Vancouver's eternally low vacancy rates and limited supply opportunities have contributed significantly to buyer demand.

## A Perfect Storm

Additional far ranging factors have played a part in the rental apartment market being viewed as a favoured investment category:

- CMHC is offering 5-year 1st mortgages at approximately 2.35% and 10-year at 3%.
- The development industry's unwillingness to construct purpose-built rentals unless government offers some meaningful and creative incentives (i.e., various forms of tax relief, density bonuses, DCC (Development Cost Charges) and CAC (Community Amenity Contributions) mitigation.

- The City of Vancouver's refusal to lift the illconceived moratorium on the demolition of aging inefficient low density rentals commonly found in RM-3 zoned areas which ironically suppresses new supply opportunities for longsuffering tenants.
- The high cost of new condos is drawing large numbers to opt for rental suites instead.
- Of late, offshore investors mainly from China have underpinned our local markets by acquiring numerous multi-family rental complexes in Greater Vancouver. Their objective: to preserve wealth.
- Continuing high levels of immigration and job creation.

Investors of all stripes, be they from offshore, Canadian REITS & Institutional, "added value" specialists or local well established family operations desirous of expanding their already significant portfolios, have shown a readiness to accept drastically low cap rates (previously considered unthinkable only a few years back).

Multi-family has the distinction of being the only real estate asset class that trades well below replacement cost (often at a 50% discount). Today's shrewd investors grasp this concept only too well and perceive this market anomaly as a golden opportunity to take rents to where they should be and logically have to go. Increased competition for scarce offerings has pushed the average cap rates in A locations down to 3 – 3.75% with some transactions in the sub 3% range; B locations are trading in the 3.75 – 4.5% range and C locations at 4.5 – 5.25%.

News and views from David and Mark Goodman

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# A Year to Year Comparison—

## the Story Behind the Stats

The 2011 trend line compared to last year's numbers show, with few exceptions, that the indices measuring total building transactions, dollar volumes and average prices were substantially ahead.

For Greater Vancouver in 2011, a total of 111 buildings changed hands, up 23% from the 90 buildings sold in 2010. Vancouver registered 58 sales, up 41% from the 41 sales in 2010, while suburban areas had 53 sales, up 8% over 2010's 49 sales.

As for overall dollar volumes in Greater Vancouver, sales showed a 35% increase to \$583,494,543 from \$431,983,900 in 2010. Moreover, Vancouver's 2011 volume increased to \$260,994,200 from 2010's figure of \$198,049,000, a 32% increase. Suburban 2011 dollar volumes registered a 38% increase to \$322,500,343 from 2010's \$233,934,900.

Finally, average prices per suite continue their relentless climb. In Vancouver, the average price increased to \$228,741, a 7% increase from 2010's \$214,339 figure, while suburban prices at \$149,583 were up 11% compared to \$135,223 in 2010. The aggregate for all buildings for 2011 was \$176,977 per suite, up 9% from 2010's average \$162,767.



Vancouver sales spiked sharply in 2011 compared to 2010 with the Eastside (20 sales) and Kitsilano (14 sales) leading the way, while Marpole, South Granville, and the West End were basically flat. No activity reported for Kerrisdale 2 years running (the Goodmans sold a 12 suite Kerrisdale building at a mid 2% cap rate, but it closes January 2012). The 12% decrease in 2011 recorded for the Eastside (average dollar per suite) was caused by a major sale in 2010 of a strata building—this along with only 8 transactions in 2010 artificially inflated the reported average. With South Granville and Kitsilano leading the way, average prices increased 5 – 56%. These 2 communities experienced a number of unique sale situations that served to overstate the averages (i.e., strata, land value and waterfront locations).

Suburban 2011 sales were up only modestly. Noteworthy were Burnaby's 15 sales which reflected a 27% average per suite increase to \$188,257 as a result of buildings being acquired by various developers at land value along with a totally renovated high-rise sale at 6545 Bonsor for \$214,453 per suite. It's also of some significance that of the 14 trades in New Westminster in 2011, 3 were high-rises. Langley's averages are similarly distorted by a massive strata rental sale at 20159 88th Avenue at \$206,593 per suite acquired by Sun Life. North Vancouver performance, while essentially flat, remains the most sought after location of the suburban areas tracked.

## **Activity Highlights | 2011 compared to 2010**

## **Building Transactions**

| Area      | 2011<br>Buildings Sold | 2010<br>Buildings Sold | % Change | 2011<br>Suites Sold | 2010<br>Suites Sold | % Change |
|-----------|------------------------|------------------------|----------|---------------------|---------------------|----------|
| Vancouver | 58                     | 41                     | + 41%    | 1,141               | 924                 | + 23%    |
| Suburban  | 53                     | 49                     | + 8%     | 2,156               | 1,730               | + 25%    |
| Totals    | 111                    | 90                     | + 23%    | 3,297               | 2,654               | + 24%    |

## **Dollar Volumes**

| Area      | 2011          | 2010          | % Change |
|-----------|---------------|---------------|----------|
| Vancouver | \$260,994,200 | \$198,049,000 | + 32%    |
| Suburban  | \$322,500,343 | \$233,934,900 | + 38%    |
| Totals    | \$583,494,543 | \$431,983,900 | + 35%    |

## Average Price \$ Suite

| Area      | 2011      | 2010      | % Change |
|-----------|-----------|-----------|----------|
| Vancouver | \$228,741 | \$214,339 | + 7%     |
| Suburban  | \$149,583 | \$135,223 | + 11%    |
| Totals    | \$176,977 | \$162,767 | + 9%     |

## Transactions / Average \$ Per Suite

| Vancouver Area            | 2011 Transactions | 2010 Transactions       | \$ Per Suite (2011)                 | \$ Per Suite (2010)                 | % Change               |
|---------------------------|-------------------|-------------------------|-------------------------------------|-------------------------------------|------------------------|
| East Side                 | 20                | 8                       | \$142,619                           | \$162,923                           | - 12%                  |
| Kerrisdale                | 0                 | 0                       | N/A                                 | N/A                                 |                        |
| Kitsilano                 | 14                | 6                       | \$357,855                           | \$228,889                           | + 56%                  |
| Marpole                   | 6                 | 6                       | \$168,732                           | \$160,558                           | + 5%                   |
| South Granville/Fairview  | 7                 | 9                       | \$318,603                           | \$221,438                           | + 44%                  |
| West End                  | 11                | 12                      | \$257,783                           | \$238,891                           | +8%                    |
| Suburban Areas            | 2011 Toron+:      | 2010 T                  | ÷ D                                 | ÷ D                                 | 0/ 61                  |
| Suburban Areas            | 2011 Transactions | 2010 Transactions       | \$ Per Suite (2011)                 | \$ Per Suite (2010)                 | % Change               |
| Burnaby                   | 15                | 2010 Transactions<br>17 | \$ Per Suite (2011)<br>\$188,257    | \$ Per Suite (2010)<br>\$148,137    | % Change<br>+ 27%      |
|                           |                   |                         |                                     |                                     |                        |
| Burnaby                   | 15                | 17                      | \$188,257                           | \$148,137                           | + 27%                  |
| Burnaby<br>Coquitlam      | 15<br>3           | 17<br>3                 | \$188,257<br>\$127,778              | \$148,137<br>\$132,436              | + 27%                  |
| Burnaby Coquitlam Langley | 15<br>3<br>3      | 17<br>3<br>4            | \$188,257<br>\$127,778<br>\$181,883 | \$148,137<br>\$132,436<br>\$126,528 | + 27%<br>- 4%<br>+ 44% |

## Building Size, Mid/High-Rise

| Type                 | 2011                  | 2010                 |
|----------------------|-----------------------|----------------------|
| Size (over 50 units) | 17 of 111 sales (15%) | 9 of 90 sales (10%)  |
| Mid/High-Rise        | 8 of 111 sales (7%)   | 4 of 90 sales (4.4%) |

## CMHC RENTAL MARKET REPORT (Fall 2011)

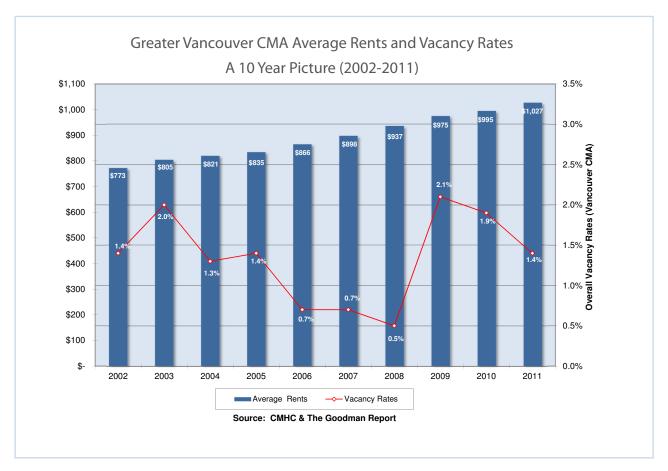
- The rental apartment vacancy rate for Vancouver CMA edged down to 1.4% in October 2011, from 1.9% a year earlier.
- While employment growth has moderated, steady migration continues to the region and purpose-built rentals remain a cost efficient housing option compared to home ownership.
- The rental condominium vacancy rate dropped sharply to 0.9% in October 2011 from 2.2% in 2010.
- Average condo rents are 20 30% higher than the average purpose-built apartment rent in 2011 compared to approximately 47% in 2010.
- In the downtown core, condo rents were nearly 40% higher than their purpose-built counterparts.
- The average rate of rent increase between October 2010 and October 2011 was 2.3%, similar to the rate of inflation.
- Vancouver vacancies dropped 0.7% in 2011 from 1.3% in 2010.

Below is a 10 year summary of suite vacancies in purposebuilt rentals in Vancouver CMA.

After spiking sharply in 2009 to 2.1%, vacancies are once again on the decline (1.4% as of Fall 2011). Of the 107,806 suites available, only 1,509 were vacant as of the 2011 survey versus 2,021 in 2010.

For purpose-built buildings, CHMC reports that in the Vancouver CMA, the average rent in 2010 was \$995, while in 2011 it was \$1,027, a 3.2% increase.

In the last 10 years, average rates have increased from \$773 to \$1,027, a 33% increase.



## GOODMAN'S 2012 FORECAST

- Interest rates likely to remain depressed for the year, however, that could change if Chinese purchases of US Treasury Securities continues to slow.
- The specter of inflation being ignited by government, especially the US, should not be discounted—low interest rates will not continue indefinitely.
- Any change in BC's ruling government may emit a business chill.
- Expect to see makeovers and retrofit programs for apartment buildings accelerate as properties change hands and "entrepreneurs" seek to generate reasonable returns.
- Last year at this time we predicted that development along Vancouver's Cambie corridor would be hindered by the planning department's impractical policies. Unfortunately that is precisely what is occurring as the "majors" are pulling out of projects or development proposals are "up in the air".

Developers have a strong dislike for the unknown and uncertainty—their proformas can only guess at the CACs (Community Amenity Charges) which must be negotiated on a case by case application while the rezoning process is costly, cumbersome and prolonged. Not only are the developers unhappy, but equally so, the homeowners who have little idea as to their property's value. The City's intransigence on this subject seems to defy all logic.

• Expect to see a surge in apartment activity. We are forecasting a significant increase in 2012 transactions as investors recognize the benefits of rental apartment investments and gravitate in growing numbers to this asset class.

Injecting some balance into our forecast, a cautionary note from one of our subscribers, a large apartment portfolio owner, is worth reprinting as a sobering afterthought:

"I am an owner/manager of approx XXXXXXXXXX multi-res units principally in XXXXXXXX. My corporate name is XXXXXXXXXX.

I must compliment you on an interesting article of "asset management" in the November 2011 issue. While I share many of the opinions expressed in the article, I do have some additional comments:

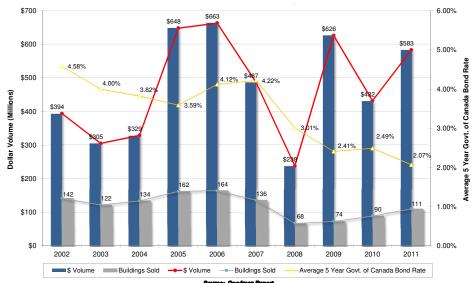
Large institutions (REITS, life insurance companies) have different perspectives compared to family-based real estate investment companies. Their cost of capital is less expensive and their "utility risk" is lower because multi-residential investments form a small percentage of their total assets (REITS of course go to the public market for their equity).

I certainly have been the beneficiary as owner of prime property with historically low mortgage interest rates. However, I am mindful and cautious about being aggressive on acquisition prices because higher prices are, yes, driven by demand, but primarily driven by very low interest rates.

I am cautious about being too aggressive because a return to normal interest rates (when the mortgage is up for renewal) can create negative cash flows and decidedly lower real estate values (possibly wiping out the owner's equity). Large institutions can probably absorb this negative impact—family owners/investors less so.

The challenge, from my perspective, is to continue to compete with the institutions for prime multi-residential properties, given the interest rate risks and uncertain economy."

## Greater Vancouver 10 Year Multi-Family Performance



## **Apartment Building Sales | Vancouver Lower Mainland** January 1<sup>st</sup> to December 31<sup>st</sup>, 2011

| ADDRESS                                      | SUITES               | PRICE (\$)           | UNIT (\$)           | ADDRESS                      | SUITES | PRICE (\$)  | UNIT (\$ |
|--|----------------------|----------------------|---------------------|------------------------------|--------|---|----------|
| Vancouver (East Side)                        |                      |                      |                     | Burnaby                      |        |   |          |
| 2416 Fraser                                  | 11                   | 2,025,000            | 184,091             | 6545 Bonsor (HR)             | 114    | 24,500,000  | 214,91   |
| 234 E. 14th Ave                              | 22                   | 5,400,000            | 245,455             | 6550 Nelson (DS)             | 57     | 10,200,000  | 178,94   |
| 275 N. Garden Rd.                            | 12                   | 1,760,000            | 146,667             | 4909 Imperial                | 8      | 1,230,000   | 153,75   |
| 1383 E. Broadway                             | 30                   | 3,800,000            | 126,667             | 6587 Burlington              | 31     | 4,540,000   | 146,45   |
| 644 E. 8th Ave                               | 11                   | 1,910,000            | 173,636             | 6659 Dow (DS)                | 16     | 2,870,000   | 179,37   |
| 1240 Salsbury                                | 17                   | 2,345,000            | 137,941             | 6634 Dow (DS)                | 28     | 8,737,288   | 312,04   |
| 90 E. 11th Ave                               | 36                   | 6,300,000            | 175,000             | 6730 Dunblane                | 11     | 2,038,000   | 185,27   |
| 2225 Triumph                                 | 42                   | 6,200,000            | 147,619             | 4379 Imperial                | 12     | 2,038,000   | 169,83   |
| 1657 E. 12th Ave                             | 12                   | 1,418,000            | 118,167             | 4330 Maywood St              | 27     | 3,740,000   | 138,51   |
| 520 N. Nanaimo                               | 20                   | 3,037,000            | 151,850             | 6509 McKay                   | 8      | 1,800,000   | 225,00   |
| 360 E. 13th Ave                              | 20                   | 3,170,000            | 158,500             | 6880 Balmoral St             | 23     | 3,050,000   | 132,60   |
| 1850 Adanac St                               | 78                   | 9,700,000            | 124,359             | 5808 Patterson (DS)          | 9      | 2,200,000   | 244,44   |
| 1572 Graveley St                             | 8                    | 1,200,000            | 150,000             | 5828 Patterson (DS)          | 9      | 2,200,000   | 244,44   |
| 2130 Cambridge (SP)                          | 23                   | 3,050,000            | 132,609             | 9005 Centaurus               | 54     | 7,600,000   | 140,74   |
| 2250 Dundas St (SP)                          | 18                   | 2,050,000            | 113,889             | 6678 Dow                     | 10     | 1,760,000   | 176,00   |
| 3535 Kingsway                                | 22                   | 3,450,000            | 156,818             | Total                        | 417    | 78,503,288  | 188,25   |
| 577 E. 8th Ave                               | 39                   | 4,000,000            | 102,564             |                              |        |   |          |
| 2165 Oxford (TH)                             | 8                    | 2,230,000            | 278,750             | Coquiltam                    |        |   |          |
| 107 East Broadway                            | 48                   | 4,500,000            | 93,750              | 1015 Howie                   | 68     | 5,900,000   | 86,76    |
| 1184 Victoria                                | 6                    | 1,340,000            | 223,333             | 655 North Road (DS)          | 52 ı   |   |          |
| Total  | 483                  | 68,885,000           | 142,619             | 515 Foster (DS)              | 60 }   | 17,100,000  | 152,67   |
| lotai  | 403                  | 00,003,000           | 142,013             | Total                        | 180    | 23,000,000  | 127,77   |
| Vancouver (Kitsilano)                        |                      |                      |                     | 10001                        | 100    | 20,000,000  | 127,77   |
| 2011 York                                    | 10                   | 3,400,000            | 340,000             | Langley                      |        |   |          |
| 2425 W. Broadway                             | 9                    | 2,190,000            | 243,333             | 20672 Eastleigh              | 28     | 2,958,000   | 105,64   |
| •  |                      |                      |                     |                              |        |   |          |
| 2265 W. 3rd Ave                              | 22                   | 5,630,000            | 255,909             | 5521 203rd St (ST)           | 18     | 3,160,000   | 175,55   |
| 2854-64 W. 4th Ave (DS) 2 Bldgs              | 14                   | 4,976,000            | 355,429             | 20159 88th Ave (ST)          | 91     | 18,800,000  | 206,59   |
| 2324 W. Broadway                             | 6                    | 1,875,000            | 312,500             | Total                        | 137    | 24,918,000  | 181,88   |
| 2842 W. 4th Ave (DS)                         | 9                    | 3,050,000            | 338,889             |                              |        |   |          |
| 1875 W. 7th Ave                              | 39                   | 9,300,000            | 238,462             | Maple Ridge                  |        |   |          |
| 1996 Trutch                                  | 11                   | 3,450,000            | 313,636             | 11872 Laity                  | 12     | 1,237,500   | 103,12   |
| 2375 York                                    | 8                    | 3,180,000            | 397,500             | 11682 224th                  | 21     | 1,430,000   | 68,09    |
| 2460 Trafalgar (ST)                          | 26                   | 12,200,000           | 469,231             | Total                        | 33     | 2,667,500   | 80,83    |
| 2230 Cornwall                                | 6                    | 4,500,000            | 750,000             |                              |        |   |          |
| 2880 W 4th (ST)                              | 13                   | 6,450,000            | 496,154             | New Westminster              |        |   |          |
| 1955 Trafalgar (ST)                          | 13                   | 6,360,000            | 489,231             | 315 Agnes                    | 42     | 4,560,000   | 108,57   |
| Total  | 186                  | 66,561,000           | 357,855             | 430 11th St                  | 35     | 3,795,000   | 108,42   |
|  |                      |                      |                     | 515 Ninth St                 | 47     | 5,200,000   | 110,63   |
| Vancouver (Marpole)                          |                      |                      |                     | 520 Tenth                    | 50     | 5,500,000   | 110,00   |
| 8675 Fremlin                                 | 18                   | 2,510,000            | 139,444             | 427-429 Eighth (2 buildings) | 29     | 3,650,000   | 125,86   |
| 8781 Granville                               | 8                    | 1,375,000            | 171,875             | 1116 Hamilton (EST)          | 42     | 4,875,000   | 116,07   |
| 8580 Oak                                     | 17                   | 2,650,000            | 155,882             | 810 St. Andrews (HR) (EST)   | 117    | 16,500,555  | 141,03   |
| 8676 Oak                                     | 8                    | 1,445,000            | 180,625             | 333 10th Street              | 41     | 4,250,000   | 103,65   |
| 1396 W. 71st Ave                             | 6                    | 1,550,200            | 258,367             | * 706 Queens St (HR)         | 112    | 14,975,000  | 133,70   |
| 8638 Hudson                                  | 10                   | 1,775,000            | 177,500             | 321 Hospital St              | 37     | 3,250,000   | 87,83    |
| Total  | 67                   | 11,305,200           | 168,734             | 414 Povol (DC)               | 29     | 2,200,000   | 75,86    |
|  | ٠.                   | ,000,200             | .00,.0.             | 422 Royal (DS)               | 22     | 2,300,000   | 104,54   |
| Vancouver (S Granville)                      |                      |                      |                     | 735 Carnarvon (HR)           | 72     | 10,250,000  | 142,36   |
| 4141 Oak                                     | 12                   | 2,160,000            | 180,000             | Total                        | 675    | 81,305,555  | 120,45   |
| 1255 W. 12th Ave                             | 9                    | 2,100,000            | 233.333             | Total                        | 0/3    | 01,303,333  | 120,40   |
| 1175 W. 11th Ave                             | 11                   | 2,775,000            | 252,273             | North Vancouver              |        |   |          |
|  |                      |                      |                     |                              | 40     | 7 575 000   | 157.01   |
| 3075 Willow                                  | 8                    | 3,600,000            | 450,000             | 130 W. 5th St                | 48     | 7,575,000   | 157,81   |
| 2208 Alder (DS)                              | 8                    | 1,900,000            | 237,500             | * 531 Lonsdale (TH)          | 15     | 2,730,000   | 182,00   |
| 1995 W. 19th Ave                             | 10                   | 4,630,000            | 463,000             | 216 E. 12th St               | 13     | 2,598,000   | 199,84   |
| 1255 W. 12th Ave                             | 10                   | 4,500,000            | 450,000             | 260 E. 12th St               | 60     | 9,000,000   | 150,00   |
| Total  | 68                   | 21,665,000           | 318,603             | * 372 E. 3rd St              | 16     | 2,975,000   | 185,93   |
|  |                      |                      |                     | 1445 Chesterfield            | 51     | 7,900,000   | 154,90   |
| Vancouver (West End)                         |                      |                      |                     | 123 E. 3rd St                | 7      | 1,635,000   | 233,57   |
| 1310 Burnaby                                 | 28                   | 5,150,000            | 183,929             | 220 E. 12th St               | 11     | 2,240,000   | 203,63   |
| 935 Jervis                                   | 19                   | 5,935,000            | 312,368             | Total                        | 221    | 36,653,000  | 165,85   |
| 1169 Pacific                                 | 23                   | 3,950,000            | 171,739             |                              |        |   |          |
| 2035 Barclay (HR)                            | 28                   | 8,500,000            | 303,571             | Port Coquitlam               |        |   |          |
| 1436 Pendrell                                | 13                   | 3,688,000            | 283,692             | 2066 Coquitlam               | 12     | 1,400,000   | 116,66   |
| 1414 Davie (HR)                              | 36                   | 7,800,000            | 216,667             | 3035 Coast Meridian          | 6      | 793,000   | 132,16   |
| 1549 Barclay St                              | 21                   | 3,865,000            | 184,048             | 2110 Rowland St (TH)         | 36     | 3,790,000   | 105,27   |
| 1020 Chilco                                  | 6                    | 2,010,000            | 335,000             | Total                        | 54     | 5,983,000   | 110,7    |
| 1937 Pendrell (HR)                           | 37                   | 13,500,000           | 364,865             |                              |        | .,,   | -,       |
| 1873 Nelson (MR)                             | 42                   | 10,080,000           | 240,000             | Richmond                     |        |   |          |
| 1436 Pendrell                                | 14                   | 4,350,000            | 310,714             | 11671-11675 7th Ave          | 258    | 44,000,000  | 170,54   |
| Total  | 267                  | 68,828,000           | 257,783             | 11071 11070 781740           | 250    | 44,000,000  | 170,5    |
| 10141  | 207                  | 00,020,000           | 231,103             | Surrey                       |        |   |          |
| Cambie & Marine                              |                      |                      |                     | 12730 66th                   | 53     | 12,200,000  | 230,18   |
| 445 SW. Marine (DS) (TH)                     | 70                   | 23,750,000           | 339,286             | 10425 150th                  | 110    |   | 99,54    |
| 445 SW. Marine (DS) (TH)                     | 70                   | 23,730,000           | 339,200             |                              |        | 10,950,000  |          |
|  |                      |                      |                     | Total                        | 163    | 23,150,000  | 142,02   |
|  |                      |                      |                     | Miles Deels                  |        |   |          |
|  |                      |                      |                     | White Rock                   |        | 1 000 000   | 400 -    |
|  |                      |                      |                     | 1340 Fir St                  | 10     | 1,280,000   | 128,00   |
|  |                      |                      |                     | 15501 Marine Drive           | 8      | 1,040,000   | 130,00   |
| OLD BY THE COOPING                           | _                    |                      |                     | Total                        | 18     | 2,320,000   | 128,88   |
| OLD BY THE GOODMAN TEAM                      |                      |                      |                     |                              |        |   |          |
| The sale information provided is a general g | uide only. There are | e numerous variables | to be considered si | uch as:                      |        | (UD) that a   |          |
|  |                      |                      |                     |                              |        | (HR) High-rise  |          |
| 1) Suite Mix                                 |                      | me or High Rise      |                     |                              |        | (MR) Mid-rise   |          |
|  | 7) Chr.              | ata vs. Non-Strata   |                     |                              |        | (TH) Townhouse  |          |
| 2) Rents/sq. ft.                             |                      |                      |                     |                              |        |   |          |
| Rents/sq. ft.     Net Leaseable Area         | 8) Lan               | d Value (Developmen  | t Site)             |                              |        | (ST) Strata   |          |
| 2) Rents/sq. ft.                             | 8) Lan               |                      | nt Site)            |                              |        | (ST) Strata (DS) Development Site (EST) Estimated Price |          |

# THE CONTENTIOUS MATTER OF RENT CONTROL

The matter of rent review/rent control has become a personal fixture amongst BC's rental apartment industry. Imposed and modified by previous Provincial Governments, its implementation has proved anathema to landlords and has long been regarded as one of the key obstacles to the expansion of rentals by supply advocates. New purpose-built development remains uneconomic as politicians find it expedient to shift the onus and the burden onto the backs of apartment owners with arbitrarily capped rent levels.

In a recent Wall Street Journal op-ed, dated January 4th, 2012, NYU Law Professor Richard Epstein comments on a New York City landlord's challenge to the city's long-held rent control and stabilization laws. The Fifth Amendment to the U.S. Constitution provides that "No person shall be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation." The op-ed suggests that rent control collides with the last prohibition, the "takings clause."

While our Canadian Charter of Rights and Freedoms declines to enshrine similar rights with respect to private property, the BC Legislature has recognized and codified such rights by way of the Expropriation Act. Much like the Fifth Amendment, this Act allows the government to unilaterally claim an interest in private property provided that the owner is compensated to the extent that his property rights have been compromised. In particular, Section 31 of the Act specifically requires the compensation to be in accordance with "market value", quite akin to the Fifth Amendment's call for "just compensation".

Indeed, the BC Legislature, by virtue of the Expropriation Act, contemplated and protected a property owner's economic freedom by providing for full value benefits should that freedom be infringed. How, then, can this same government justify a forced suppression of fair market value rents? One may question whether the imposition of rent controls on a landlord is nothing less than a pseudo-expropriation, except without, as Section 31 of the Act so rightly requires, market value compensation.

A legal challenge could prove interesting...

## **Sales Activity**

# 2250 Dundas Street, Vancouver

- 18-Suite Apartment Building
- · Granview neighbourhood
- Asking \$2,975,000



- 16-Suite Townhouse Complex
- 4 buildings with 4 rental units in each
- Asking \$1,797,000



- 24-Suite Apartment Building
- · One half block from ocean waterfront
- Asking \$2,145,000



- 57-Suite Strata-Titled Apartment Building
- · Central Langley City location
- Asking \$12,100,000

## **New Listings and Recent Sales**

## 20011 56th Avenue, Langley



Mullhulland Place 35 Strata-Titled Units Asking \$5,850,000 (offers)

Built in 2002, Mulholland Place is a high quality 35-suite strata three-storey rental apartment building located in Langley. Exceptionally well maintained, this project incorporates efficient low-maintenance specifications to ensure an investor the highest possible return on investment.

| Net Rentable Area | 23,854 sq. 1 |
|-------------------|--------------|
| Price/Unit        | \$167,143    |
| Cap Rate          | 4.5%         |
| GIM               | 14.4         |
| Year Built        | 2002         |
| 1                 | 26.042       |

Lot Size 26,043 sq. ft.

| Suite Mix          | No. Units | Avg. Sq. Ft |
|--------------------|-----------|-------------|
| 1 Bedroom + Niche  | 12        | 643         |
| 1 Bedroom + Den    | 18        | 654         |
| 2 Bedrooms + Niche | 5         | 874         |

#### 2011 Income and Expenses

Effective Gross \$398,537 Operating Expenses (133,698) Net Operating Income \$264,839



- 32-Suite Apartment Building
- · Prime South Granville location
- Asking \$8,450,000



- 31-Suite Apartment Building
- · Convenient Metrotown neighbourhood
- Asking \$5,295,000

#### Greater Vancouver's #1 Multi-Family Investments Resource

View details of all listings and sales at www.goodmanreport.com

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