

**Making sense of “Problem Properties” in the City of
New Westminster: investigating governmental
problematization of private rental properties**

**by
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Abstract

This research is an analysis of how public agents negotiate changes in the framing of relevant policy issues at the municipal level. The case study is focused on the problematization of private rental properties in the Canadian municipality of New Westminster. Through the concept of ‘problem properties’, captured from semi-structured interviews, the thesis explores how municipal staff make sense of the legacy of older nuisance-based policies in the context of more recent narratives of inclusive city governance. The analysis features public agents’ reasoning in dealing with complaints about urban nuisance through an updated narrative of livability, based on care/compassion towards vulnerable community members. Once a proxy for policed spaces, the expression ‘problem properties’ appears to have been reframed as a tool to hold landlords accountable for building neglect and disrepair, under the national prevailing narrative of a ‘housing crisis’ and, more recently, in the emerging global narrative of ‘climate crisis’. In conclusion, I suggest that the problematization of rental spaces in policy narratives is produced by a network or community of policy-relevant actors, who are responsive to dynamic institutional narratives when enacting their roles.

Keywords: Municipal Governance; Private Rental Properties; Problematization; Policy Narratives; Public Agents; (Re)framing

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Glossary

CFMH	Crime Free Multi Housing Program
CPTED	Crime Prevention Through Environmental Design
DEIAR framework	Diversity, Equity, Inclusion, and Anti-Racism framework
Rental Units bylaw	Corporation of the City of New Westminster Consolidated bylaw n 6926, 2004 Business Regulations and Licensing
SRO	Single Room Occupancy

Chapter 1. Urban governance and the regulation of private rental housing.

1.1. Introduction

As the notion of a housing crisis becomes a common placeholder in the Canadian public debate, and in the field of urban studies, most research about rental tenure focuses on the unaffordability of local rental markets and its repercussions for housing stability. Little consideration has been given to the matter of how local governance takes place in relation to municipal governance of private rental housing more generally. As noted by McCann, governance studies may provide urban scholars and practitioners with a needed grasp on “the diverse spatial and institutional implications of how and for whom decisions about urban life are made” (2017 p.315).

This thesis, therefore, aims to bring attention to some of the ways in which public agents get engaged in the governance of private rentals at the local government level. The governance of rental housing in the municipality of New Westminster (BC) has gone through significant changes in the last two decades. I have focused on the existing nuisance legislation for rentals introduced in 2004, to demonstrate how public agents, faced with new regulatory demands, are able to make sense of (and use) aging policy instruments, enacted to respond to public problems in a different political context. Rather than exploring the complexity of policy mobility in space, I want to address a gap in urban governance literature, by looking to the responses of public servants to the temporal dynamics of municipal policymaking.

I have found a conceptual language to reflect about public agents' engagement with policies in governmentality studies, inspired by the works of Foucault. Rose et al. (2006) have provided a retrospective of how Foucault's governmentality approach has been taken up and developed in English-speaking academia. As summarized by them, “this perspective [on political power] views such power as always operating in terms of specific rationalizations and directed toward certain ends that arise within them. An analysis of governmentalities then, is one that seeks to identify these different styles of thought, their conditions of formation, the principles and knowledges that they borrow from and generate, the practices that they consist of, how they are carried out, their contestations and alliances with other arts of governing.” (p.94). In other words,

governmentality scholars look to “rationalities” and “technologies” to understand the government of everyday economic and social life, both at the individual and collective level.

According to Foucault (1996), government, as an activity that seeks to conduct individuals through their lives in particular ways, will face obstacles (whether from human conduct or even natural incidents) that will require public action. Justifying the need for governmental intervention comes as crucial strategy for public support. Defining what is a public problem (and what is not) is a process geared towards the justification of public interventions that government members deem a priority. That is the processes that Foucault coined governmental problematization: depending on the actions intended by the government, the aspects that characterize a situation or event as problematic – eliciting, therefore, a public response - are selected by a sort of reverse engineering.

There is a stream of post-structural policy analysis dedicated to critically reflect on governmental problematizations, or, in other words, how issues are problematized—i.e. constituted as “problems”—within policies (Bacchi and Goodwin, 2016). In this thesis, among other questions, I talk about governmental problematization to answer why and how some of the rental properties in New Westminster came to be referred as “problem properties” and the correlation of those problematizations with the kinds of public interventions deemed suitable (or necessary) responses by public servants.

A more contemporary reading to the problematization idea, which I will adopt along this thesis, is the concept of ‘framing’ proposed by Van Hulst and Yanow (2006). This alludes to the process of the sensemaking of contentious situations, that policy actors go through by selecting events, giving names, creating categories, and telling stories, so they can engage with their work.

Finally, ‘policy narrative’ is a term that will be used with some frequency in this work. Most frequently, I will use the expression to allude to the results of framing processes that are communicated at the institutional level: overarching themes/storylines commonly featured in local policies, by which situations are depicted as problems in plotlines that justify governmental intervention. However, there is another meaningful nuance to ‘policy narrative’ explored in the work of Lejano, Ingram & Ingram (2018), which identifies policymaking with a form of storytelling shared throughout time, by multiple actors with

different levels of agency. This idea offers a good descriptive for some of my analysis insights regarding policy hierarchies and temporalities, so I will refer expressly to these authors when using 'policy narrative' with this connotation.

The current text of New Westminster's Rental Units bylaw triggered my curiosity to investigate how public agents engage with changes in the problematization of policy issues. It contains regulation for nuisance abatement on rental properties introduced in the city's very own 'war on drugs' in the early 2000s. Nuisance abatement regulation, in New Westminster, as in many other places, was meant to contribute to residents' quality-of-life by curbing the circulation of drugs, reducing the fear of crime, and providing a favorable environment for law-abiding residents (Graziani *et al.* 2021).

The level of policy discretion elicited by expressions such as 'nuisance' or 'enjoyment' is intentional and relies on the idea that a form of practical knowledge that recognizes which concrete intervention will work in the particular obstacle is necessary to maintain local order and well-being (Dubber and Valverde 2006). Having considered this, understanding how processes of policy problematization operate at municipal level becomes even more relevant to understand policy outcomes.

When the nuisance abatement initiative in rental buildings was introduced in New Westminster, it was aligned with global policies under the banner of 'livable city'. This means that public interventions on private rentals were portrayed as environmental improvements towards community well-being. Those policies found academic expression with the "New Urbanism" movement for which the built environment was the main tool to promote quality of life in the city (McArthur & Robin 2019; Lloyd *et al.* 2016). At the same time, in the US and Canada, other narratives circulated in academia and government promoting a similar association of ideas between environment and social arrangements: notably, environmental crime theories have gained a lot of traction in urban debates by arguing that land use and physical features can affect crime levels depending on how one uses certain spaces and places (Inlow 2021).

The most notorious example of the environmental crime perspective is the 'broken windows' theory, published in 1982 by Wilson & Kelling. In its core, the argument is that visible signs of disorder, such as graffiti, vandalism, public drunkenness, and drug consumption, promote more crime. This theory evolved into policing strategies focused on

penalizing “minor” crimes to prevent major crimes from happening (Inlow 2021). In the US, this was the theory that provided academic support to a stream of public policies enacted to curb drug consumption, adding to the notorious narrative of the ‘war on drugs’ promoted by the federal government since the 1970s. Even though the ‘broken windows’ theory has been discredited in many instances (Howell 2016; Sampson & Raudenbush 2004; O’Brien et al. 2019), it remains an influential discourse for the policing and management of urban disorder.

However, in the last decade, policy narratives in the metropolitan area of Vancouver have gone through considerable changes in the representation of drug consumption as a public problem. This means that situations involving drug consumption, that once were approached as justifications for security interventions, are now intertwined with the concept of a public health crisis, as different kinds of public interventions are put in place. Harm reduction and Housing First are examples of medicalized policy interventions around drug consumption and housing that have been taking place in the City of Vancouver (Goodspeed, 2021) and other parts of the metropolitan area where New Westminster is situated.

Meanwhile, at the provincial level, British Columbia has recently put forward legislative changes to decriminalize the personal use of certain illicit drugs¹. Parallel to the regional policy background, during the last decade, New Westminster’s Council and Mayors have been publicly engaged in re-signifying the concept of livability that is featured in several policy documents, promoting new policy initiatives based on ideas of diversity, equity, inclusion, and compassion to all community members².

As a researcher, I was originally drawn to ask questions about the ways in which policy makers regarded urban rental housing as a site of criminality, and a threat to urban livability’. However, in the process of interviewing public agents, I sensed an ‘uneasiness’ to talk about the regulatory framework of nuisance abatement at rental properties. As I understood the policy agenda carried on by the municipality, it became clear that rental apartments were no longer characterized only as spaces for surveillance or discussed under the lenses of public safety. In answering my questions about the Rental Units bylaw,

¹ <https://news.gov.bc.ca/28152>

² https://www.newwestcity.ca/database/files/library/Downtown_Livability_Strategy_February_2023.pdf

participants expressed different rationales to explain their engagement with the governance of private rental properties, mostly highlighting its strategic importance as sources of affordable housing.

This perception has led me to extend my inquiry to the processes by which public agents make sense of policies at the municipal level when there is a change in governmental problematization . I consider private rental properties as an exemplary locus of policy interventions due to the intersectionality of social issues that manifests itself in housing spaces. The characterization of those apartment buildings as ‘problem properties’ in the stories told by the interviewees has provided me with a window to observe how the changes in the framing of institutional policies at municipal level are incorporated/negotiated in public agents’ narratives of governance.

1.1.1. Objective and Research Questions

My main objective is to explore changes in policy frames that inform the governmental problematization of private rental properties in the city under study. More specifically, I want to understand how policy actors negotiate changes in policy frames regarding the problematization of private rental properties in the City of New Westminster.

My central research question asks: How do public agents frame nuisance policies in private rental properties at the City of New Westminster and how do they engage with changes in policies that problematize those spaces?

To achieve those objectives, I answer two sets of sub-questions. The first set of sub-questions was conceived to explore how the framing processes of municipal agents relate to the problematization of nuisance in rental properties.

- 1.1 What kinds of problems do public agents associate with nuisance abatement initiatives in multi-unit rental buildings?
- 1.2 What social expectations, norms, or policy narratives are invoked in the characterization of “problem properties”.
- 1.3 Who are the subjects mentioned within those stories of nuisance and how they are positioned in relation to the municipality and each other ?

The second set of sub-questions attempts to shed light on how public agents acknowledge and engage with changes in the local agenda of policy problems.

- 2.1 When describing their own participation in the municipal governance of 'problem properties', what sort of rationalities, motivations and accountabilities do public agents manifest?
- 2.2 How do changes in public narratives challenge city staff to reframe their approaches to policy problems associated with rental properties in the city?

1.1.2. Summary of Conceptual Framework and Methods

The Conceptual Framework chosen to frame and interpret data gathered for this research consists of three main bodies of literature.

Firstly, I will explore the literature on policymaking and governmental problematization, using the concepts of policy narrative and (re)framing to explore the temporality of nuisance policies problematizing rental spaces. Secondly, to gain a better grasp of the context and purposes attributed to nuisance regulation at municipal governance level, I will rely upon critical literature regarding the centrality of property ownership on US and Canadian political institutions and the importance of 'proprietary' understandings of property in said institutional context. In the subsequent section, I will focus on literature that explores the attribution of criminogenic traits to rental apartments and the people who live in them. Finally, I will talk about the emergency of an ethos of care in housing governance and the ambivalence of Housing First initiatives.

I have conceived this case study to make use of the following methods of investigation:

1-Media Analysis: To gain preliminary knowledge of the social context where nuisance regulation takes place, I will resort to the interpretive content analysis of local mainstream newspapers to grasp how rental apartments were framed in connection with crime and nuisance, at the time nuisance controls were introduced to municipal legislation.

2- Expert interviews: I seek to understand how a policy legacy focused on the maintenance of an orderly environment reflects on the current understandings and practices of

policy-relevant actors, if changes in policy narratives on what constitutes a livable community affect their ways of performing activities related to rental spaces, and, if they recognize changes in kind of policy problems that merits municipal intervention on private rental properties.

As a supportive method, I perform document analysis on municipal policy instruments that regulate the governing of public nuisance and harm reduction of the homeless population, as a way to demonstrate in which terms current municipal policies have been privileging narratives of equity and inclusion as part of the city's new public identity.

1.2. Methodology

1.2.1. Positionality

In conceptualizing this research about the problematization of private rental properties by municipal agents, I was originally provoked by arguments about social control, property, and rent, as presented and developed in the work of critical researchers on the fields of housing, sociology, urban and legal geographies. Nevertheless, it was my own personal experience as a public official that has played a significant part in the definition of the research object, of the methodological choices, and has had a great deal of influence in the conceptual framework regarding subjectivities of public agents in policymaking processes chosen to analyze the data produced in this research process.

As a graduate student in the field of Urban Studies, I have become interested in institutional arrangements that have allowed for rental housing to become sites of stigma and social control in the US and Canada. This stream of literature has led me to the history of the Crime Free Multi Housing Program (CFMH), a community policing program developed two decades ago by the police department of Mesa, Arizona. Designed to be applied in rental buildings, which were seen as the preferred locus for drug trafficking in urban centers, the program thrived by providing landlords with training to abate nuisance behaviour and prevent crime, rapidly spreading through several municipalities in the USA (Thacher 2008).

Preliminary research about the development of the program in Canada led me to the website of New Westminster's Police Department, according to which the city where I live was the first in the country to adopt the program in 1994³. A decade later, the CFMH was deemed by local policymakers to be a best practice for the reduction of preventable police calls in apartment buildings, and a reference to the program was introduced at the City's Rental Units bylaw in the form of a financial incentive to the rental licensing process of private properties.

As a resident who has followed closely Council's open agenda for the last three years and has worked for the municipality on a temporary basis, I have observed directly that, even though said bylaw remains unchanged in its references to the Crime Free Multi

3 <https://www.nwpolice.org/community-services/crime-prevention9/cfmh/>

Housing program, Council's public debates give no indication that the municipality remains active in endorsing the agenda of nuisance/crime deterrence at rental buildings. On the contrary, recent administrations have been openly engaged in detaching their initiatives from any punitive interpretations of livability, promoting ideas of diversity, equity, inclusion, and compassion to all community members.

While working for the Brazilian federal government evaluating legal aspects of public housing grants, I often felt conflicted when it came to verifying the compliance of social housing projects with urban land regulations. Bureaucratic obstacles concerning land titles and demarcations would often become an obstacle to move forward with social housing projects. That is because, although the country's federal constitution refers to a 'right to the city' and a 'social use of property', municipal regulatory frameworks for land use rarely account for the high levels of informality in the occupation of urban land, nor for the colonial legacy of power imbalance in urban land possessions.

In this context, vouching for the continuity of social housing projects frequently required from me extensive interpretative efforts of a conservative set of land use regulations. My own engagement in the social and historical context of the many conflicts involving urban land, the role of a public agent, and the missions of social housing programs have thus played a significant part in the results that the organization was able to deliver to the local population in need of public housing.

Because of these challenges I felt in negotiating ambiguous and changing policy mandates as a public servant, I felt motivated to explore the rationalities supporting the introduction of community policing and nuisance abatement measures for rental units in the early 2000s in New Westminster. It has been my desire to understand how public agents engage with a background of norms enacted in a previous political environment and therefore, expressing different ways of problematizing a policy issue or situation.

1.2.2. Research Design and Methods

This case study, therefore, has been designed to provide an analysis of the problematization of the private rental spaces of New Westminster, considering the impacts of changes in the policy environment in the enactment of local regulation by city staff. Specifically, I intend to gain some insight on how municipal agents involved both in the conception and implementation of nuisance control initiatives navigate the processes of framing and reframing their regulatory practices in order to adapt to changes in local policy narratives.

Rather than seeking an explanation of causality, I adopt a single case study design to achieve a comprehensive understanding of a social phenomenon; that is, the problematization of (dis)order in private rental properties by municipal agents. As Clifford Geertz suggested, in a case study design, the researcher engages in a process of 'thick description' which may be achieved by some combination of observation, interviews, and document analysis. According to Geertz, to attribute meaning to certain aspects of the social world, instead of focusing only on people's immediate engagements, is necessary to understand context (Mills & Wiebe, 2010).

In his defense of the use of 'thick descriptions' in political sciences, Shaffer (2014) argues that concepts need to be understood in their own setting and, for this purpose, surveys and structured interviews risk replacing 'the informative messiness of how people actually understand the word in question with telegraphic, single-idea answers' (p.314). I have thus conducted open-ended interviews because this allows me to make sense of this 'messiness' in public policy narratives and their meanings for public agents.

To gain preliminary knowledge of the social context where this regulation takes place, I have also engaged in an exploration of the political and institutional context of the City of New Westminster in the last two decades. Based on the archival research of local mainstream newspapers, I have engaged in interpretive content analysis to grasp how rental apartments are framed by the media in relation to crime and nuisance. To understand how the problematization occurs, I have mapped which concepts in the newspaper's articles relate to the subjects of nuisance and rental housing and grouped them in larger themes, relatable with the topics raised by the critical literature about the attribution of criminogenic traits to rental spaces.

Archival Media Analysis

I began by focusing on the coverage regarding nuisance and rental housing in the City's only local newspaper. The New Westminster Record carries both a printed and online version featuring community issues and opinion letters. It provided a snapshot of mainstream community concerns about safety, nuisance and housing in the local community, including several interviews with business owners, residents, police members and municipal agents.

To assemble my sample of local newspaper coverage, I researched the Canadian News Stream Database since 1994, which is the year that the Crime Free Multi Housing Program was adopted by New Westminster Police Department. To identify relevant mentions associated with the city's name (NEW WESTMINSTER) and my research topic, I have used two sets of combined key works, associating a spatial criteria (RENTAL APARTMENTS) or subjective criteria (TENANT) with the type of behaviour targeted by municipal programs or policies (CRIME or NUISANCE). The final matrix resulted in the following set of news, all listed at **Appendix A**:

1. The Record, published in New Westminster, directly covered issues of crime or nuisance control in rental properties on several occasions.
2. There were also relevant mentions to CFMH from other Metro Vancouver's newspapers, providing context to talk about other initiatives as the first Canadian first municipality to adopt the program, or commenting directly on New Westminster's initiatives.
3. Finally, some news, although not referring directly to crime and nuisance free programs in New Westminster's rental properties, provide insights about the public perception of crime in the city in different points of time.

From this analysis, I sought to gain some clarity about the political and institutional context that supports the problematization of rental housing as nuisance spaces, using concepts from my literature review and adapting them to the case of New Westminster.

I conducted a thematic content analysis on the selected sample of newspapers to answer:

- Which terms are used to associate nuisance activity with rental properties?
- What are the problems described and the solutions being claimed?
- Who is portrayed as a member of the community? Who is portrayed as undesirable?

Finally, I have analysed if the answers to my guiding questions are consistent with an urban imaginary that values homeowners and devalues renters by attributing criminogenic traits to rental apartments, as described in my conceptual framework (see below). The results provided support to the analysis and interpretation of the material collected in my open-ended interviews.

Interviews

Design

The main source of data used in this research were gathered through in-depth interviews, conducted with the purpose of understanding municipal agents' accounts of nuisance regulation in rental buildings and the intersections of the accounts with evolving narratives of urban governance in New Westminster. I have adopted a 'theoretical sample' of expert interviewees, in the sense described by Glaser and Strauss (1999), where the authors defend the validity of research samples based on their theoretical relevance for the development of emerging categories for the developing theory (p.45). In other words, my choice of interviewees was driven by theory, aiming to find examples of the phenomena in study: problematization of private rental properties by municipal agents.

Among municipalities in the Metro Vancouver Regional District, the City of New Westminster ranks 10th in size of its population, which amounted to 78,916 in the 2021 Census profile (Statistics Canada 2022). According to the City's Annual Report 2021 presented at City Council Meeting June 27, 2022 (City of New Westminster), the City had by then 301 employees. For the purposes of this case study, I have focused exclusively on the staff within the City's Planning and Development Department, which oversees policies governing private rental spaces. In doing so, the universe of public agents that perform roles and activities in the municipal governance of nuisance controls and rental policies and could be recruited as expert interviewees was considerably reduced.

Originally, my access to this group of experts was facilitated by my personal connections to the city in question, given my experience as a Co-op student in the summer of 2021. This was also relevant for the interviewing process, in the sense that my image as an "outsider" student was nuanced with an "insider" perspective of the challenges faced by those public agents. Interviewees seemed to gain comfort from my position of

“understanding” even though the content of the questions sent in advance clearly prompted a defensive tone from the participants.

The difficulty of guaranteeing anonymity among such a limited number of professionals had a negative impact on the snow-balling recruitment process. It was clear that staff in the position of enforcement and even more in policy planning positions had reservations to be associated with a research project that posed critical questions about policy developments on renters’ living experiences at the city.

Some of the agents who were reached by email, based on snowballing sampling, declined to participate, stating that the policies in question preceded them joining city staff. Some agreed to participate under the condition that I would include the views of participants that could report the context in which some of the policies were created. All of them showed great concern not to tarnish the city’s current reputation of local leadership in the adoption of renters’ protective measures.

In an attempt to gain some trust, a prompt with interview questions was emailed in advance to all participants and I refrained from asking about any topics they deemed uncomfortable. Considering that online meetings have become a standard practice at the municipality in the aftermath of a world health pandemic, it is my evaluation that conducting the interviews online had little impact over the extent or the quality of the data collected. All but one of the participants chose to engage in the interview using Zoom’s video feature, with just one of them preferring to keep the camera turned off, much like a phone interview. As a result, I managed to conduct eight 30-minutes online interviews.

Besides an elected member of City Council, I have talked to agents who occupy different levels within the executive bureaucracy, ranging from a bylaw enforcement officer to higher ranked administrative officers, including the Planning Director, and participants from the community planning and the business licensing staff. An agent of the municipal police department was interviewed since a community policing program is directly referenced at the city’s Rental Units bylaw. An eighth interview was conducted with a member of New Westminster’s Tenants’ Union in attempt to flesh out an outsider perspective to the narrative offered by municipal regulators around rental buildings in the context of public service delivering.

The resulting audio recordings were de-identified before sent to transcription and replaced with the codes to follow, as they will be referenced and quoted along the chapters to preserve the anonymity of the participants and avoid career exposure:

City Council member
Senior City Management
City Management
Community Planning staff
Business Licensing staff
Bylaw enforcement officer (Tenancy Support)
NWPD Crime Prevention officer
NW Tenants Union organizer

As this study refers to public agents of small municipality, some of the participants interviewed for the study might have been directly quoted in the media reports used here as archival sources. For keeping coherence with the anonymity secured by me to the interviewees, when transcribing newspapers' coverage of events, I have chosen to suppress the names of all the public agents identified, even if they were made public at the time.

Analysis

I asked the interviewees to share perspectives on the municipal governance of private rental housing, focusing on how the city's policy legacy of nuisance controls in rental housing reflects on staff's current understandings and practices, and how this history has been altered with policy shifts towards discourses of equity and inclusion.

Because I am concerned with participant's perspectives in dealing with the interviews, I have used some coding methods associated with the Grounded Theory methodological approach. Inspired by this approach, I went thorough cycles of coding, as a path to the development of a theory that rooted in the data (Saldana 2016 p.55).

It must be said, though, as a researcher I do not completely identify with all the premises and stages of Grounded Theory, as conceived originally by Glaser and Strauss in their book *The Discovery of Grounded Theory* (1999). I have found the work of

constructivist grounded theorists, such as Charmaz (2014), to be a better articulation of my own understanding about the constructive relationship between data and positionality:

Glaser and Strauss talk about discovering theory as emerging from data separate from the scientific observer. Unlike their position, I assume that neither data nor theories are discovered. Rather, we are part of the world we study and the data we collect. We construct our grounded theories through our past and present involvements and interactions with people, perspectives and research practices. (Charmaz 2014 p. 17)

Hering's account of the constructivist grounded theory as "the creation of conceptual categories which are meaningful in the context of the research, through a detailed comparison and interpretation of the data developed from initial, focussed and theoretical coding" (2018 p.233) is a fair summary of my approach to the analysis of the interview data.

In practical terms, it means that my initial step in manually coding interview transcriptions was writing down InVivo codes, in the form of verbatim words or phrases. I assumed that these codes denote the attitudes and opinions of the research participants about local policies geared towards the ordering of private rental properties in the City of New Westminster.

Then I proceeded to the stage of focused coding, where the initial codes were analysed to discover thematic or conceptual similarity. In this stage, the most significant codes were grouped into categories, based on Bacchi and Goodwin's (2016) proposal for policy analysis in a poststructural perspective:

- norms (expressed and assumed)
- subjects referenced
- objects
- places

In addition to these guidelines, I also tried to find categories to group how public agents relate to the problematization of rental spaces, what accountabilities they express and how they feel about conflicting expectations coming from the community and from the administration about the governance of those spaces.

At the final stage I have looked back to the codes produced at the early stages to identify theoretical codes that could answer how rental properties have become a policy object in New Westminster and how public agents engage in the problematization of those spaces. It was at this stage that the concept of “problem properties” came up as an operational category in local policy discourse, and it became the centre of my theoretical analysis, as an integrative theme that weaves various themes together into a coherent narrative.

In the Chapters 4 and 5, I have organized the discussion of the data collected in my interviews on topics that are aligned to my research questions and dialogue with the conceptual framework developed in Chapter 2. The approach that I have taken to conceive of those questions was inspired by Bacchi and Goodwin’s book on post structural policy analysis (2016). Their work offers a provocation for policy scholars to analyse how the enactment of the norms invoked by policy actors works on the creation of subjects, objects and places.

Chapter 2. Conceptual Framework

In the last two decades, the governance of urban (dis)order has taken the form of multiple discourses and initiatives in New Westminster, affecting most of all low-income renters and homeless individuals. In this chapter, I will refer to literature that helps to understand the different framings and narratives that have constituted low-income rental spaces in the downtown core of the city as problematic spaces over the last decades, and how logics of control and care may fluctuate and co-exist in the governance of those spaces.

Before properly exploring the conceptual framework, it is worth briefly outlining the economic and political dynamics in place in the recent history of New Westminster and contextualize the many conflicts on the occupation of the downtown area of the city. The city is the oldest municipality in British Columbia and has been described in recent urban research as “an important industrial district and shipping port into the 1970s, and after a period of decline has emerged as a desirable, centrally located bedroom suburb of Vancouver” (Airas et al. 2015 p.86)

Downtown New Westminster is situated on the waterfront of the Fraser River, and it was a mostly industrial and working-class space until the 1970s. With the decline of local industries, urban redevelopment initiatives supported by regional and provincial governance started to change the city’s downtown landscape in 1980s. Housing, commerce, linear parks and other public spaces were built, privileging the aesthetic of middle-class. The waterfront redevelopment has been a continuous urban policy project ever since, that nowadays appeals to a new upper-middle class, by leveraging the access to the river as a valuable amenity (Stern 2017).

As a consequence, social polarization has increased in the downtown area, where most of the support services to the homeless population is concentrated. The City’s Homelessness Action Strategy (July, 2022) acknowledges that homelessness has visibly grown in the area in the last five years and allude to causes such as a housing affordability crisis and an opioid epidemic in the region. The following quotation from the Homelessness Action Strategy captures some of the local opposition to providing support services to homeless individuals in central urban spaces:

It was suggested that there is a need to address business and resident misconceptions about homelessness, and a need to develop housing and support options to address this issue. More specifically, the notion that “if you build it, then they will come.” As noted, the unsheltered are not as mobile as most think. (City of New Westminster July 2022, p.2 annexed notes)

It is possible to draw some parallels about the conflicts for the urban space in Downtown New Westminster with the tensions observed by Blomley (2004) in the Downtown Eastside of Vancouver, where precarious living arrangements such as tents and SROs are clustered in a few blocks. As the author points out, the governance of support services in that area is often permeated by “skid road” stereotypes of deviance and disease. However, says Blomley, old time residents and activists contest this imaginary, resorting to notions of a collective use of the space to oppose incursions of real estate developers selling the promise of “highest and best use” of the land.

The presence of temporary shelter accommodation in a building formerly occupied by a department store in downtown New Westminster has been causing commotion among the business community and upper middle-class residents, in a similar way that that low-income rental buildings at the Brow of the Hill area of downtown were once considered crime ridden locations, motivating the creation of a nuisance abatement program for rentals in 2004. My reading is that conflicts about the occupation of the urban centers make use of geographical boundaries to assert social differentiation or “otherness”, to borrow Blomley’s (2004) expression.

This research is an effort to better understand how municipal agents make sense of an existing regulatory legacy that treated rental units, particularly in areas like Brow of the Hill, as unsafe urban spaces and how they reconcile these representations with current narratives of urban governance in the city. I begin this chapter of the literature that supports my analysis, exploring scholarship about policymaking and governmental problematization. Then I contextualize rental policies by bringing to the fore the work of authors who have been exploring the implications and assumptions behind the problematization of rental properties. More specifically, I reference authors that are concerned about the centrality of property ownership on policymaking processes in US and Canada. On a different section, I situate the regulation of nuisance at rentals with reference to an existing body of literature about social controls in rental housing. Finally, I explore the emergence of compassionate/caring approaches to housing governance.

2.1. Governmental problematization and policymaking

[Problematization is] what has made possible the transformation of the difficulties and obstacles of a practice into a general problem for which one proposes diverse practical solutions. [...] [I]n connection with [these obstacles] it develops the conditions in which possible responses can be given; it defines the elements that will constitute what the different solutions attempt to respond to. (Foucault 1996, 421–422)

This thesis aims to contribute to the understanding of nuisance policies for rental properties in the municipality of New Westminster (BC), exploring how public municipal agents engage with changes in the problematization of rental spaces. As mentioned in the introductory chapter, the governance of rental properties in the City has gone through significant changes in the last two decades to respond to changing regulatory concerns.

The concept of “problem properties” came up in the interviews as an operational category in the enactment of local policies, and it became an integrative theme that weaves the various theoretical approaches referenced in this thesis. I find Foucault’s idea of governmental problematization useful here, to reflect how public agents seek validation to public interventions by describing situations (or places) as public problems that claim for governmental solutions (Foucault 1996).

In this case study, nuisance abatement measures for rental units were described in 2004 in New Westminster as necessary public actions for the governance of “problem properties” in the Brow of the Hill neighborhood. What was problematic about those properties and for whom? What conditions allow those spaces to be characterized as public problems rather than private dwellings? Additionally, I reflect on how public agents operate when the problems attributed to rental properties are no longer supported by the local political agenda. Those questions seem to make sense when working with Foucault’s framework of governmental problematization and some of the policy literature that was built from this concept.

In this effort, I respond to Bacchi and Goodwin’s suggestion (2016) for policy analysts to interrogate the way in which policies also constitute the ‘problem’ they seek to act on. This post structural analytical approach, they argue, can bring to the fore the politics involved in the making of policies, because it considers public ‘problems’ not to be objective entities, but also social constructs, much like public policies.

To reason the research questions in terms of policymaking/sensemaking as form of governance, I am borrowing conceptual tools from two bodies of work that explore changes in policy problematization from the perspective of public agents:

Policy framing as sensemaking.

Departing from an institutionalist tradition of policy analysis, Van Hulst and Yanow (2016), like Foucault, also recognize problematization as a relevant object of policy analysis and offer useful lens for the analysis of temporal aspects of governmental problematization. Previous to their work, institutionalist scholars associated the concept of 'frames' with reasoning styles that were shaped by accountabilities and contextual forces, reinforcing bonds among policymakers (Perri 6 2018 p. 276). Some have gone as far as recognizing the work of informal institutions in cultivating frames and creating informal accountabilities among policymakers (Dery 2018).

However, Van Hulst and Yanow (2016) proposed to investigate "how selections of events are made in policy, how names are given, how categories are created, and how stories are told" (p.105), introducing the idea of 'framing' as a process of sensemaking grounded in everyday practices and ordinary beliefs. Thinking policy situations in terms of the 'framing' process allows one to address not only the way issues are framed in policy but also the relationship of the framing processes with the identities of policy-relevant actors.

For Van Hulst and Yanow, "calling a policy event 'worrisome' or 'problematic', distinguishing it from the non-problematic situation, is a key framing act, and therefore, a political act". (p.100). That is to say that one's frames, or models of the world, play a part in the way contentious situations are dealt by institutions, as different agents might focus on different concerns shaped by their own societal backgrounds. Negotiations over the meaning(s) of a policy should not be taken for granted to understand policy outcomes, they argue, since each policy actor, based on their identities and relationships, carries different expectations and concerns about policy-relevant situations.

As explained by the authors, "the initial framing or operational 'definition' of a policy situation is a way of making a world one can act in, and upon. In the world of policy and administrative practices, framing an issue is a condition for being able to do one's work". (2016 p.100). In this definition two aspects are important to be discussed.

The first one is that the framing process of a policy-relevant situation is addressed as a normative prescription that allows agents to engage practically with contentious situations in ways that are already established and regulated. In other words, framing, or defining a problem to reduce its complexity, is a practical requirement for delivering public service. But more than that, the authors suggest that framing it is also a reflection of prior and personal ways to make sense of the world.

Another contribution of Van Hulst and Yanow's work for this analysis is the idea of the 'reframing' of policy issues. The authors call for a dynamic understanding of the problem-framing process, that includes attention to the maintenance and change of policy frames, which they call reframing. Reframing certain policy issues in response to changes in the concerns embraced at the political arena, they say, might be challenging, whether because of cultural attachment to certain ways to problematize a situation, or even to the organization that supported a particular frame of a policy issue.

The authors consider that the position of public servants in the decision structures of government may be associated to additional challenges in the process of reframing policies. For 'street-level' workers, theorize Van Hulst and Yanow, finding meaning in new policy frames would be potentially more complex, since most of times, they are not directly involved in the debates that led to policy change. (2006, p.102).

The expression "street level bureaucrats" was introduced in the 1970s in by the work of Michael Lipsky (1971) to refer to public servants such as police officers, social works, teachers, and others in charge of interacting directly with the clientele of public services. A substantial number of studies on administrative discretion has followed Lipsky's path.

Hearing from "street-level" staff to understand about policy enactment at municipal level is not a new academic approach. In a work about how regulatory enforcement shape urban space in Vancouver, Proudfoot (2006) asserts that "street-level" bureaucrats "occupy a unique position in government where the administrative language is enacted in space and their position can be seen as one where government policy encounters the lived social practices of the city" (p. 23). In this thesis, I'm also interested in observing if "street level" staff relates differently to changes in the framing of rental problems, when

compared to interviewees that occupy formal decision-making positions in New Westminster's process of policymaking.

Policy narrative as sensemaking

Lejano, Ingram & Ingram's (2018) approach of policymaking as a narrative process has been a valuable contribution to this thesis, as it offers an analytical model to discuss the challenge of continuously modifying and adding to existing policy texts to respond to changes in the policy context. I supplement it, by drawing from the concept of policy narrative. This encompasses a notion of storytelling shared throughout time by multiple actors, each one with different levels of agency.

Discussing policymaking in terms of narrative leads to reasoning about the storyline that leads from problem statements to solutions in policy initiatives. Lejano, Ingram & Ingram (2018) indicate some of the components that may be useful to look into in this kind of analysis: *plotment*, or how the events are described in a causal sequence that leads from problem to a necessary governmental solution; *characterization* of the actors that drive the plot (heroes, villains, victims); and "*other*" against which a group compares and contrast itself.

The authors recognize the existence of overarching hegemonic storylines dominating policy fields and are interested in understanding how narratives compete in policymaking and how one narrative may be replaced by another, focusing their observation on the emergence of counter-narratives through informal resistance networks driven by shared stories, which they call narrative communities. The number of different voices telling a narrative, they say, defines its levels of inclusivity. This dynamic conception of policymaking assumes that narratives may change after laws are put into place and provides opportunity to investigate how policies can be altered if the stories in it no longer resonate on the ground.

Even more pertinent to the object of this thesis is that their analysis of policy problematization blurs the lines between the production of policy texts (codes and regulations) by a group of special policymakers and the implementation of policies by street-level bureaucrats. A contextualized (rather than textualized) model of policy analysis acknowledges that "the actual policy becomes whatever the lower-level policy actors interpret the policy to be and how they translate it into action" (p.314).

This line of scholarship supports the value of listening to a local community of policy actors about the plot line of a policy initiative as a tool to gain some insights about governmental problematization in municipal politics. Accordingly, the storytelling approach adopted to the interviews in this thesis tried to range from past to future and consisted in asking what has been going on, and, what needs to be done to approach policy problems on rental properties.

2.2. Property, Rent and Propriety

This research looks to how public agents make sense (and use) two decades old nuisance control dispositions from the bylaw that regulates rental properties in the city, given significant changes in the governance of housing in municipal policies. Reflecting about property conceptions at individual and institutional level is part of this effort to gain some clarity on municipal policies and the mentalities behind the problematization of rental properties.

To develop this analysis, I have found it useful to consider that not only nuisance offenses are relational, in the sense that they rely on the presumption of a community offense (Valverde 2011), but that property, as an institution that shapes the distribution of social goods, is also a relational construct (Blomley, 2004). For the purpose of this thesis, this means that notions about what is a proper use of rental properties in the urban setting can shape the social dynamics that take place in those spaces and also be shaped by changes in those power relations.

Chapter 1.2 offers a retrospective of local legislation contextualizing the political conditions that led to the regulation of nuisance at rental properties. In this chapter I share the literature which has helped me to reflect on some the narratives and practices that place property owners in a privileged position and, therefore, devalues renters, placing them in precarious positions in policymaking in US and Canada.

For an historical perspective, in “A History of Renting in a Country of Owners”, Krueckeberg (1999) dissects traces of an ‘ideology of property’ in American public policy. Such ideology, he says, rests on the assumption that owners make better citizens than renters, which provides a justification for why public policy should benefit owners at the expense of renters. Having explored a long thread of public policies based on renters’

stigma, Krueckeberg makes the case that, for social justice, this kind of bias is as pernicious as those of gender, race, religion, and nationality.

Roy (2003), in turn, uses the concept of 'propertied citizenship' to explore the centrality of property ownership in American political culture. For her, urban policies that negatively associate renters with issues of 'order' and 'civility' in public spaces are a reflex of an American paradigm of citizenship, which considers the suburban, single-family dwelling, held in ownership as the norm in the society. In opposition, "social groups that do not meet its propertied mandates are therefore rendered marginal in the discourses and practices of citizenship." (Roy 2003, p.464).

Roy's (2003) work ultimately denounces how policies which associate nuisance and crime with rental properties fail to address structural causes of housing precarity, such as poverty and racism, for which the kind of tenure is inconsequential. Heavily influenced by tropes of social disorganization and the assumed moral failure of the non-proprietor, the paradigm of propertied citizenship works, in her view, to deflect attention from the roots and causes of housing precarity.

Krueckeberg's 'ideology of property, and Roy's 'propertied citizenship' both depict a particular understanding of property, relevant to my analysis, also known in the literature as 'proprietaryism', which refers to the implicit connections between property and propriety, or that what is "proper" or appropriate (Alexander 1998, Blomley 2005, Davies 2007, Rose 2000, Wideman 2021).

'Proprietarian' narratives associate property with the governance of the resources "needed to keep good order in the commonwealth or body politic" (Rose 2020 p.232). As Carol Rose (2020) explains, the idea of property-as-propriety, although deemed secondary in the modern political culture, is less about the owners' rights to maximize individual preferences and more about recognizing certain duties and responsibilities about how property is disposed of in society. The property owner is seen almost as a trustee of the community's resources, which entails a duty to govern the uses of property on the behalf of propriety and good order. What good order entails, though, may change according to the prevailing political philosophy.

Alexander's (1998) essay about property-as-propriety also describes the continuing appeal of 'proprietary' ideas in the US political environment. In this sense, he

argues, many political ideas still showcase substantive visions of a properly-ordered society that must prevail over commodified benefits of property. The 'proprietary' tradition of property, he says, "takes seriously the idea that the common good can be defined in substantive terms" (Alexander 1998, p.668). Unsurprisingly, the author argues, said manifestations of social morality are likely to steer controversy about the views of what constitute the proper social order.

Blomley (2005) explores the ways in which the 'proprietary' perspective of property - a conformity to that which is proper – influences municipal regulations of land use. Based on his interviews with local property owners of Vancouver, he makes the case that the enactments of property in urban gardens can depart from the current understandings of property, with a recognition that property can serve both private and public ends in non-excluding ways.

On a different angle, Davies' (2007) analysis of 'proprietary' ideas focuses on the subjectivities forged by ideas of property. She explores how, within the liberal cultural context, the metaphor of property as propriety, with its boundaries and exclusions, places people in socially significant hierarchies acting on the construction of social identities (p.13).

Incorporating all those reflections into the case study, I believe that investigating the persistence of the association between property and the proper order of the social and political spheres may constitute a useful analytical tool to understand why urban policies, such as the nuisance abatement program in New Westminster continue to play a role in city governance and how those policies can contribute to the establishment of negative associations towards rental spaces and renters.

2.3. Nuisance and the policing of rental housing.

The intersections between housing policies and social controls of marginalized populations in welfarist political systems have been consistently documented by the literature. Among other examples, US scholarship offers multiple analysis of the impacts of racialized policies of property acquisition in the segregation of black populations (Bonds, 2019), as UK research have been exploring the connections between public housing and the control of anti-social behaviour (Flint and Nixon 2006). For the objectives of this research, I have resorted to a subset of literature that explores governmental technologies at municipal level that have the extension of renters' social controls to the private rental market: nuisance programs and ordinances/bylaws.

The issue is especially relevant in the US and Canada where the direct provision of housing by the state has been gradually replaced by cash subsidies since the 1990s increasing the reliance of low-income population on the private rental market to access housing. In some of the cases registered by the literature, housing subsidies are paid directly to private landlords on the behalf of welfare beneficiaries, creating a *quasi-private* structure which puts landlords in charge of governing tenants' behaviours using the threat of eviction (Hughes 2021).

Across the United States, imaginaries of rental properties as deviant places - that enable the proliferation of gang activities - have survived the "law and order" policies from early 1990's and remain influential in public policies (Stark 1987; Archer 2019). Resting on the assumption of the criminogenic propensity of rental buildings, police-sponsored education programs to apartment owners have been a key strategy of local law enforcement to address crime in areas dominated by rental property since the early 1990's, both in US and Canada.

Amongst them, the Crime Free Multi-Housing Program (CFMH) is notable as an early example. It was first implemented in by the police department of Mesa, Arizona, to help landlords with expertise on drug and nuisance abatement and provide resource materials on proactive property management and the benefits of applicant screening as a form of crime prevention. As evidence of its immense popular appeal, many US municipalities have included this sort of training as a requirement for their licensing

processes of rental units (Munson 2005). New Westminster was the first city in Canada to implement the Crime Free Multi-Housing Program (CFMH) in 1994.

Although the “toolkit” of the CFMH has spread internationally, including Canada, with the help of the International Crime Free Association (ICFA), there is scarce literature analysing it under the perspective of crime control. An exception is Thacher (2008), who has exposed how the rise of the professional landlord and its correlated institutional structures (professional associations, property management and screening companies) have established a collective capacity that enables landlords to make criminal background screening, as much as evictions, a core part of the rental business, with the encouragement of public nuisance statutes. Those practices allow for the surveillance of marginalized populations inside their housing, by promoting a shuffling of people that are deemed to be deviant and a threat to the social order.

When it comes to reflection on Canadian nuisance bylaws and crime-free housing programs, such as the ones that are object of this case study, Flint & Nixon’s (2006) work on contemporary forms for controlling incivility, although referring to housing in UK, also offers valuable insights. Their article centers emerging forms of community governance, under which people’s private lives are increasingly subject to surveillance. In Canada, most specifically in British Columbia, crime-free and nuisance-free contractual addendums to tenancy agreements and nuisance bylaws reproduce a similar kind of behavioral regulation of the rental environment, not only for subsidized rentals but also in private rental properties.

Graziani et al. (2021) refer to ‘nuisance geographies’ to talk about the ways in which community policing targeting rental buildings reorganises property relations and how such forms of policing produce and criminalise the racialized personhood of tenants in the US (p.5). Those concerns have been gaining considerable scholarly attention in the last decade.

In a study about subsidized rentals in the city of Houston, US, Hughes (2021) discusses how neoliberal carceral logics of poverty governance have been carried out by private citizens through screening, surveillance, and eviction. Based on in-depth interviews with black mothers living in subsidized apartments, the author also identified the material consequences of precarious renters being surveilled at home: they are more

exposed to being caught breaking rules of cohabitation imposed by landlords, which subjects those subsidized tenants to multiple fines and, eventually, eviction. More than debt, renters can also lose government subsidies for housing, a process which exacerbates poverty and reinforces marginalization.

Desmond & Valdez (2013) have long argued for the need of policymakers to recognize the unintended effects of the over policing of renters in their research on consequences of third-party policing for inner-city women. Over policing enhances the housing instability of already precarious neighborhoods and conflicts with protective statutes against domestic violence and discrimination in housing, not to mention with procedural constitutional rights regarding eviction. From a similar perspective, Archer (2019) alerts us to the discriminatory effects of tenant screening in the US, pointing out that unrestrained reliance on criminal records disproportionately impacts people of color, as they are overrepresented in a biased racist criminal system.

On the same note, on an exploration of US criminal justice system, Miller (2019) characterizes the set of policies that act on segregated neighborhoods to enroll community-based actors and organizations to exercise punishment towards its members as a form of “carceral devolution”. Using an ethnographic approach, the author exposes how the act of housing someone accused of a crime may expose tenants to the risk of being evicted, and landlords to lawsuits or the loss of business licenses. Miller’s main contention is that the current politics of access to criminal records causes the legal exclusion of former prisoners from the political economy of the city, creating a kind of “civil disability” which affects civic engagement to job offers, housing applications and even the exercise of parental rights.

2.4. The emergence of care in housing governance

In the Introduction of this thesis, I have alluded to a recent ‘progressive turn’ in New Westminster’s social policies. Ideas of care and compassion have found expression in the City’s general framework for Diversity, Equity, Inclusion, and Anti-Racism (June 27, 2022) and, in several other policy documents such as the Homelessness Action Strategy (July 2022).

Homelessness governance has emerged as a relevant field of policy and academic interest for this thesis, because the topic goes beyond housing provision. The regulation of homelessness through policies and programs will likely reflect a broader approach of service provision by the state, and ultimately, is also telling about the relationship between politics, economics and ‘the social’ (Gowan, 2010). By reflecting on the transformation of governance through a larger spectrum of housing provision over the last decades, a complementary dimension is added to the analysis of the changes in governance of purpose-built rental housing in the City of New Westminster that explains the changes in the City’s approach to “problem” properties .

There is a rich stream of urban literature focused on the governance of homelessness on Britain, USA, Australia and Canada. Such research is helpful to situate some of the changes in the governance of poor people’s housing in the City of New Westminster, ever since a nuisance control abatement program for purpose-built rental housing was introduced in a municipal bylaw in 2004. Particularly, I note how the literature explores the coexistence between deep-rooted ideas of deservingness traced back to a political-economic liberal tradition and an emerging ethic of community care, mostly associated with service provision by the not-for-profit sector.

In the book *Hobos, Hustlers, and Backsliders: Homeless in San Francisco* (2010), Theresa Gowan proposes an analytical classification of discourses on homelessness using the categories of sin-talk, sick-talk, and system-talk. To each she correlates different strategies for managing poverty. The discourse of sin refers to the construction of poverty and homelessness as a moral failure that asks for punishment and exclusion. Sick-talk, which privileges a language of disease and dysfunction, characterizes homelessness as “a symptom of the severe mental illness and substance abuse of the few and had little to do with working and housing conditions for the many” (p.50).

Gowan explains that in US history, *sick-talk* has many times been in tension with *system-talk*, heavily used by activist of the anti-homelessness movement. *System-talk* gained traction in big urban centres the early 1980s, portraying homelessness as a by-product of structural unemployment and economic depression, both linked to the retrenchment of welfare politics. Gowan credits to the success of the anti-homelessness movement the opening of thousands of emergency shelters across the country during this period. Ironically, she observes, the professionalization of homelessness services rising from an existing tradition of charity work, gave space to the ascendance of *sick-talk* in the so called 'homelessness industry', taking the focus from systemic barriers to housing provision. The author describes a chronic homelessness push in the early 2000s, associated with a moral war on drugs in local communities, where police were mobilized in large numbers by local legislation to restore 'quality of life' for the middle class, by clearing downtown areas from the disorder/nuisance caused by the presence of homeless people.

This historical account provided by Gowan (2010) of public discourses about homelessness in the contemporary history of US helps to provide context for many of the urban policies that have been taken place in New Westminster in the last three decades, since this political field is permeated by a considerable degree of policy mobility between both countries. Recent evidence of that sort of mobility is found in New Westminster's Homelessness Action Strategy (Jul, 2022), that specifically acknowledges US cities such as Portland, OR and Seattle, WA as part of research for 'best practices' in the municipal governance of homelessness. On that note, the document also recognizes the influence of "a 'Housing First' approach, whereby stable housing is seen as a first step towards transitioning people out of the cycle of homelessness and poverty" (p.10). In the policy field of homelessness, the 'Housing First' approach has many times been associated with initiatives guided by an ethic of care. However, the ambivalent politics and implementation of 'Housing First' programs have been discussed by many in academia, some of which I will briefly introduce here.

Adopting a systematic perspective, Baker and Evans' (2016) basic contention is that the philosophy of offering permanent housing as the priority step in a system of health and social supports for the homeless population might translate in different outcomes, depending on complex local interactions between socio-economic regulations, policies and programs. The authors claim that neoliberal and socially progressive tendencies may

coexist in Housing First initiatives. As progressive as the removal of moralizing conditions to access housing may seem, local programs will usually focus on the pathologies of the 'chronically' homeless rather than in structural causes and be often aligned with street clearance objectives.

Using a more ethnographic approach, Johnsen, Cloke & May (2005) have situated their analysis of the workings of day centers for homeless people in UK in the interstitial space of debates about the growth of punitive urban regimes and ordinances criminalizing street survival strategies (referred for many as a 'revenge' of middle class against the poor) and emerging research about the 'spaces of care' in the non-profit sector. In a context of retrenchment/out-sourcing of statutory welfare services, non-profit shelters and day-centers have become crucial in the provision of sustenance and shelter to homeless people in large urban centers. The authors argue that a different ethos of care can be enacted in those spaces, with emphasis on the acceptance of conditions imposed to make use of the available material support. The research revealed how under-funding and safety concerns impact the complex and fragile forms of social control and inter-personal relations taking place in the 'spaces of care', where heterogeneous groups of service users also reproduce understandings of who are the (un)deserving people among them.

For decades, George DeVerteuil has been writing about urban poverty management and the regulatory environment of the voluntary sector providing services to the homeless population in the US, Canada, England and Australia. In 2012, in an article critiquing mainstream grammars of urban injustice, he looks to practices of the urban voluntary sector to assert the co-existence of logics of control and care in the work of those organizations. Shelters, he argues, provide crucial elements of caring and sustenance, while also serve to "remove and contain populations deemed disruptive for prime urban spaces" (p.881). Initiatives such as safe injection sites located in Vancouver's Downtown Eastside are also seen as ambivalent, since they are guided by a more tolerant ethos if compared to previous policies, but also serve to avoid public drug consumption in gentrifying areas of the city. In the same article, connections between service provision by voluntary organizations in inner-city areas, gentrification and punitive measures were analyzed for different cities, and the findings show local variations in the balance between punitiveness and care delivered both by the state and the voluntary sector.

Lastly, it is worth mentioning recent scholarship from Australia in housing governance, given the many parallels that have been observed by scholars and practitioners in the features of national housing crisis recognized by governments of both that country and Canada. Clarke & Parsell (2020) use the case of housing-focused interventions in the city of Brisbane to explore the progressive potential of caring approaches to end homelessness and, show how vulnerable those initiatives can be to 'revanchist' tendencies that seek to restore 'quality of life' in the inner-city. As an example of how care-oriented interventions may take on a punitive feel, the authors explore the way in which measures to prevent entrenchment of homelessness populations on the city are enforced in the streets by local authorities in connection with housing first initiatives.

Although the impacts of neoliberal policies of housing financialization on decreasing levels of homeownership and increasing rise of urban rent prices has taken some priority in the Australian housing debate, Power & Mee's work on housing as infrastructure of care (2020) poses an innovative analysis of the connections between the market, tenure specific policy practices and a care ethics in policymaking. Using the concept of infrastructure to talk about systems that organize the possibilities of urban social life, Power & Mee (2020) explore how housing systems create difference in care opportunities according to social position. They question the marketization of care and housing in the Australian neoliberal context and the policies that place housing as a privatized asset base for funding welfare needs. Moreover, the authors argue for a relational approach in which care is understood outside of the realm of private/domestic issue and it is elevated to a necessary concern of social policies and invites us to ask how housing systems (and governance) may enable access to care by equity-denied groups and, to think housing policies beyond property rights to secure that everyone is able to access the caring affordances of a home regardless the kind of tenure.

This section was designed to provide a brief retrospective on existing literature about contemporary ideologies undergirding housing governance that may help to contextualize some of the changes in the City' of New Westminster's approach to "problem" properties. Although "revanchist" claims of the middle-class against the visibility of the homeless population in the downtown area of city are still a constant background, words like "inclusion" and "care" in service provision have found space in New Westminster's policy vocabulary.

The idea that nuisance must be addressed through repressive policing has, for now, lost ground on municipal initiatives and discourses about homelessness in New Westminster. “Sick-talk” about mental health and illicit drug use is the prevailing language in the execution of homeless assistance by non-profits and the public health agency of the region. Even if the Rental Units bylaw has not changed the regulation of the nuisance abatement program, It would be surprising if the problematization of nuisance on purpose-built apartments remained focused on tenants’ disorderly behaviors, such as drug use. A “compassionate” approach to municipal intervention in low-income apartment buildings challenges city staff to position rental units under the lens of care through the idea of housing adequacy. In doing so, they have been re-signifying nuisance as a lack of maintenance standards by the landlord.

2.5. Conclusion

The focus for this case study is the problematization of rental properties as nuisance spaces. The inquiry is designed to capture what narratives inform municipal agents' understandings about public interventions focused on private rental properties, and how processes of framing and reframing policy problems may influence the decisions they make regarding those spaces.

To support my analysis, I have first reviewed policy literature on governmental problematization, under a post-structural policy approach, with an emphasis on the issue of temporality in the making and unmaking of policy problems, relying mostly on Van Hulst and Yanow's (2016) writings on the dialectics of framing and reframing public policy issues and Lejano, Ingram & Ingram's (2018) approach of policymaking as a narrative process.

Before introducing the references about nuisance abatement in the context of urban governance, I have looked into scholarship on the centrality of property in the North American political context, including the repercussions of a 'proprietary' understanding of property lingering in political institutions. Then, I have covered the literature about housing and rent being used as tools to promote urban order, rental properties as nuisance spaces, and property management in rental spaces as a form of third-party policing. Lastly, I have explored the emergency of a new compassionate framing in housing governance, emerging from the literature on homelessness governance.

Chapter 3. New Westminster's governance of urban (dis)order.

This chapter provides a background to New Westminster's policies and regulations regarding the control of (dis)order in the urban space. The retrospect is outlined to explain the conditions that allowed the approval of a bylaw introducing a nuisance abatement program to sites of multi-housing rental living in the year of 2004. Using archival data (newspaper's articles) and staff interviews as source, I have highlighted some policy milestones on the municipal governance of 'quality of life' which aimed to reduce perceived urban disorder through spatial interventions. I have also described the local political context in which 'problem properties' became a policy issue in the City.

3.1. "Quality of life" in New Westminster

McArthur & Robin (2019) characterize discourses of livability as those which refer to ideal relations between urban environment and quality of living. As suggested by the authors, the lack of a specific content attached to the term livability allows for different actors to engage in different interpretations of the term and produce outcomes that are even in tension with each other. In other words, the framing of urban problems in terms of livability articulates very loose aspirations of cities as desirable places to live, while entailing conflicting views about the specifics of how to improve quality of life.

This section shows how local policies on the management of urban disorder are often supported by the discourse of the livable city. The task of promoting livability was (and still is) commonly found in mission statements of a considerable number of municipalities in the Vancouver metropolitan area, where New Westminster is situated. In this context, interventions to reduce public nuisance are justified as measures towards the improvement of quality of life and community well-being, through the protection of valued elements of urban aesthetics, such as cleanness and order. In New Westminster's Official Community Plan (2017), nuisance abatement measures, such as the CFMH program, are framed as part of the livable city narrative.

Nuisance abatement policies can be traced to theories of crime prevention through environmental design (CPTED), made popular in 1975 by Vancouver area Simon Fraser University researchers Brantingham and Brantingham (Inlow 2021). Design principles of

CPTED, focused on external visibility of common areas, are currently recommended by the Provincial Government of British Columbia for the design of multi-housing units⁴, and those guidelines are enforced by most municipal building bylaws, including New Westminster's (2019). Recent iterations of CPTED literature still argue that, more than preventing crime, urban aesthetics fosters pride, collective ownership, and emotional connection, contributing to a higher level of livability (Mihinjac, 2019).

Interviews with city staff and local media archives revealed that New Westminster's current regulatory framework on environmental and behavioral standards for multi-unit rental housing was proposed by the municipal administration in 2004 as an incremental response to revitalize what was problematized as a conflictual urban environment. Downtown New Westminster became regionally notorious for a high number of criminal incidents and arrests related to drug trafficking, with this often tied to stigmatized perspectives of rental housing tenants.

Back in 1996, the city's local press published an article referring to a report by the provincial Attorney-General's ministry that found the crime rate in New Westminster to be the highest in the Lower Mainland. The article added that the City had also ranked highest in non-sexual assault, motor vehicle theft, offensive weapon crimes, vandalism and crimes against individuals, for consecutive years. Interviewed about those statistics at the time, one of the city's councillors drew a direct connection between crime, drug use and lower rental price apartments, that is very representative of the overall narrative reported on the newspapers: "We have a lot of rental stock and lower rental price apartments here. We also have a high level of intravenous drug use. Obviously, a lot of our problem comes from our social issues" (FONG, P. 1996, Aug 14).

The late 1990s saw an effort by the City to revitalize Columbia Street, once a thriving retail stretch before the decline of the wood products industry in the 1970s, and also New Westminster's 12th Street (Ward, D. 2002, Oct 28). On Columbia Street, grants were offered to revitalize heritage properties. As for the neighborhood around 12th Street, businesses, property owners and residents' association led a community committee to ask for a comprehensive revitalization of streets and buildings, whether heritage properties or not. In that context, the idea of renovations based on CPTED gained traction, as well as

⁴ <https://www.bchousing.org/publications/Crime-Prevention-Environmental-Design.pdf>

the idea of curbing 'preventable' nuisance calls by establishing a fee for homeowners whose properties generated excessive nuisance calls, also known as "problem properties" (MacLellan, J. 2003, Aug 23).

3.1.1. Regulating nuisance on the streets

In the spring of 1998, the approval of two pieces of legislation by City Council provided an indication of the perceived priorities of the municipal administration regarding perceived and real crime activity in the downtown area: an anti-panhandling bylaw and an anti-nuisance bylaw were brought into effect in New Westminster. Both of the bylaws were passed referencing the provincial Municipal Act which authorizes municipal Councils to regulate land uses to prevent nuisance behaviour on highways and other public places.

In exercising its prerogatives regarding the control of public space with the purpose of keeping the city free from drug activities, the local administration's strategy was to restrict the presence of certain classes of undesirable individuals. The Public Nuisance bylaw 6478,1998 introduced the concept of "excluded person" for those convicted of trafficking and banned their access to a large area of the of city (City of New Westminster).

Although both the anti-panhandling bylaw and the anti-nuisance bylaws were meant to regulate the use of public space by the issuing of tickets, an institutional environment of zero-tolerance for drug related activities seemed to have had spillover effects on private dwellings as well. By the end of 1998, the B.C. Civil Liberties Association filed a complaint to the Office of the Police Complaint Commissioner about the actions taken by New Westminster police to deal with street-level drug trafficking. Among other issues, the civil liberty group complained that the police had not been using warrants to search and seize property in private dwellings and had been gaining access to those households on the basis of assisting other authorities, such as fire and health inspectors, when their motivation was really to pursue criminal matters (Morton, B. 1998, Nov 24).

In the year of 2000, the B.C. Civil Liberties Association filed a challenge in B.C. Supreme Court against New Westminster's anti-nuisance bylaw that created no-go zones targeting drug dealers. As the bylaw stood for a couple of years, anyone convicted of drug-trafficking offence in the last twelve months could not be found around the 12th Street Corridor or step off any of the municipality's three SkyTrain stations (2000, Mar 08).

Faced with the court challenge, city administration decided to repeal substantial part of the bylaw and gave up the no-go zones for excluded individuals. At the time, the move was supported by the police department, claiming that the trafficking problem at the streets had been managed. However, local media coverage highlighted that the retreat caused frustration to the business sector and residents that still felt threatened by criminal activities in the streets (2000, Mar 08).

The idea of getting rid of crime and disturbance in the city by excluding certain groups of people from the territory can also be observed in the popular use of the label “Honduran crisis” among the public and local policy makers to refer to the rise of the drug trafficking activity in the city. Thus in 1998, municipal officials publicly approached the Honduran ambassador with a request to expedite the immediate removal from Canada of any Honduran national ordered deported for drug activities (Sarti, R. 1998, Nov 04).

The Mayor, seeking re-election in 2002, proudly declared in a newspaper profile that “[w]e’ve gotten rid of the stigma of crime in our downtown” (Ward, D. 2002, Oct 28). Nevertheless, the logic of people’s removal had limitations. The street sweeps from the anti-nuisance zones that took place in 1999, commonly referred by the newspapers as a downtown “clean up”, did not end the sources of traffic, only causing drug activities to move indoors, as reported by local newspapers (Wickett, M. 2003, Jul 23).

In July 2001, new municipal legislation followed: city council passed the Controlled Substance Property Bylaw No. 6679 to prohibit the use of property for the trade, business or manufacture of controlled substances, as houses were starting to be identified as marijuana growing operations. As for older apartment buildings around downtown, they were allegedly being rented by drug dealers, causing frequent police raids in apartment buildings (Wickett, M. 2003, Apr 26).

3.1.2. Controlling nuisance on rental properties

In New Westminster, purpose-built rental apartments are governed by the “Business Regulations and Licensing of Rental Units Bylaw n 6926, 2004” (referred to here after as the Rental Units bylaw). In the province of British Columbia, the regulation of tenancy agreements falls under the Residential Tenancy Act (2002)⁵. The Residential Tenancy Bureau is the sole agency responsible for enforcing it. Nevertheless, municipalities are responsible to set the conditions for licensing business spaces. In sum, the Rental Units bylaw requires the property owner to apply for a business license before putting units available to rent on the market and establishes minimum maintenance standards for the property and for the rental units.

This thesis section looks to the bylaw amendment that introduced the regulation of nuisance complaints generated by the misuses of purpose-built rental properties in the City. Through this legislation, which started to be publicly debated in the city in 2003, the concept of nuisance inside and around rental units was substantially amplified in comparison to the pre-existing concept of public nuisance from the Public Nuisance bylaw 6478 (City of New Westminster, 1998). Ever since introduced in the City’s Rental Units Bylaw, nuisance in rental buildings has been defined as:

“any activity, conduct or condition occurring on or near a residential property which substantially and unreasonably interferes with a person’s use and enjoyment of a public place or of land or premises occupied by that person or which causes injury to the health, comfort or convenience of an occupier of land” (City of New Westminster, 2004).

The highly discretionary aspect of the definition can be identified in its use of subjective and vague concepts such as enjoyment, comfort, or convenience. Such vagueness is commonplace in municipal regulation. To this point, some legal scholars observe that allowing for discretion in lower levels of state regulation, such as nuisance regulations, is a strategy based on the idea that order and well-being can be reached through a form of ‘practical wisdom that knows which concrete measures will work in the particular circumstances’ (Dubber and Valverde 2008a, 5, also Blomley 2011).

⁵ Residential Tenancy Act, SBC 2002, c 78, <<https://canlii.ca/t/554qz>> retrieved on 2022-06-09

Regulation powers operative in the lower levels of state regulation are easily overlooked, as Blomley (2011) reminds us. They can be seen in random lists of “apparently mundane problems and situations, in the service of open-ended categories, such as ‘nuisance’ for example” (p.6). On a practical stance, city-level practitioners are challenged to exercise, almost on a case-by-case basis, a contextual interpretation of ideal dynamics for the use of urban space. To respond to a nuisance call, a bylaw officer has to answer implicit questions of who can enjoy a private property (or its surroundings) and decide in which terms enjoyment can be had without disturbing someone else’s use of land.

Asked about the rationale for introducing nuisance regulation for private rental properties in 2004, a member of the City’s managerial staff, who was actively involved with the introduction of those changes in legislation, promptly acknowledged the goal to push away drug dealers who sought to establish a living at the city:

For us it became just looking at some nuisance abatement regulations; mainly had to do with what was happening around Skytrain stations; because the Skytrain stations, the police were saying were really becoming the hotbed of drug trafficking, and then we started hearing from senior crown counsel that we couldn’t use typical no-go zones that the police can use because these people lived in New Westminster.

So, there were drug traffickers, they were convicted drug traffickers, but the courts couldn’t really impose no-go’s around the Skytrain stations because they were New West residents. Then we started going, ‘okay, well where do they live?’

So, we started seeing then a correlation between where they were living and the same places that we were getting a lot of community complaints. So, residents coming to us quite frustrated with us because we weren’t able to do a whole lot. And they were talking about things like, you know, late night noise, cars coming and going, they suspected there was drug dealing but we couldn’t tell. But we knew that there was a spike in police calls at some of these addresses.

So, then we started trying to do more work with some of the landlords and trying to look at adopting the principles of crime-free multi-housing. And then looked at that as a best-practice of a way of looking at screening mechanisms, in particular we were focused on people with basically a criminal record and focused mainly on drug-dealers. (Senior City Management, Personal Interview. Jun 28, 2022)

The CFMH program was adopted by the New Westminster Police Department in 1994, inspired by the model developed a few years before by the police department of Mesa, Arizona in the US. The program's core concept is to offer landlords training for management practices that could prevent or abate nuisance behaviour and crime. Those measures would include, among others, tenant screening, monitoring the conduct of tenants and their guests, as well as advice on contractual adjustments for allowing swift evictions⁶.

In the case of New Westminster, in May 2003, the local newspaper reported several initiatives under discussion with residents, merchants, property owners and managers to tackle the issues of crime prevention and commercial revitalization in the 12th Street corridor. Incorporating the principles of Crime Prevention Through Environmental Design (CPTED) on the streets and on its rental properties was one of the priorities (MacLellan, J. 2003, May 07).

However, the local media reported some controversy at the public consultation stage about the use of municipal licensing powers to make landlords accountable for the renters' uses of property. The most controversial item from the proposal was the introduction of the *excessive nuisance abatement fee* as a financial liability for property owners who failed to comply with obligations of pro-active property management. According to the proposal, later approved as a bylaw, if the police or city officials were required to respond to at least three nuisance service calls for the same rental property within one year, the proprietor would be notified to abate the conduct/activity/condition and show evidence that it would not re-occur. After that, any nuisance call originated from the property for a period of two years would be charged as property tax.

6 <https://www.nwpolice.org/community-services/crime-prevention9/cfmh/>

This was a new chapter in the efforts to ban drug related activities from the city that was attuned with the police problematization of drug possession. By 2003, the local newspaper reported that federal government ideas of decriminalizing possession of marijuana did not resonate with the local police board (Wickett, M. 2003, Nov 15). When the proposal to amend the Rental Units Bylaw was brought forward for comments by the police board by the city's director of strategic services, the innovations were summarized by the local newspaper in these terms:

An extraordinary cost bylaw would set a threshold for nuisance-related police and city calls to rental residential properties. When the threshold is reached, the city would bill the landlord for any further nuisance-related calls. Nuisance (or preventable) calls are those that disturb others in or around a building, but do not involve a victim of a crime. To come up with the proposed threshold, the calls of six buildings in the Crime Free Multi-Housing program were compared to the calls of six problem properties. The comparison indicated that a problem property will likely have at least 10 times the number of preventable calls per unit that a well-managed property has (MacLellan, J. 2003, May 07).

The fact that the new measures were limited to rental apartments was featured in the newspaper from the perspective of proprietors of rental apartments, claiming that they endured a bigger burden than single-family proprietors (MacLellan, J. 2003, May 07). Concerns about renters being submitted to discriminatory regulation of behaviour in their residences were less frequently reported in the local media, but were also present:

"I don't support intense scrutiny of rental properties," said Councillor (...), who doesn't oppose inspections if something triggers an inspection. "I think the majority of our renters are fine people." (NAME REMOVED) doesn't want inspections to be something that could be abused by staff or landlords (MacLellan, J. 2003, May 07).

The public discussion was conducted by the administration echoing the idea that "some apartment complexes used more than their fair share of police time" and the bylaw amendment proposal was framed as a way to avoid the unreasonable use of public resources. In this context, "problem properties" were pictured as the source of disturbance

and public expenditure. Meanwhile, the CFMH police program offered metrics to show the reduction in the numbers of nuisance calls achieved in properties where it was operated, what cause the program to be seen as a best practice and incorporated into legislation.

In 2004, the City Council of New Westminster approved bylaw amendments to the Business Regulations and Licensing (Rental Units) Bylaw 5814, 1989 which introduced *pro-active property management* and nuisance control as a condition for the licensing of rental units, reflecting the assumed best practices of the Crime Free Multi-Housing Program (CFMH). At this new iteration, the Rental Units Bylaw 6926, 2004 explicitly referred to the purpose of “ensuring the safety of tenants and persons in the vicinity of rental units” as a reason for adopting the crime prevention policy (City of New Westminster).

Although the amendment in question never imposed any direct obligations or prohibitions to tenants, it established financial consequences for proprietors who failed to inhibit a certain limit of nuisance abatement requests connected to tenants’ conducts. The new regulation imposed an *excessive nuisance abatement fee* for rental properties ‘where police or *City* officials have been required to respond to three (3) or more *nuisance service calls*’ in a year. The definition of *nuisance service call* being as broad as a criminal offense, an unreasonable interference with a person’s use and enjoyment of the premises or an offense to the comfort or convenience of an occupier. As for the conditions for rental licensing, the amendment introduced an express duty for the landlord to conduct proper tenant screening and monitoring conduct of tenants and guests to prevent or abate nuisance behavior. By regulating acceptable uses of rental property based on community complaints, the bylaw also legitimized an exclusionary housing pattern grounded on the stigma against marginalized renters.

3.1.3. New Westminster's connections with the Crime Free Multi Housing Program.

New Westminster was the first city in Canada to implement the Crime Free Multi-Housing Program (CFMH). In 2004, the same year CFMH references were incorporated to the New Westminster's Rental Units Bylaw, Gerda Suess – the first building owner in Canada to be certified under the Crime Free Multi- Housing program – was honored with the title of New Westminster's citizen of the year. She was an individual champion of the CFMH that used her personal connections to persuade the city administration and police department to bring the program to New Westminster in 1994.

In 1992, the CFMH program was created, in Mesa, Arizona. The Mesa program founded the International Crime Free Association⁷, of which Suess became an active member, assuming leadership of the B.C. Crime Prevention Association - BCCPA. The local chapters of the Association all over North America advertised and promoted certification to property owners and members of police willing to adopt the CFMH program, by disseminating a tool kit of measures to institute no-tolerance environments for crime and nuisance behavior on apartment buildings.

A newspaper profile from 2004, written as a celebratory piece for the award of citizen of the year (Pappajohn, L. 2004, Mar 27), describes Suess' involvement with city politics as an unplanned endeavour of "a woman with a passion for cleanliness and order" who "also took on the formidable task of cleaning up the city" starting by the surroundings of her rental property, noting that "in the 1980s, nearby houses turned into unkempt rental properties and the neighbourhood began to go downhill."

The metaphor of "cleaning the city from crime" was commonly associated with the advertisement of the CFMH program in metropolitan newspapers. In these pieces, Suess' personal style of property management and New Westminster's CFMH were frequently featured as a unified achievement and part of the city's accomplishments against crime:

"I said jokingly, 'Why don't the police just open up an office here on Ash Street? They'd be busy full-time,' " [Suess] said. Suess lives in the building, so she has always been careful about who she rents to. But other buildings were less vigilant, with managers more interested in making sure the units were filled than doing background checks or asking

⁷ http://www.crime-free-association.org/about_crime_free.htm

for information that might suggest a tenant could be a problem. She became very discouraged about how other apartments were run. "The 200-block Ash Street was probably the worst crime area in our city in 1995," she said. "And it cleaned itself up in a matter of a year or a year and a half." [NAME REMOVED] is the coordinator for New Westminster's crime-free program. She says it has done "wonderful things." It is voluntary, with about 65 out of 300 apartment buildings in New Westminster having signed on. To complement the program, New Westminster has passed a bylaw that targets problem buildings that haven't volunteered to clean up. For those buildings, if police are called regularly for loud parties, drunken behaviour or other nuisances, they can issue a maintenance order to have the building clean up its act. If the police are called again, the building is fined. The goal is to get people to take responsibility for their property and manage it in such a way that is not a detriment to police resources or the neighbourhood, [NAME REMOVED] said (Anderson, F. 2008, Apr 05).

In 2008, Vancouver's local newspaper cited Suess' property as a model block for crime-free living:

It was one of the worst streets in New Westminster, with a constant flow of police cars responding to reports of loud music and vandalism. But just over a decade after the city signed on to a crime-free multi-housing program, Ash Street is cleaner, safer and a much nicer place to live (Anderson, F. 2008, Apr 05).

At that same year, Vancouver's Mayor visited Gerda Suess's apartment as part of plans to extend to Vancouver the program already consolidated by New Westminster. The acting mayor of New Westminster also attended the visit and was quoted on her praises to the proprietor's initiatives to reduce crime in the city:

"Through Gerda's foresight and with the cooperation of council, New Westminster police and other apartment owners in our city, we've proven that this is an approach that can reap positive, lasting results for a safer, more livable community" (McManus, T. 2008, Feb 20).

Asked her opinion whether criminals hadn't just moved somewhere else, not disappeared, Suess agreed, but stated that she was happy with the state of her neighbourhood: "[The problem tenants] just don't live here anymore, they are just not welcome anymore," Suess said. "They've gone elsewhere (Anderson, F. 2008, Apr 05).

As a community police program, CFMH enacts a spatialized logic of social ordering that leads to the shuffling of outlier individuals to avoid disturbance and crime. The underlying premise is that renters' disturbing behaviors, whether criminal or nuisance, can be avoided with measures of pro-active property management, such as screening for

criminal history and an active enforcement of contractual abatement, leading to possible eviction. The program relies on proprietors acting as gatekeepers of residents to keep an orderly urban environment. As for the renters' position, the CFMH promises the filtering out of bad tenants for the benefit of the law-abiding residents.

During the 2000s, the crime free approach for multi-housing living became considerably popular in British Columbia. Municipal police departments and the RCMP in various municipalities promoted the program relying on training and certification by BC's Crime Prevention Association: Surrey, Langley, Maple Ridge, Burnaby, Richmond, Chilliwack, Vernon, White Rock, Mission, Comox Valley, Victoria and Prince George are examples of cities that adopted the program⁸.

A Residential Tenancy Agreement Addendum produced by BCCPA, as part of the CFMH, started to circulate at various rental companies, outlining what disturbing activities from tenants and guests would give cause to eviction, including any drug-related or solicitation activity (Hewlett, J. 2008, Jan 09). Not only market rental companies made common use of the Addendum, but this eviction tool also was incorporated by BC Housing as a guideline to rentals offered by non-profit housing providers, and up until today imposes not only a general banning of criminal activities that threatens the health, safety or welfare of the landlord or any person on the residential premises, but also penalizes with eviction any nuisance activity related to drugs and the sex trade⁹.

In 2020, at a meeting of the housing committee of Metro Vancouver Regional District, municipalities disclosed that the CFMH Program was still active in Richmond, Surrey, New Westminister, Maple Ridge and Burnaby, promoting the semi-annual safety social with residents. Nevertheless in 2021, BC Crime Prevention Association announced its dissolution, leaving to police departments the task of maintaining the program at their own expense. At the public statement of dissolution, the board of BCCPA suggested that their model was no longer viable because "in the age of technology, demands for in-person learning and needs for support have dramatically reduced. Crime prevention relationships

⁸ <https://bc-cb.rcmp-grc.gc.ca/ViewPage.action?siteNodeId=38&languageId=1&q=crime+free&cn-search-submit=>

⁹ <https://www.bchousing.org/publications/turnock-crime-addendum.pdf>

are now well established, with more extensive programs to support smaller communities with information sharing”¹⁰.

Reflecting those changes, when I asked New Westminster’s staff to describe how CFMH might still be useful in a different context, the bylaw officer responsible for enforcing nuisance abatement orders did not once refer to tenants’ behavioral issues:

(...) the crime-free multi-housing, we go through a walkthrough with the property owner and make sure that the property has the most, is up to date and its safe. It’s a program that the property owner can sign up for and we can, and deal with certain issues and if they’re part of the crime-free multi housing it’s noted on their business licensing that they’re part of the City and that they are aware and that they’re protective of their property. (Bylaw enforcement officer, Personal Interview. Jun 24, 2022)

. The language of efficient management toward the goal of proper housing conditions is clearly preferred by staff. The program is now framed as a requirement of responsible property management, mostly connected to the upkeeping of environmental safety measures to protect tenants.

10 <https://www.oceansidecsv.org/content/bc-crime-prevention-association-dissolved>

3.2. Repositioning rentals and livability policies in New Westminster

This section shows how changes in the dynamics of the housing market in (and around) the city of New Westminster has been accompanied by new municipal policies that may affect the governance of housing in the City, from the managing of homelessness to new institutional supports for rental tenure.

New Westminster, unlike other municipalities in the metropolitan area of Vancouver, is a small densely populated city. About two thirds of the dwellings that accommodate it's almost 80000 inhabitants are in apartment buildings, both purpose-built rentals and condominiums. (Statistics Canada 2022). When it comes to the types of tenure, the City's Housing Needs Report 2021-2031 places market rentals as a strategic source of local housing, providing more than a third of the city's total housing supply (City of New Westminster, 2021).

According to a recent report, within New Westminster's private rental market, over 9000 rental units (more than half of it) will be found in 300 plus multi-unit apartment buildings constructed over forty years ago, specifically for the purpose of providing affordable long-term rental tenure ¹¹ (City of New Westminster, 2019).

On the other side, in the current housing market of Vancouver metro area, there is a demand for investment in rental housing driven by business immigrants, high-income earners of the creative industry or even financial investments (Moos & Skaburskis 2010; Gurstein & Yan 2019). Consequently, rent has become unaffordable for those working in lower-income precarious jobs and even in middle-class occupations, such as the public service (Carpenter & Hutton 2019).

¹¹ Also referred to as purpose-built rental housing, secure rental housing or primary rental market, this housing can be distinguished from the secondary rental market where the units can be taken out of the market at any time.

3.2.1. The changing face of rent

The impacts of housing unaffordability to Metro Vancouver's middle class are abundantly portrayed in the local media. A recent chronicle published in the *Mclean's* magazine, called 'The end of Homeownership', offers a personal perspective of the struggles of middle-class millennials' to leave the rental market and a growing resentment about the privileges of the previous generation when it comes to opportunities to own housing. "In 1986, a young adult working full time could expect to save for a down payment in five years. Now, they'd have to save for 17 years—nearly 30 in Vancouver or Toronto" states the author, as she comments on research that connects rental tenure with women delaying parenting age. It seems no coincidence to her that in BC this average age is the highest of the country (Cyca, 2023).

In Chapter 2.2, I referenced literature that explores the political roots of how homeownership policies took priority in the Canadian housing system. Since the post-war era, monetary and fiscal policies favoring low mortgage rates and the suburban sprawl of single-family zoning have, among other factors, played a part in making homeownership a project likely attainable for the middle-income boomer. Therefore, until the ideal property comes up, rent has been considered a transitory situation in the life cycle of the middle-class Canadian.

However, in this section will show that the Canadian real estate scenario has gone through significant changes over the past decade. A "national housing crisis" is how all levels of government describe the growing unaffordability of housing in urban centers, with Metro Vancouver consistently ranking among the most expensive regions in the country to buy or rent a dwelling. Between 2000 and 2019, Canadian median nominal income rose by 74% as housing prices increased by over 230% (Zhu et al. 2021). The homeownership imaginary seems to be threatened for younger adult generations given a growing mismatch between average income growth and the much faster increase in property prices.

A general decrease of homeownership rate was observed from 2011 to 2021 (66.5% in 2021): the decline in those rates was attributable to growth in renter households being more than double the growth in owner households. The generational chasm regarding homeownership is clear: baby boomers, or those aged 56 to 75 years in 2021,

accounted for the largest share of homeowners (41.3%) in Canada in 2021. At the same time, millennials, aged 25 to 40 years in 2021, represented the largest share of renters (32.6%) (Statistics Canada 2022).

Fewer people being able to achieve homeownership leads to more competition in the scarce environment of private rental housing. That gives landlords the leverage to charge higher prices targeting middle-income residents that will pay expensive rents to remain in the inner city, since they no longer can buy homes with their salaries. According to a recent paper published by the Canadian Center of Policy Alternatives examining the gap between the minimum wage and what it costs to rent an apartment in Canada, in Vancouver, to rent a one-bedroom apartment, one must work over two full-time minimum wage jobs. (Macdonald & Trajan, 2023).

Statistics Canada notes that in Metro Vancouver the strong population growth in the downtown areas is accompanied by urban spread, with rapid growth in the distant suburbs (Statistics Canada 2022). Grigoryeva & Ley (2019) talk about the existence of an intra-metropolitan ripple effect in the housing prices of the region. Further research is needed to evaluate similar patterns in rental market, although anecdotal evidence gathered from the local press (and experienced by myself from living in the region in the last four years) suggests that the rental markets of suburban municipalities of the metro area, such as New Westminster, respond very quickly to the rise of rental prices in Vancouver.

Although rent increases for tenancy agreements are provincially regulated in British Columbia, the limitation for rent increases applies only to individual rental agreements. There is no annual limit to increases for the same rental units if those are applied for different agreements. This means that every end of a rental agreement opens the door for unregulated rent increases for the next tenant. The higher the turnover rates, the higher the profit¹². Accounts of the struggles of median income earners of the region in the rental market have been coming up with frequency in local news.

¹² According to the Canada Mortgage and Housing Corp.'s January 2023 rental market report, Vancouver reported an average of 3.9 per cent rent increases for non-turnover units versus 23.9 per cent for turnover units.

One of those stories features a BC public servant who, until recently, paid affordable rent in a purpose built rental property in New Westminister, that burned down in March 2023. With an income just under \$70,000 a year, this person has not been able to secure a rent she could pay in Metro Vancouver and had been couch surfing for four months (Arrthy Jul 19, 2023). Similar headlines abound in the newspapers about families that earn regular income and after facing eviction, have to move from the region or even the province to find affordable housing. Not being able to save for a mortgage down payment, middle-class renters now fear not being able to keep up with the soaring prices of rentals in the region.

As homeownership becomes increasingly hard to achieve in the region the narrative of the transient renter has been changing in the New Westminister. High rise buildings keep emerging in the landscape of the downtown neighborhood, following a model of transit-oriented development around the Skytrain stations, many of them marketing themselves as luxury rentals. Even condominium developments advertise how suitable the units are for investing in rental. The old imaginary of purpose-built apartments as hide-away places for traffic and disorder fades away as gentrification spreads in the local rental market and a squeezed middle class now competes for affordable rental spaces.

The New West Anchor, a newsletter edited by a local journalist, produce a series of posts about millennials in city and reported long-term renters from the mainstream middle-class arguing for the end of renter's stigmas:

I have never been able to afford to buy even though I'm a single person making a decent tech salary, which still isn't enough. My mom's a single retired teacher, so I don't have any family wealth there," says Schwantje, who adds that he's not sure if he's a renter by choice or because he has to be. 'I think it's a little bit of both to be 100% honest, because I know I could afford to buy elsewhere if I were to leave here which I [won't] because New West is my home.' He's also hoping people stop looking down on renters—something he says he's experienced living in the city. 'People think we're transients who don't care about our community, and I've tried through many of my efforts in the last 10 years to fight that ... but I'm a renter through and through and will be for the foreseeable future'.(Renouf, Ria December 15, 2022)

This testimonial summarizes the profile of the middle-class renter that matches the description of an intra-regional competition for the new 'creative class' (see Florida, 2014).

Integration to a global economy requires of cities fierce competition for capital and labour. As many North American cities that went through changes from industrial to service-oriented economies, New Westminster, as a suburban municipality in the metro area of Vancouver faces additional challenges of intra-regional competition when it comes to anchoring human capital to fuel investments on "new economy" sectors such as I.T. and digital media, where capital appears to be volatile (Barnes, Hutton & Siemiatycki 2016).

It makes sense that the regulation of rental units in the city becomes part of the economic development of the city. For economic reasons, tenure neutrality in municipal policies seems to be the new sensible path to housing governance. However, the looming question is whether the large voting contingent of homeowners, still a majority in the region, will support policies that change the balance of land use privileges in favor of rental tenure. In the political context that gave rise to New Westminster's nuisance abatement program for rental units in 2004, municipal efforts to regulate and promote the suburban middle-class aesthetics of the livable city answered to claims of homeowners and business. Changes in the local housing market and its repercussions in the City economy, although recognized by staff, may not yet have the support of voters' majority in the electoral riding.

3.2.2. A renter-friendly city

This section briefly summarizes some of the most significant policy changes that took place in New Westminster in the last five years when it comes to the governance of rental housing and the overall provision of public services. By the introduction of those changes – associated in local politics with a “progressive turn” - elected officials have been openly defending the evaluation of inclusionary/exclusionary effects of municipal policies for underrepresented social groups living in City.

With the retraction of federally funded public housing in the 1990s, apartments that provide secure rental housing have been one of the few viable tenure options for the low-income population (Hulchanski, 2007). In British Columbia, the City of New Westminster became a pioneer in developing legislative measures to secure the supply of secure rental market options. As most of those buildings approach sixty years of age, the City has seen a growing number of long-term contracts in purpose-built rental buildings being forcibly terminated to enable renovations in the last decade (City of New Westminster, 2021), in a

practice that became known as "renoviction" (or rather, "demoviction" if the land is being redeveloped).

In 2019, this pattern becoming usual around Metro Vancouver deserved an emblematic headline by *The Vancouver Sun*, entitled "Who is going to be able to pay that?". The story gives a personal account of renters in the metropolitan area pressed by "renovictions" and "demovictions". The researchers interviewed for said story denounced how gentrification occurs when apartments are replaced by condos or renovated at prices higher than affordable by previous renters. (2019, June 01).

Beyond the media, local advocacy groups and researchers have been alerting policymakers for the need to address urban replacement that entails the displacement of vulnerable groups living in old private rental buildings. With the renovations or demolitions of secure rental housing taking place, groups such as seniors and single-income families are being "pushed-out" from their longstanding life connections, as they will no longer be able to keep up with new higher rental rates (Boyed et al. 2019, Chapple et al. 2017; Zuk et al. 2018).

In New Westminster, a Rental Housing Revitalization Initiative was endorsed by Council in 2019, in recognition of a housing crisis in the city (City of New Westminster Jan 14, 2019). Other municipalities in the metropolitan area have also adopted measures to secure the availability of this sort of housing in the local market as part of a stream of policies focused on the growth of housing supply.

The initiative resulted in two main alterations in the municipal legislation, which placed the city in a leading position regarding rent protections at the time: the first was the establishment of exclusive rental tenure zoning to protect rental units in existing stratified apartment buildings. The measure consists in prohibiting owner-occupation in apartment units historically used as rentals, regardless of the existence of a strata organization. Secondly, the Rental Units Bylaw, noted above, was amended to deter renovictions and to provide protection to those tenants who may be displaced by large scale renovation work. Both amendments were challenged and had their legality upheld by The Supreme Court of British Columbia. Subsequently, the Province amended the Residential Tenancy

Act (2002) to introduce province-wide protections to tenants affected by renovations or demolitions¹³.

A telling sign of change in the problematization of rental spaces in the City of New Westminster is that the task of licensing market rentals units has recently been moved to the Economic Development division of the Administration. Interviewed for this thesis, the division manager provided the following description of the changes in the framing of rental licensing activities by the municipality:

(...) with the changeover and the removal of business licensing over to the ec-dev function, which by definition is an advocacy role for businesses all about promoting and marketing New Westminster and supporting businesses and establishing – it's a very different sort of positional approach. (Business Licensing staff, Personal Interview. Jul 6, 2022)

About the rationale behind this change of approach, the interviewee explained that the Administration left behind a model they called 'integrated enforcement' where the business licensing function was embedded within the bylaws function. That model, he says, "was put together 20-years ago with a very specific purpose to more effectively address nuisance behaviour and nuisance being generated by nuisance businesses and was particularly focused on the challenges faced in the downtown area, that at, time had lots of liquor seats and empty storefronts".

By contrast, in today's context, the occupation of downtown streets by a homelessness population became the main source of nuisance complaints for the municipality. The availability of low-income rental housing is seen by residents and business owners more as solution to street nuisance rather than a source of problems, as recently documented in City's Homeless Action Strategy (City of New Westminster, Jul 2022). For the administration, the licensing of rental properties is now positioned as an economic activity that needs be actively promoted for the sake of housing supply, rather than just controlled as a source of urban nuisance.

13 <https://www.newwestcity.ca/housing/renovictions-tenant-protection-and-resources#additional-compensation-for-bad-faith-evictions>

3.2.3. A compassionate city

Rental housing policy shifts in New Westminster reflect a new public identity that the Administration elected in 2022, and the previous one, have been trying to put forward on its policies and official communications. The desire to build a more inclusive and compassionate community has been expressed on several occasions by the mayor and members of the Council in the last five years. Those progressive political statements are often in tension with businesses and residents' complaints about quality of life issues in the downtown area of the City, as Chapter 4 will explore. In Sep 13, 2021, a report to Mayor and members of Council, introducing a Crisis Response Bylaw, was produced by development services. The proposal of streamlining zoning permits in response to publicly recognized crisis and emergencies was introduced by the following background:

“Businesses and residents are increasingly raising concerns about homelessness and other social issues, particularly in the Downtown. These concerns include: individuals sleeping in alcoves and doorways; castoff containers and food resulting from takeaway meals; increasing public drug use and discarded needles and other drug paraphernalia; and the presence of human waste associated with limited access to toilet facilities.

Through experience, the City has found that increased enforcement only shifts the issue from one area or neighbourhood to another but does not lead to any real resolution. Additionally, recent court cases and challenges limit the ability of both Police and Bylaw Enforcement to act, particularly with regard to homelessness and other social issues.

To provide advice and response to COVID-19 assistance efforts, a working group was created in 2020 to identify at-risk and vulnerable populations in the city. Among other situations, the group sought to identify appropriate City responses to residents dealing with homelessness, precarious living arrangements, mental health and substance misuse issues. This group's work, that also had members of non-profits and civil society, led to the expenditure of grants to address basic needs of vulnerable groups, refusing the idea of strengthening policing and enforcement efforts against their physical presence in public places.

In Nov 1, 2021, the Police Reform Working group produced a report recommending that Council approved the City's participation in the Peer Assisted Crisis Team Pilot Project with the Canadian Mental Health Association. Among the reasons argued for the city's participation, the following background was presented:

“Council is committed to developing a compassionate response to those experiencing mental health crisis and poverty across the city. We know we need to be bold to take steps to lift up the most vulnerable, especially those experiencing mental health crisis, poverty, and homelessness. We also know that we need different approaches to domestic and sexual violence which we refer to as crimes of power. There is a need for a suite of community responses to mental health crisis that prioritizes compassionate care.”

In Jan 17, 2022, the City’s Task Force on Reconciliation, Social Inclusion and Engagement drafted a policy to reduce potential financial barriers to participation of equity-seeking groups in public engagement activities. The concept of equity-seeking people adopted on this proposal has become an integral part of the city approach to social inequities, defined in the Terms of Reference for the Reconciliation, Social Inclusion and Engagement Advisory Committee as “those in the community that face entrenched marginalization due to attitudinal, historic, social and environmental barriers including age, ethnicity, disability, economic status, gender, nationality, race, sexual orientation or transgender status” (City of New Westminster).

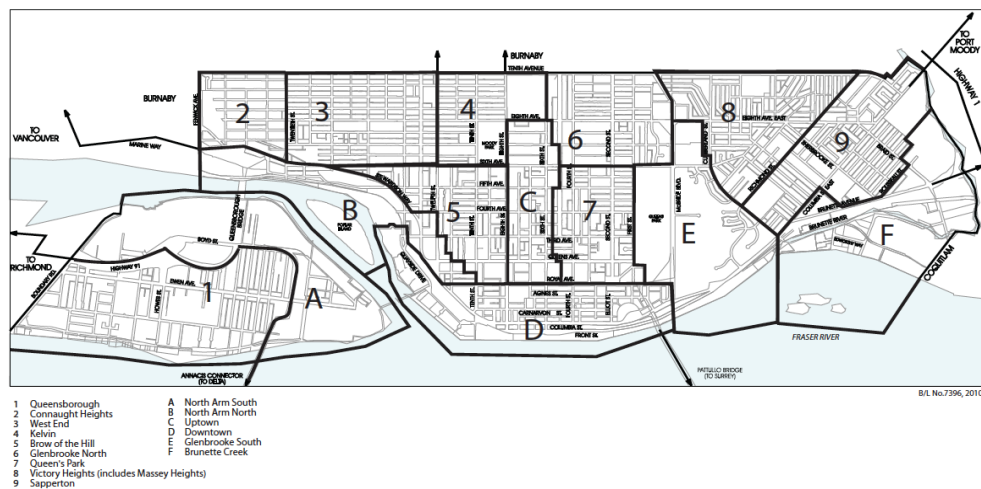
In June 27 2022, Council received for discussion a staff report presenting a guiding vision to city’s efforts towards Diversity, Equity, Inclusion, and Anti-Racism, the DEIAR Framework. This policy document calls for inclusive public service and decision-making, arguing for the need to introduce qualitative aspects on data gathering for the evaluation of public policies’ outcomes. It highlights the importance of developing respectful and compassionate relationships with individuals and communities that are impacted by cities actions and regulations. (City of New Westminster, 2022)

In July 2022, the City published a New Homeless Action Strategy “to ensure that everyone has a home, that everyone feels a sense of belonging, and that everyone is supported by the larger community” (City of New Westminster, July 2022 p.2). The strategy was developed in partnership with a Coalition of entities and the help of community leaders with living experience in homelessness. The document asserts the need of homelessness services be tailored to address the specific needs of different population groups of the unsheltered, including related to newcomers, seniors, women, and youth.

Chapter 4. “Problem properties”

This chapter includes my content analysis of the interviews conducted with municipal agents of the City of New Westminster in the attempt to understand their problematization of nuisance in rental properties. ‘Problem properties’, as characterized in the interviews with staff, are the low-income purpose-built rental apartments built in the 1970s mostly in the Downtown and Brow of the Hill neighborhoods. Those properties, due to the lack of proper maintenance and upkeep, generate complaints and require municipal intervention, and therefore are referred to as problems. The following map of the neighborhood planning areas of New Westminster, available at the municipality website, illustrates the space where those buildings are situated in the urban area:

MAP NW4
New Westminster
Neighbourhood Planning Areas



https://www.newwestcity.ca/database/rte/files/NW4%20-%20New%20Westminster%20Neighbourhood%20Planning%20Areas_Added_BL7396_2010.pdf

In the analysis, I am exploring how the idea of ‘problem properties’ continues to work as a tool for the problematization of rental spaces, even though there has been changes in the way those policy issues are framed by city policies. Organized in three sections, those were the main findings from the interviews, as related to my research questions:

- ***What kinds of problems do public agents associate with nuisance abatement initiatives in multi-unit rental buildings?*** While civic staff associate their work in “problem properties” with lack of building maintenance by property owners, the police department deals with nuisance complaints from the perspective of disturbance in the quiet enjoyment of residents.
- ***What social expectations, norms, or policy narratives are invoked in the characterization of ‘problem properties’?*** Highlighting city’s regulatory concerns about rental under the framing of ‘housing crisis’, staff conveyed the message that the City delivers a caring/compassionate public service by ensuring the quality of housing standards for affordable rental units.
- ***Who are the subjects mentioned within those sites of nuisance and how are they positioned in relation to the municipality and each other?*** The story of the nuisance abatement program, as told by the interviewees, features the oppression of the ‘greedy landlord’ against the ‘vulnerable tenant’.

As mentioned in the methodology chapter, it was only at the stage of coding my interviews that the concept of ‘problem properties’ came up as an operational category to articulate this thesis. In this analysis, I allude to ‘problem properties’ in the same sense that Rose et al (2006) use the notion of ‘problem spaces’ to reflect on public agents’ efforts to delineate governable spaces when confronted with certain social conditions. By delineating problematic zones, those authors say, public agents try to make sense of the environment and develop tactics to manage and improve those spaces.

The logics of setting boundaries to regulate different forms of occupying the urban space is not unusual in the history of Canadian municipal planning. Through the categories of zoning and land use, which allude to spatial organization, local governments have a say in what uses of property are tolerated and which ones should be avoided in each part of the municipality (Blomley 2017, Wideman 2021).

Lauster (2016) describes how the history of zoning bylaws introduced by municipalities in Metro Vancouver by the 1920s left a pattern of spatial distribution that he names “The Great House Reserve”, where single-detached housing is the land-use rule and multi-unit housing - as a non-preferred use - requires individual and exceptional approval from municipalities¹⁴. Taking this pattern into account, it is not surprising that purpose-built rental apartments are usually found in clusters in the region.

¹⁴ <https://zoning.sociology.ubc.ca/> for historical and current zoning maps of Metro Vancouver area https://homefreesociology.files.wordpress.com/2021/07/apartment_construction.pdf

What this thesis calls for is reflection as to how some of the rental clusters in the Downtown area of the city have also been problematized as public nuisance clusters, where environmental issues are associated with a deficit of economic and social capital.

From archival research, I learned that setting 'no-go zones', for curbing problematic behaviour was a policy strategy once tried to manage drug trafficking in the city's downtown core. Introduced by the Public Nuisance bylaw 6478,1998, the 'no-go zones' were areas of the city around Sky-train stations where access was denied to anyone convicted of trafficking. When the bylaw in question was challenged at Supreme Court by a civil liberties organization, other strategies of drug consumption regulation came up.

Through a series of public consultation events, the introduction of nuisance regulatory measures was debated in the city before it became legislation. One important debate concerned the decision not to target single family housing. As reported by the local newspaper, in one of those events a member of the police board raised that "the bylaw seems discriminatory against multi-family dwellings, when the city has had to deal with problem single-family units such as crack houses" (MacLellan, J. 2003, May 07).

At the consultation event, this concern with discrimination was addressed by city staff by resorting to a technical argument. It was argued that there was no available source of data to measure calls for service at owner-occupied properties, since the benchmark borrowed from the police department came from a community police program that applied only to rental apartments:

" (...) the initial drawback in including single family homes is coming up with a way to measure calls for service. For multi-unit complexes, the Crime Free Multi-housing program provided a benchmark for gathering statistics. Because the bylaw is such a new approach, she said, statistical verification is particularly important. She also noted that the city has another bylaw to help deal with marijuana grow ops and crack houses. (MacLellan, J. 2003, May 07).

At the occasion, the police board chair and mayor went for a more political argument, saying the bylaw was not meant to be a revenue generator but to address 'problem properties': "We are being discriminatory, but maybe we're being discriminatory for the right reasons." (MacLellan, J. 2003, May 07). Likewise, in interviews, senior members from City staff situated the introduction of nuisance regulation in connection with

the licensing of rental properties as an alternative to the 'no-go zones' in the downtown area.:

“So, there were drug traffickers, they were convicted drug traffickers, but the courts couldn't really impose no-go's around the Skytrain stations because they were New West residents. Then we started going, 'okay, well where do they live?' So, we started seeing then a correlation between where they were living and the same places that we were getting a lot of community complaints.” (Senior City Management, Personal Interview. Jun 28, 2022)

According to their account, community complaints about nuisance were manifested mostly in rental neighborhoods, and, at the same time, other sources of data would indicate the occupation of rental units by drug traffickers. The story told by the archival data and the interviews is that, in the origins of this policy, a correlation was drawn between rental properties and criminal individuals, and nuisance calls were the telling sign of this correlation.

But more than gathering information about the historical context of the nuisance abatement program for rental properties, in conducting the interviews I hoped to understand if, after two decades, the policy frames used in the problematization of rental properties are still relatable to municipal agents working in those spaces, and what other sorts of frames are now in place.

4.1. The problematization of nuisance and the work of “problem properties”.

This section will explore the sort of issues that municipal agents associate with nuisance abatement initiatives in multi-unit rental buildings and, how, in this case study, the concept of “problem property” works to convey understandings of problematic uses of property that require local government intervention.

Before going any further in this analysis, it is worth noting that municipal regulation of ‘problem properties’ is distinct from that applied to the use of single-family residences that do not conform with neighborhood standards. For those proprietors, there is a different set of local regulations about unsightly premises, as described by the licensing sector representative in an interview:

Nobody’s going to interfere with our situation unless it becomes, unless you as the owner let your entire property become in such disrepair that it starts to become an issue against our bylaws. Right, an unsightly premises, and this kind of stuff. But, if you have a unit, or sorry a rental building with more than two, then we do say you have to come and get a business license and that means that you have to then get this business license, you need to follow our bylaws. So, there’s issues in there about pest control, and the duties that the owner has to comply with the bylaw and make sure that the property is being used properly, and that people have decent conditions and that kind of stuff, right? (Business Licensing staff, Personal interview. Jul 6, 2022)

As I came to understand, based on the archival data and the interviews, the City’s Rental Units bylaw regulates the proper uses for market rental properties, using nuisance calls as markers of ‘problematic’ or improper use. In the words of bylaw enforcement staff, this how the local nuisance abatement program is supposed to work in rental properties:

So, what happens is if you are called to a property three or more times for problems that are, can be controlled by the property owner and we bill for police visits, we bill for bylaw visits. We have a few and so we deal with those, and the bill goes to the property owner. So, it puts them on notice that yes, we’re getting repetitive calls that you should be able to deal with on your property. (Bylaw enforcement officer, Personal Interview. Jun 24, 2022)

A helpful approach to analyse municipal governance through nuisance regulation is the notion of ‘governing through use’. This is how Mariana Valverde refers to legal technologies, such as planning and zoning, which usually have its societal effects taken

for granted for being seemingly related to physical characteristics of buildings and sidewalks. Nevertheless, the author alerts, concepts used in planning and zoning such as “decline,” “improvement,” “amenity” and “enjoyment” assemble rationalities of utility and causality that allow municipalities to govern people’s lives through the impersonal governance of ‘uses’ (Valverde 2005).

An understanding of what uses are considered ‘proper’ and what are considered to be ‘problematic’ to public agents gains more relevance when one acknowledges that, by problematizing the uses of rental apartments and immediate surroundings, municipalities also govern people’s housing experiences.

Along the interviews and the archival research in local newspapers, the expression ‘problem property’ was commonly used to describe rental buildings generating ‘preventable’ nuisance complaints and requests for public intervention. To understand the problematization of nuisance in this case study meant unraveling what a ‘problem property’ means for public agents that work with the regulation of purpose-built rental properties of the City.

Staff from different departments, with different roles regarding the governance of rental units (community planning, bylaw enforcement, licensing, policing etc) have mentioned ‘problem properties’ as the loci of nuisance complaints, each one offering a slightly different characterization of nuisance issues, ranging from a more generic description of ‘unsafe’ rental properties coming from economic development staff, to a more detailed account from bylaw officers, such as the following “(...)You know, there could be pest issues, there could be holes in walls, there could be leaks, we make sure the stove is working properly.” (Bylaw enforcement officer, Personal Interview. Jun 24, 2022).

As discussed in Chapter 1.2.3, the municipal police department has been a key organization in the governance of nuisance at rental buildings in the city. This is because the police department was responsible for introducing and running the Crime Free Multi-Housing program in the city before the Rental Units bylaw. In a historical account of the program in the city, problematic buildings were described as those where crime was an issue. By creating a program such as CFMH, says a participant, “it would be a way for prospective tenants to have some comfort that the landlord was taking measures, or the

property owner was taking measures to reduce the incidents of crime, whether that was individuals who were actively dealing within the building, or maybe it was sex work”. (Community Planning staff, Personal interview. Jun 10, 2022)

It has been two decades since the regulation of nuisance abatement orders was introduced in the Rental Units bylaw and almost three decades have gone by since CFMH first started in New Westminster, led by the police department. Currently, the city’s bylaw enforcement team has the task of dealing with complaints originated from rental buildings, as the licensing process for rental units fall into the economic development division of the planning department. In May 2022, when the interviews were conducted for this thesis, city staff shared that there were still bi-monthly meetings with the police and fire department to “work together on, I guess you could call them ‘problem properties’ where we have nuisance abatement orders.” (Bylaw enforcement officer, Personal Interview. Jun 24, 2022).

This information led me to interview the police officer responsible for community policing programs, who equally expressed how, for the police department, ‘problem properties’ are spaces defined by association with nuisance complaints:

Just for your own perspective, we used to have, I think, over 25 properties in the nuisance abatement program, which meant that these properties kept causing issues. Like, there were landlord-tenancy issues, or there were unsightly properties or there was lots of criminal activity, whatever it might be, right? But they were causing a nuisance. (NRPD Crime Prevention officer, Personal Interview. Jul 25, 2022)

In the police department, the CFMH program is currently under the portfolio of a civil official, and it is considered a form of preventative community engagement in which tenants from multi-housing units can learn about safety practices against property crimes and landlords can be trained about the importance of proper tenant screening. When the CFMH program was tied into the City’s Rental Units bylaw in 2004, the priority was repressing drug activities and other sort of criminal behaviours from tenants.

Interestingly, when the police officer shared what kinds of problems would characterize nuisance in rental properties, although criminal activity and unsightly properties were mentioned, she declared that their number one call for rental properties is usually verbal altercations related to landlord/tenant conflicts, such as ‘oh, I need to grab my stuff. They’re trying to kick me out. I can’t get them out.’ (NRPD Crime Prevention

officer, Personal Interview. Jul 25, 2022). The interviewee also described some confusion from landlords to the police's role in mediating landlord tenant/conflicts and some frustration in spending police resources in that kind of call:

They (landlords)'re not doing enough to make sure that they're scanning the right people. And then what ends up happening is they get the wrong person in the building and then they expect the police to sort of just come and kick them out. And when the police arrive, they try to explain to them that, 'hey this is not our issue. This is just, like you're having arguments with your tenant, or the tenant is causing a nuisance to other people in the building, but these are not issues that we can actually help with. You have to take it to the Landlord-Tenancy Branch.' (NYPD Crime Prevention officer, Personal Interview. Jul 25, 2022).

The quote shows an effort to position CFMH as a tool of community education in rental communities rather than a repressive tool in favor of landlords seeking support for eviction. However, a crucial conception basing the program hasn't changed: it is up to the landlord to scan "the right people" for the building to avoid future conflicts.

This adversarial relationship between the tenants and the landlord in privately owned buildings was corroborated by a member of the tenancy union movement in the city, according to who, most of the time "the landlord is kind of like actively trying to evict people, or to buy people out, or to get people out. So, the tenants don't trust anything the landlord does at this point." (NW Tenants Union organizer, Personal Interview. Jul 19, 2022).

Although nuisance abatement programs, such the one described in this case study, are usually operated through fees or taxes to be paid for the property owner, there is a consistent scholarship in the US, analysing how renters - notably those in need of state assistance - are most vulnerable to the negative effects of nuisance property ordinances (or crime-free housing ordinances) that penalize owners for "excessive" requests of policing coming from rental properties. (Arnold 2019; Arnold and Slusser 2015; Fais 2008, Desmond and Valdez,2013)

A recurring critique is the fact that 911 calls under the scrutiny of nuisance ordinances can refer to any condition perceived as disturbance to the "quiet enjoyment"

of adjacent properties, even if it does not constitute a criminal conduct¹⁵. Researchers find out that, not unfrequently, 911 calls framed as nuisance under those ordinances were reports of domestic violence, episodes of mental health crisis or use of drugs, that should elicit public policies of support rather than punitive measures (Archer 2019; Graziani *et al.* 2021; Mead *et al.* 2017). Provoked by this critical literature, in formulation of the interviews for this thesis, one of my objectives was to understand how discretion in the recognition of a nuisance call is exercised in a municipality that currently promotes a public narrative of being compassionate and renter-friendly city.

However, when I asked questions about what the most usual problems in rental spaces were, city staff mostly referred to the lack of building maintenance by property owners. In follow up questions, I asked for examples of nuisance calls about issues other than building conditions, because I was trying to understand the types of intervention currently led by the city under the category of nuisance abatement orders, and eventual repercussions for renters.

To those questions, I didn't get any answers. All the interviewees referred me to the city's Rental Units Bylaw for the definition of nuisance. None of them seemed comfortable suggesting that renters' behaviours were a problem, for reasons that I will further explore at chapter 4.3, when talking about the now prevailing narrative of the "uncaring property owner" of 'problem properties' and the new focus on the vulnerability of tenants in municipal policies. Not unlike similar bylaws in other jurisdictions, the legal definition of nuisance in the New Westminster Rental Units bylaw is crafted with the highest possible degree of abstraction, so that public agents can exercise discretion when carrying on with their activities:

"any activity, conduct or condition occurring on or near a residential property¹⁶ which substantially and unreasonably interferes with a person's use and enjoyment of a public place or of land or premises occupied by that person or which causes injury to the health, comfort or convenience of an occupier of land" (City of New Westminster, 2004).

¹⁵ 'Quiet enjoyment' is recognized as a tenant's right in the provincial tenancy law of British Columbia. Nevertheless, at municipal level, this right can also be opposed against a tenant as grounds for a nuisance complaint coming from any other occupier of the rental property or surroundings.

¹⁶ It is not to be forgotten that, for the purposes of the Rental Unit bylaw, residential property is a multi-unit building licensed for rental in the market, which makes the regulation inapplicable for single detached, owner-occupied housing.

Under the umbrella of nuisance, as written in the bylaw, any threat to enjoyment of the property and premises to the community would be subject to the abatement program. Accordingly, the interviews captured different nuances of what is considered 'problematic' in rental properties and showed that those notions have evolved in different directions for different segments of the local government, such as city administration and police department.

Although the references to rental buildings as 'problem properties' embody different visions about what is problematic in those spaces, they all seem to communicate some level of impropriety in the uses of urban space, that requires intervention from public agents. For example, in the police's understanding of nuisance abatement, the evaluation of tenants' proper or improper behaviours still makes sense at the moment of conducting a rental screening that will lead to a desired profile of tenant. This is understood both as a prerogative and an obligation of proprietors. There is a clear concern with disturbance in the quiet enjoyment of the property, which seems fully coherent with the purposes of the police department.

On a different path, the interviews indicate that city administration has been trailing a path of restricting the meaning of nuisance from behavioral issues to focus on the physical maintenance standards of rental properties, now framing nuisance abatement orders as part of the initiatives to guarantee adequacy of housing available in the rental market. In this sense, the notion of 'problem properties' works as a tool for the problematization of rental spaces. Regardless of the different understandings and policy framings used to describe the municipal nuisance abatement program for rental properties, it seemed that public agents still find the reference to 'problem properties' useful to work in coalition in bounded spaces, as it allows them to negotiate different meanings for nuisance and different understandings of the problems that they are supposed to manage.

4.2. 'Problem properties' and narratives of urban improvement

Chapter 1.2 already explored the historical context in which New Westminster promoted public safety measures (notably anti-drug) under the policy agenda of urban livability in the early 2000s. In this section, I concentrate on the social expectations mentioned by public agents regarding the City's interventions on 'problem properties', under general policy narratives of urban improvement. It will show that concerns with economic development have played a part in the framing of what is currently considered problematic in the city's private rental stock.

In local policy circles, the "umbrella" term of livability is one of the most popular ways to convey ideas of urban improvement. The framing of urban problems in terms of livability has allowed policymakers worldwide to articulate very loose aspirations of cities as desirable places to live, justifying its widespread use in municipal affairs. (Holden & Scerri, 2012; Kaal, 2011; Lloyd et al., 2016; McArthur & Robin, 2019). Critical urban literature argues that livability discourses tend to resort to vague qualifications of how the urban environment can contribute to enhanced quality of living but usually provide scarce details on the means to achieve this through service provision, giving a great degree of freedom for local policy makers to act on their interpretation of community well-being. (McArthur & Robin p.1717).

Archival research indicated that at the early 2000s, in local policy circles of New Westminster, safety in the downtown core was a highly debated topic that was seen to compromise urban livability (see chapter 1.2). Accordingly, the interviews show that fear of crime was a pressing policy issue that the administration tried to address with the introduction of nuisance abatement measures. When asked about the historical context of the legislation that regulates nuisance abatement in private rentals, senior staff members shared that, at that time, city administration struggled to deal with nuisance complaints coming from rental neighborhoods:

So, residents [were] coming to us quite frustrated with us because we weren't able to do a whole lot. And they were talking about things like, you know, late night noise, cars coming and going, they suspected there was drug dealing but we couldn't tell. But we knew that there was a spike in police calls at some of these addresses. (Senior City Management, Personal Interview. Jun 28, 2022)

Adding to that aspect, the interviews also revealed that safety in rental neighborhoods was not the only nuance of livability at stake for local stakeholders: the stigma associated with criminal violence was also damaging the city's economic development. There is a clear reference in the interviews to the notion that crime deterrence initiatives in private rentals were also a tool to promote higher occupancy rates and opportunities of economic development in the city:

So, I think this was probably a reaction to the fact; a couple of things: you probably had landlords who were expressing concerns about high vacancy rates. (...) A reluctance for people to move to New Westminster from other municipalities because of perceived high crime. (Community Planning staff, Personal Interview. Jun 10, 2022)

As contextualized by archival data referred to in Chapter 1.2, in the early 2000s there was extensive participation of the city's business representatives in formatting local revitalization policies, including building owners for whom increasing the demand for rental units in the city was a critical aspect of business.

At the time, the process of public participation in the city's revitalization policies was mediated through residents and business associations, working along the city's planning department to voice their views for the neighborhoods. Looking through 'The Brow of the Hill Action Plan' co-produced between the city and the resident's association in 1999, it is noticeable that, even though renters were not banned from participating, residents' associations gathered mostly the views of residents of owner-occupied properties and owners of rental properties and other business.

The document in question claims that "crime and nuisance behavior in the area is seen by residents as a deterrent to commercial vitality" (p.19). The Livability and Social Issues section of the document suggests "strategies by which managers of rental projects can deter crime in their buildings", mostly through participation at the Crime Free Multi-Housing Program. In the background, it is said that "the appearance of some properties contributes to the inaccurate perception that the area is not "owned" or cared for by its residents. As a result, some, but by no means all, rental properties are the source of nuisance behaviour (including noise, fighting) and crime (e.g. prostitution, drug trafficking)". Few or no references to the relevance of renters' participation in the community can be found at said document (City of New Westminster, 1999).

The relevance of economic development concerns in the origin of nuisance abatement policies for rental properties is necessary to understanding the substantial change in the framing of what is currently considered problematic in private rental properties in the city. Low occupancy rates are no longer a concern for the local rental market as they once were, according to the testimony of senior staff. On the contrary, high occupancy rates are widely recognized, in all levels of governments, as a relevant causal factor of rental housing unaffordability, contributing to a scenario of generalized housing crisis. (Metro Vancouver Regional District 2022b).

In the interviews, I was able to capture a reflection of those changes in the housing market, when staff shared perceptions and motivations behind the city's recent attempts to intervene in the private rental market using municipal regulatory tools. Evictions of vulnerable renters from affordable units are a major concern in an economic environment of scarcity of private rental supply: "So, with the current system people who have been in tenancy for a long period of time will have much reduced rent compared to the market. There's a tremendous incentive for the landlord to try to get those people out and get closer to market rent (...) it happens particularly after a building is sold a lot of times because the new owner has just invested a whole lot of money and the only way that they can improve their revenue stream is to raise the rent". (Business Licensing staff, Personal Interview. Jul 6, 2022).

In this context, interviewees have reiterated the administration's concern to prevent the loss of affordable rental units in the market as the reason why the City began regulating evictions caused by reforms or demolition. The efforts against 'renoviction' were clearly the most important information that participants wished to convey regarding the city's actions towards rental protections:

(...) we have our zoning amendment by-law to address "renovictions," and we worked with the New West Tenant's Union, and when we get a sense that a renoviction might happen in the building, we provide information to every tenant of that building, and that comes from community planning staff, we mail directly to them. We red-flag buildings that we think that renovictions have happened. (Business Licensing staff, Personal Interview. Jul 6, 2022)

(...) even where the landlords are good and things are professional, well some of them are getting bought-out by slummy, not just slummy, like they want to renovict, you know, they want to kick everyone out of the building and do some really superficial renovations, and so we were dealing with that for a long time. (City Management, Personal Interview. Jun 30, 2022)

To this point, it worth adding that a polite collaboration was described between the city and the tenancy union, from both sides. Regulatory interventions on evictions and rental exclusive zoning have been recognized by the member of the local branch of the union as “quite progressive”, when considered the jurisdictional limitations of municipalities to regulate tenancy issues¹⁷. This participant considered relevant the fact that the city took a stance that caused landlords to sue the municipality and take the matter to the Supreme Court.

When it comes to situating the city’s interventions on ‘problem properties’, the reasoning that was articulated is that the lack of available options of affordable rent impacts the adequacy of existing rental units, and that the city must act to regulate and enforce minimum standards of living. These are examples of how nuisance regulation is now placed in staff narratives:

So, then you start wondering about, well, is the housing, even if its inexpensive, is it good enough quality? We care about our residents. And we want them to be safe and well looked after and well-housed. And some rental buildings over time can then fall into such disrepair. (City Management, Personal Interview. Jun 30, 2022)

Our approach at the City of New Westminster really is about balancing compassion and our strong desire to make sure that people are adequately housed with the need to regulate and, when necessary, enforce with multi-dwelling rental property owners and businesses the need to provide appropriate physically safe and pleasant surroundings type of thing. (...), it’s better to have a roof over your head until it isn’t when that roof over your head can actually impact your health and could be a risk to your life. So, we always try to balance that (Business Licensing staff, Personal Interview. Jul 6, 2022)

Current interventions towards appropriate maintenance standards in rental properties, even though executed under a legal framework of nuisance abatement as it currently stands in the Rental Units bylaw, were presented in the interview through an updated narrative of livability, based on care/compassion towards vulnerable community members (see Chapter 1.3.2). In this new narrative, when safety was mentioned, it was to reference physical safety of renters due to lack of building maintenance. The understanding that staff very intentionally wanted to express regarding the city’s current governance of problem properties is that ensuring the quality of housing standards is a manifestation of its ethos of care.

¹⁷ In British Columbia, the municipality has no jurisdiction over tenancy relations.

4.3. The problematization of subjects in rental relations

“Stories frame their subjects as they narrate them, explicitly naming their features, selecting and perhaps categorizing them as well, explaining to an audience what has been going on, what is going on, and, often, what needs to be done—past, present, and future corresponding to the plot line of a policy story. (Van Hulst & Yanow, 2016, p. 100)

Given the context of urban renewal in which nuisance regulation of rental properties was introduced by the city of New Westminster, it is vital to consider how subjects were framed in the narrative of rental nuisance, more specifically who were the protagonists of problems, who was to be protected from those problems and how the city stands in relation to those subjects. Understand this dynamic is an integral to the investigation of how nuisance problematization in rental properties may be related to framing processes of municipal agents.

Deborah Stone (1989) characterizes policy narratives as causal stories that deliberately attribute blame and responsibility. She argues that in the process of problem definition, political actors, to gain support, “compose stories that describe harms and difficulties, attribute them to actions of other individuals or organizations, and thereby claim the right to invoke government power to stop the harm.” (p. 282). I find Stone’s quote illustrative of a long-time concern for policy studies: the importance of critically observing practical gains and losses on how a policy problem is described and who or what is to blame in the narrative.

Greedy landlord v. vulnerable tenant

Challenging my original expectations researching the enactment of a nuisance abatement program for rental properties, in the interviews, renters were rarely deemed responsible for nuisance situations in ‘problem properties’. On the contrary, the story of the nuisance abatement program, as told by the interviewees, featured the oppression of the greedy landlord against the vulnerable tenant.

Differently from the participant leading community police programs at the police department, most of municipality staff deliberately chose to focus on the ‘problematic

property owner/manager', avoiding the mention of 'problematic tenants' when describing 'problem properties' and the city's nuisance abatement program.

The interviewees' responses consistently embodied a narrative of protecting renters against landlords' mismanagement. A senior staff member went so far as to argue that the origins of the city's nuisance abatement program for rental properties was driven by the administration's desire to change landlord's exploitative behaviours by making them financially accountable for keeping acceptable property standards.

The 'problematic property owner', in the sense that it was depicted by the interview participants, is the one who "doesn't care", managing the rental property solely focused on profit, with an attitude of neglect towards renter's well-being. Those are some examples of how that narrative is presented:

"And then we also realized that in some cases unscrupulous landlords, the only thing they know is money. So, we started fining them. And that's where some of the excessive police call work came in, was people that were already on our list of being problematic, and some landlords, and you know we're a small city. (Senior City Management, Personal Interview. Jun 28, 2022)

Part of the problem is the actual landlord if they just kind of give up on these buildings and all they want to do is rake in money, then it just gets worse and worse and worse. (...) landlords that just don't care, that shrug their shoulders, they don't maintain anything anyways. So, they don't care if someone barfs in the hallway. You know what I mean? They just don't care. And those are the landlords you want to kick out. Those are the property owners you want to kick out. (City Management, Personal Interview. Jun 30, 2022)

Where we have the very few problems that we run into are you tend to find it's a property that's been owned for a long time, by the same owner, generally elderly or getting there, and just generally, who either don't have the financial capacity or don't have the willingness to actually spend anything on it and just believe, 'well, it's a roof over someone's head, so it'll fall apart until it falls apart completely and nobody can live there.' Well, that's just not acceptable to us. (Business Licensing staff, Personal Interview. Jul 6, 2022)

There are some buildings that are very problematic in that they have lots of police calls and whatnot, but that is quite different, I would say. And I think it actually stems from the building managers being like slumlords in that they don't maintain their building and they're really checked out. (...) I think it's worse because numbered companies don't, they do not care one bit about the New Westminster community. They couldn't care less. It's

100% about profit and investment.” (City Council member, Personal Interview. Jun 21, 2022)

Why didn't private rental market landlords and property owners want to work with the City was a fear that, participating on a program like “Hey Neighbour”, tenants would become more organized¹⁸. And social connectedness mainly to, I guess, raising concerns about practices that were happening in buildings but more reporting of activities, more around neglect from, not so much with regards to anything to do with the tenants, but with regards to the property owner. So, there's a real reluctance there. (Community Planning staff, Personal Interview. Jun 10, 2022)

If we consider Stone's (1989) idea of policy narratives as causal stories where someone or something it is to blame, it is only natural that the problematic landlord represents a threat to the community, most obviously to renters. A narrative of care, as the one expressed by city staff, requires the acknowledgment of vulnerabilities to be taken care of. Accordingly, at the interviews, mentions of the precariousness of the tenant (?) frequently appeared associated to other degrees of personal vulnerability:

(...) an ongoing issue is landlords maintaining their buildings properly, meeting our standards for care so that, you know, you don't have seniors walking up fifteen stories with their groceries because the elevator is down for the tenth time that month, right? (City Management, Personal Interview. Jun 30, 2022)

(...) they might have other issues that they're dealing with. You know, sometimes physical ailments or mental ailments that play a part in all of that. And I have to be, you know, empathetic to low-income compared to somebody that has regular, you know is working and it's just, it's a very interesting position because you just don't know what the situation is on the other side. (Bylaw enforcement officer, Personal Interview. Jun 24, 2022)

So, we started doing more and more inspections of places where we would go in and they would just be life-safety traps where people there were on welfare, some of them had obvious mental health challenges and they were actually just being exploited by the landlord (...) Some tenants know their rights, they understand, they know how to use Residential Tenancy Branch, which is great, but the ones that don't, maybe they have mental health challenges or they're suffering a lot of trauma, but they're not, you know, they're not in an institution or not in care, we think are very vulnerable to being exploited. They're the ones we try to focus on. (Business Licensing staff, Personal Interview. Jul 6, 2022)

¹⁸ In 2021 the City partnered with the Hey Neighbour Collective (HNC) running a pilot program to promote social connectedness between neighbors in multi-unit housing as a form of emergency preparedness. See <https://www.heyneighbourcollective.ca/about/>.

In a summary, the idea that all those participants conveyed is that the existence of 'problem properties' in the city is a direct result of property owners/managers neglecting the upkeeping physical standards in the buildings. Uncaring, irresponsible, unprepared, greedy, or exploitative, were some of the characterizations of 'problematic landlords'. The underlying assumption from those excerpts is that the owners' ability to profit from collecting property rent entails responsibilities to ensure a proper use of the space for community purposes, that go beyond legal provisions.

I argue that the notion that the uses of rental properties need to be regulated by the municipality to serve the greater good of the community shows traces of the association between property and the proper order of the social and political spheres that is referred in the literature as property-as-propriety (Alexander, 1998, Blomley 2005, Davies 2007, Rose, 2020).

The 'proprietary' tradition of property, explains Alexander (1998), recognizes certain duties and responsibilities about how property is disposed of to achieve visions of a properly-ordered society. For property owners, it means those substantive visions of social order have priority over owners' rights to maximize profit. The property owner, as Rose (2020) puts it, is seen almost as a trustee of the community's resources.

In this case study, we showed that, in the early 2000s, urban governance of private rental business became regulated in such a way that the requirements of being a landlord expanded to incorporate the regulation of non-compliant tenants, in response to political concerns with crime and quality of life issues that cast upon the city a stigma of an unlivable community. Not only criminal behavior was to be curbed from rental units and surroundings, but also any nuisance behaviour that could be seen as disturbing to the community. In the logics of nuisance abatement and community policing programs, landlords occupy a position of gatekeepers of the community, for which they must be held accountable by the municipality.

I have also explored the testimony of staff indicating that in the last two decades there has been changes in the types of responsibilities that are expected from rental property owners. In the interviews, the most referenced aspect of this responsibility refers to proper upkeeping and maintenance of rental properties.

The expectations staff manifested towards landlords were mostly that they ought to provide adequate housing in exchange for profit-making. In this section, I have showed how the archetype of the 'greedy landlord' is recurrent in the storytelling of rental policy initiatives. One of the possible readings of the interview material is that municipal regulation of rental properties is necessary when the 'greedy landlord' fails to put his communitarian responsibilities first. This reading became clear to me through the many references to a moral duty of the municipality to step in where the property owner has failed to commit:

My main role here is when tenants have landlords that don't deal with issues at hand, like minimum maintenance standard issues, they come to me. So, it's an interesting position because it holds landlords and property owners accountable. (Bylaw enforcement officer, Personal Interview. Jun 24, 2022)

You could have the 30-unit building and then not do anything about it and your tenants are paying you rent but you have to upkeep your building. We don't want that situation where the buildings become deplorable for our tenants. (City Management, Personal Interview. Jun 30, 2022)

But we also have a fiduciary duty because we regulate rental buildings to ensure that not only do we have a lot of sufficient stock, but that the people in them aren't going to be compromised in any way. (Community Planning staff, Personal Interview. Jun 10, 2022)

But fundamentally for us, we've always recognized that we think we have a fiduciary duty to keep vulnerable populations, and people that tend to be more easily exploited, we think it's our duty to protect them. (Senior City Management, Personal Interview. Jun 28, 2022)

Proprietarian understandings of property convey ideas of social morality in the definition of what constitute the proper social order, and that is why they may change according to the prevailing political philosophy. However, I argue that the characterization of landlords presented by the interviewees is still oriented by 'proprietarian' understandings of property, placing societal duties to property owners before their rights to profit from rent.

4.4. Conclusion

This chapter summarizes my observations on how framing processes of municipal agents relate to the problematization of nuisance in rental properties.

As to what kinds of problems public agents associate with ‘problem properties’, I was clear that different departments manifest different understandings of the problems they are supposed to manage under nuisance abatement initiatives in multi-unit rental buildings. While bylaw enforcement and rental licensing agents focus on property maintenance issues, the police department still addresses behavioral issues, mostly coming from adversarial relations between tenants and landlords. I state that the reference to ‘problem properties’ is operational for the problematization of rental spaces, as the category sets boundaries so that the agents can work in the governance of those apartment buildings, negotiating concrete actions under different understandings of the problems to be addressed.

When it comes to the social expectations and policy narratives invoked by staff, the interviews displayed an updated narrative of livability regarding the governance of ‘problem properties’. According to those descriptions, by enforcing quality standards for rental housing, the city manifests its ethic of care towards vulnerable community members.

Finally, in my considerations about how subjects are framed under nuisance abatement initiatives in multi-unit rental buildings, I have captured a narrative that places vulnerable renters under the protection of the city against greedy landlords. I have argued that in the last two decades there has been changes in the types of responsibilities that are expected from rental property owners, however the characterization of landlords presented by the interviewees is still oriented by ‘proprietary’ understandings of property.

Chapter 5. Reframing ‘problem properties’

In this chapter, I analyse the content of the interviews to answer how public agents of New Westminster acknowledge and engage with changes in the local agenda of policy problems associated with private rental properties, given the emergence of more ‘inclusive’ policy initiatives at the city.

When talking about their roles in the municipal governance of ‘problem properties’, participants shared some challenges in responding to residents’ complaints about nuisance/livability and considering the perspective of equity-denied groups living in the city . Regarding the ways in which changes in the local policy agenda have challenged participants to reframe their approaches to intervene in rentals, staff mainly expressed concern with acting to guarantee housing adequacy and maintaining affordable housing units in the rental market. Lastly, I heard about new regulatory concerns with the consequences of climate change for the health of residents of purpose-built rental buildings and an emerging policy narrative, framing communities of renters as important tools to build resilience given the consequences of climate change.

5.1. Pushing the boundaries of community

The reference to ‘community’ was frequent in the interviews that told the story of nuisance abatement in the city. Nuisance was immediately connected to community complaints, and the need to respond to those complaints appeared in the interviews as context to the introduction of the nuisance abatement program for rental properties. In this section I discuss the shifting trajectory of ‘community’ as a policy guideline in the City, starting with earlier connections between urban renewal initiatives and community policing the city’s rental properties, of which the Crime-free Multi-housing program is representative. (see Chapter 3.1.3 for historical background).

As discussed in Chapter 2.1.3, there is significant scholarship exploring how property relations work in positioning homeowners and renters in asymmetrical social positions (Krueckeberg 1999; Roy 2003). Exploring the associations between property and community, Blomley and Sommers (1999) observe that urban renewal initiatives in North America often associate economic entrepreneurship and community pride with

homeownership. Commenting on those policies, the authors identify the following rationale on urban renewal narratives:

“through fixity and presence, an active and responsible population of homeowners is assumed to improve a community, both physically and morally, replacing a marginal anti-community (non-property-owning, transitory and problematized)”. (Blomley and Sommers 1999 p.265).

Matching a lot of the characteristics that Blomley and Sommers (1999) attributed to urban revitalization programs, community policing programs such as the Crime Free Multi-Housing Program (CFMH) rely on the idea of giving property owner/managers tools to act their part on community safety. In the introduction of ‘The Crime Free Multi-Housing Program Overview’ (Appendix C), produced in 2011 by the BC Crime Prevention Association, the program is advertised as a safeguard against community threats:

This manual will help rental property owners avoid the blight of the drug house cycle. It will help responsible property owners find honest residents and prevent dishonest residents from abusing your rental property and your neighborhood.

Here, it is possible to observe how the definition suggests that this a tool for homeowners. It places them as responsible for controlling disorderly activities in their properties for the benefit of the community. As for renters, they are to be triaged into categories of the honest and the dishonest by the landlord, whose ability to choose and judge implies some sort of moral higher ground. In another reading, community integrity relies on the responsibility of property owners to find honest residents and prevent drug use in the neighborhood.

Archival references reproduced online offer context to understand the position that renters occupied in the original conception of the community safety program, as a transient subject. Correspondence between the police department of Mesa, Arizona and editor of the previously existing Landlord Training Program from Campbell Resources Inc. (Appendix C) highlights the high turnover of renters and managers to justify the inclusion of an annual training in each property in the second version of the manual. Regardless of the perception of renters’ transitoriness, the Mesa police advocates for the introduction of a “block watch” component in those annual gatherings with renters under the express argument that it would deflect a negative association in the media between the police and

the “big, bad landlords”. There is no actual defense of renters’ ability to commit to social community standards.

In some of the answers about the origins of the nuisance abatement program in the New Westminster, a nuanced distinction between residents of rental properties came up: ‘community resident’ was the usual reference when talking of those that needed to be protected from nuisance activities. As for the ones carrying on disorderly activities, they were referenced as residents, but not as members of the community:

(...) the Skytrain stations, the police were saying were really becoming the hotbed of drug trafficking, and but we didn’t, and then we started hearing from senior crown counsel that we couldn’t use typical no-go zones that the police can use because these people lived in New Westminster. So, there were drug traffickers, they were convicted drug traffickers, but the courts couldn’t really impose no-go’s around the skytrain stations because they were **New West residents**. Then we started going, ‘okay, well where do they live?’ So, then we started trying to do more work with some of the landlords and trying to look at adopting the principles of crime-free multi-housing. And then looked at that as a best-practice of a way of looking at screening mechanisms, in particular we were focused on **people with basically a criminal record, and focused mainly on drug-dealers**. (Senior City Management, Personal Interview. Jun 28, 2022)

The current iteration of New Westminster’s Rental Units bylaw requires measures of proactive management for rental properties, still making a direct reference to guidelines of the Crime Free Multi-Housing Program and granting a license’s discount to property owners engaged in the program. The last iterations of the CFMH by the police department, as I learnt from the interview, consisted of talks about crime prevention through environmental design in buildings that registered safety complaints, whether or not they are purpose-built rentals, as originally intended by the program:

So, out of that CPTED I usually end up doing a presentation as well, which is sort of our way of engaging with the community and helping make everything preventative versus, or proactive versus reactive. We want to be able to prevent the crime before it happens, right? (NWPD Crime Prevention officer, Personal Interview. Jul 25, 2022)

The police officer recognized the challenge to update the program’s manual to meet the new reality of drug use decriminalization in the province and the joint commitments of the Police Board and City Council to use a compassionate approach for dealing with community safety and nuisance in the streets. In the interview, the topic of

renters' selection and access to criminal history of prospective renters, which was an integral part of the original CFMH manuals, also came up.

What the interview showed was that, besides sharing principles of CPTED, the idea of community policing in rental spaces still relies in the idea of preventing the access of 'problematic' outsiders. In the response to a follow up question about the relevance of CFMH as a program nowadays, there was still an argument made that "the wrong fit" for a rental property can be a source of nuisance and should be avoided by a thorough screening process. In the police officer's words:

"you as a property owner are allowed to have certain standards and a set of expectations for your tenants because you want to be able to maintain a safe environment for your tenants, right? And whatever that might look like I think you can follow along with that and just take all the correct measures to make sure that you are not, how do I explain this? You are not biting off more than you chew. (...) And typically, what ends up happening is landlords, or building managers or owners, they're not doing enough to make sure that they're scanning the right people. And then what ends up happening is they get the wrong person in the building and then they expect the police to sort of just come and kick them out. I've noticed this, landlords have found tenants and again not done enough research." (NWPD Crime Prevention officer, Personal Interview. Jul 25, 2022)

On a different note, when asked to comment about CFMH guidelines regarding renters' selection, an interviewee talked about the need to push the boundaries of who requires rental housing and care in the community in the city's current reality:

"I would rather try to have, if people are having nuisance behaviours, do they need support networks, do they need mental health care? Do they need things like safe supply if they are using drugs or alcohol even. What is it that they need to be able to live in the community in a way that isn't disturbing neighbors, rather than just saying, 'get out of here, we don't want you here. (...) And so when we talk about background checks, checking people, for example having been incarcerated, that is not a helpful idea because people coming out of prison also need homes and if we are doing background checks and keeping them from having any sort of housing, all we're doing is doing this. (...) And the problem with that is that we're talking about people often who are struggling with mental illness, people who might have disabilities or be unwell, and often people who are Indigenous. Pushing them to being homeless or having to live in really precarious and desperate situations, which may increase the likelihood of further criminal behavior, as well as risky behavior that puts them, their families, or our community at risk." (City Council member, Personal Interview. Jun 21, 2022)

The member of staff involved with community planning also expressed concerns of updating city-led actions and programs to reflect more inclusive views of community:

I'm becoming more and more aware with the work I'm doing related to the work I'm doing with DEIAR [Diversity, Equity, Inclusion, and Anti-Racism] and others just around the biases and entitlements that we have, and like I said, sometimes we don't realize it and we have to be careful because it's these types of policies where things like unconscious bias, even if someone's not knowing it, they could be discriminating against someone for no other reason than the color of their skin, or where they come from, or their income, or how they dress, could be a variety of reasons. (Community Planning staff, Personal Interview. Jun 10, 2022)

The statement conveys awareness that who belongs to the community, and who does not, is a matter of whose voices were able to reach and influence the political realm at municipal scale. To the point of the political agency of renters, one of the participants shared in their interview the perception that up until recently renters were still under-represented in municipal debates:

I remember going to public engagement sessions where people would put dots up about who they were, and it would be about 100 homeowners and maybe one renter. And so, we often don't hear renters coming to delegate, we don't get very many emails from renters, so it's very clear that renters' voices aren't heard as much at the City as landlords or homeowners. (City Council member, Personal Interview. Jun 21, 2022)

'Community' shows as a powerful referent in the interviews, as participants frequently referred to the term to reinforce the legitimacy of local government actions. The content of the interviews also reinforces that, in the enactment of local policies, the meaning of community is fulfilled according to the prevailing political and social dynamics.

As mentioned in chapter 1.3, in the current political context, the city is taking formal steps towards the adoption of a DEIAR Framework (Diversity, Equity, Inclusion, and Anti-Racism) for guiding staff in providing inclusive public service. For policy planning, one of the goals is introducing qualitative aspects on data gathering for the evaluation of public policies' outcomes. It aims to gauge a better understanding of individuals and communities that are impacted by cities actions and regulations. (City of New Westminster, 2022). However, the interviews suggest that, for the everyday work of staff working to implement city polices "on the street-level", it can also require amplifying personal understandings of community and recognizing personal biases.

5.2. “Walking that fine line”

In this section I will explore what staff share regarding their own positionality working to implement city policies and having to deal with conflicting expectations and complaints coming from residents regarding livability and nuisance in the city.

New Westminster’s Official Community Plan (2017), which is the guiding document for future policies in the city, sets itself the task “to ensure that the city remains one of the most livable communities in Metro Vancouver”, by being “an equitable, inclusive, safe and welcoming place”. This all-encompassing set of abstract directives to achieve the vision of a livable city is materialized in different, and not necessarily coordinated, levels of decision-making.

Municipal governance takes place in relation to elected officials’ approval of municipal bylaws, plans, budgets and ordinary motions, to everyday bylaw enforcement actions by city staff. How much weight is put in each of those components - equity, inclusivity, safety - depends on the context and on the perception of the public problems that need be faced, by each of those actors (Villamizar-Duarte, 2019).

As discussed in Chapter 1.2.3, New Westminster’s current decision-makers have set a progressive agenda of inclusion to equity-denied groups in many aspects of the city’s public life, including protocols to implement a compassionate approach in dealing with the members of community experiencing homelessness, mental health issues and drug abuse. Instead of renters, people experiencing homelessness are now the usual subjects of problematization about what kind of policy interventions are needed towards those whose ways of living are deemed to be disorderly/disturbing to the public eye.

A recap feature from the local newspaper about the “top stories” of 2022, shows how the traditional media coverage of livability in downtown New Westminster is intertwined with complaints about homelessness in the streets:

In July, city council endorsed in principle a new New Westminster homelessness action strategy, a five-year vision and plan to address homelessness and related issues in the city. The issue of unhoused people extends far beyond downtown, but the city's core is home to many of the non-profit organizations providing services to vulnerable criticses. It's also where some of the shelter facilities are located. At its final meeting of 2022, city council received a staff presentation and report about its downtown

livability strategy. (...) That report came on the heels of delegations to city council and the police board, where Front Street businesses appealed for assistance in addressing livability, crime and other issues in the area. (Mcmanus, T. 2022, Dec 29).

A recent newspaper coverage on the debates over the allocation of the police budget in the City capture some of the tensions between resident's views and priorities. As the local media portrays, there are policymakers and community members arguing for the need of investing in the implementation of compassionate approaches versus those who argue for the reinforcement of assertive policing in the streets:

On Monday night, council heard from delegations regarding the City of New Westminster's 2023 budget. During those discussions, two residents offered different takes about the city's budget allocation to the police department. Debra Parkes, a New West resident and chair in feminist legal studies at the Peter A. Allard School of Law at the University of British Columbia, supported the overall budget but voiced concerns about the police budget. She said the city's police budget is more than \$37 million, which is the largest expenditure in the city.(...) "This, I think, is particularly concerning at a time when there's much research and rising awareness of the need for community based alternatives to policing models to address safety and security, as well as mental health and wellness in our communities. (...) Long time New West resident David Brett said he attended a November 2022 meeting between city council and the police board, where the police budget was thoroughly discussed.(...) Brett believes the statistics presented by the police department as part of its 2023 budget proposal - such as the number of officers working on the streets, the ratio of police officers to citizens and New Westminster's Crime Severity Index ranking - demonstrate the need for an increase to the police budget. (..) (Mcmanus, T. 2023, Apr 20)

The interviews conducted for this thesis revealed how the problems attributed to rental properties reflect normative understandings of impropriety that attempt to address complaints received from the public. When it comes to regulating private rental buildings, municipal agents work requires exercising discretion about a variety of undefined concepts that qualify urban property, such as public order, enjoyment, safety, cleanliness or health. On a daily basis, a bylaw officer may have to evaluate what is acceptable/proper in terms of the physical infrastructure of rental properties, what is considered to be unsightly in terms of neighborhood aesthetics, and what behaviours are considered to be disturbing of neighbors' right of quiet enjoyment of their residences.

Illustrating those tensions, interviewees shared some of the conflicts underlying the work on the city's current Homelessness Action Strategy (2022). While the document recognizes the need to address homelessness, mental health issues and drug abuse through a compassionate approach, complaints about nuisance in public spaces are a part of staff's routine:

"(...)I know people get very frustrated when they call the police non-emergency line and are on hold for 45 minutes to an hour and if there is a police response, police come, and they say we can't do much. It's not a criminal matter, it's more of a nuisance activity, and we're limited (...)" (Community Planning staff, Personal Interview. Jun 10, 2022)

We're in a challenging place, even in New West, because sometimes people say, you know, 'I don't care what the residents think downtown. I don't care what the businesses think. I care how well the homeless people are doing, the marginalized people are doing. I don't want to hear about so-and-so that had to step over feces at their back door leaving.' But, its more complicated than that. It's not black and white. (...)There are vulnerable people who live in our downtown who are being affected and who are afraid; like a young single mom or, you know, who is herself an immigrant, or whatever, right? (City Management, Personal Interview. Jun 30, 2022)

It was clear in the interviews that 'street-level' staff struggle to enforce the municipal narrative of compassion towards conflicted uses of the urban space, while different segments of the community manifest (through complaining) their own desires about the uses of urban space and even about the nature and extent of the city's interventions to see their vision through. To contextualize the challenges of dealing with complaints about nuisance/livability and enforcing city policies and regulations using an inclusive and compassionate approach, the interviewees more than once used the metaphor of walking a fine line:

I guess where I'm a little uncertain is around, if you were to eliminate that, there's, you know, does that have implications with regards to existing tenants in some of those buildings and who's occupying the units. Again, it's that walking the fine line. I have to do it all the time just because, you know, an overdose prevention site goes into downtown. There's a lot of opposition to it. (Community Planning staff, Personal Interview. Jun 10, 2022)

So, then you're walking this fine balance where you're coming at all of these issues around nuisance properties and tenancies with tenants with compassion, absolutely compassion, but there are some things happening, some behaviors that are putting other people at risk. (City Management, Personal Interview. Jun 30, 2022)

(...) she would call me on a pretty regular basis just saying, you know, 'I can't open my door in the summer. I can't sit on my balcony. This is what I'm subjected to' And I went out in her patio door and there were some people urinating, there was people cursing, there was a fight that was going on, and she was having to put up with this sometimes 5 days a week. So, there's always a fine line between livability and compassion or caring. And I think we always try to hit that balance. (Community Planning staff, Personal Interview. Jun 10, 2022)

Those stories exemplify how public nuisance remains an actively contested and polarizing concept in local politics. Meanwhile the bylaw regulating rental properties in the City haven't changed regarding the nuisance abatement program and still refers to 'proactive management' in association with a community policing program (CFMH), as it was envisioned twenty years ago.

In 2021, when the City Council approved the partnership with the Canadian Mental Health Association to run the Peer Assisted Crisis Team (PACT) in the City, it was under the express recognition that different approaches to domestic and sexual violence were needed, as well as compassionate responses to "lift up the most vulnerable, especially those experiencing mental health crisis, poverty, and homelessness". The program consists of an interdisciplinary mobile team of social assistance and mental health care that provides individualized assistance to issues that 911 call attendants are not able to. Although the program has received local attention as part of the renewed efforts to improve livability in the downtown core, it caters for unsheltered and sheltered members of the local community.

My interview with the community policing officer suggested that in rental properties, mental health crisis can also lead to exposure to police contact under the framing of nuisance behavior, as described in the response for an example of issues that can trigger nuisance calls to the police:

I've noticed this, landlords have found tenants and again not done enough research and turns out that the tenant might have a severe mental health issue. So, what ends up happening is they start going around and they accuse their neighbors of stealing or like peeping in through their window or whatnot. And it was a seniors-only building, so you've got a bunch of seniors that are nervous now because they're like, 'but we don't ever talk to this person. We've never done anything. And he's suddenly making accusations,' right? (NWPD Crime Prevention officer, Personal Interview. Jul 25, 2022)

Purpose-built rental properties are places where renters' vulnerabilities are likely to be manifest. As acknowledged by one of the interviewees, "the Brow of the Hill is the biggest rental area of the city, with all the three and four-storey walk-ups. Which also overlays with the lowest income neighbourhood of the city, the most newcomers, a lot of seniors in this neighbourhood. So, yeah, it's obvious that these issues all intersect." (Senior City Management, Personal Interview. Jun 28, 2022)

However, the city's Rental Units bylaw, as it currently approaches nuisance, provides little support for street-level staff to respond to conflicts that may come up regarding the uses of rental property in a compassionate way. It means that staff has to actively engage in the coordination of different institutional resources, such as the Peer Assisted Crisis Team, in order to follow through with a higher-level vision of compassionate public service.

5.3. Municipal governance of rental properties through the lens of a housing crisis

In this section, I discuss how dynamic institutional priorities in the municipality, not fully met by legislative updates, have pushed municipal agents to reconceptualize the notion of “problem properties” and even the meaning of nuisance in the context of rental properties.

In 2019, a Rental Housing Revitalization Initiative was endorsed by New Westminster City Council (City of New Westminster Jan 14, 2019), recognizing a housing crisis in the city and the need to protect purpose-built housing stock as source of affordable housing. As introduced in Chapter 1.3.1, in the prevailing policy narrative of a national housing crisis, purpose-built rental apartments - a legacy from housing policies carried on by the federal government until the 1980s - are now framed as a necessary affordable housing option on the market¹⁹. Those buildings became valued in opposition to upmarket strata developments that have been gradually replacing them (after demolition takes place) in the Metro Vancouver area.

In chapter 4.2, I documented a narrative shift from policy-relevant actors in New Westminster regarding rental living: in the interviews, it was noticeable that statements associating purpose-rental properties with disorderly environments were avoided. Since homeownership has become increasingly unachievable in the region, local policies have been characterizing rental buildings as spaces that need to be actively preserved, being among the few options of affordable housing.

Staff working in the Economic Development division declared that “there are more rental units than single-family homes in city, and there are going to be even more”. In a summary, municipal agents described the strategic role of regulating rental buildings through business licensing as “the City trying to achieve some standards for rental living and just protecting our rental sector” (Business Licensing staff, Personal Interview. Jul 6, 2022).

¹⁹ In New Westminster, purpose-built market rentals represent 26% of all dwellings, not including the secondary rental market, according to Metro Vancouver’s Housing Data Book retrieved 28 Apr 2023 from https://view.publitas.com/metro-vancouver/22-145-pln_2022-housing-data-book-december-2022-final/page/1

The pressing need for keeping purpose-built rental units in a housing market characterized by the scarcity of affordable options poses new sets of challenges for municipal agents, when it comes to the regulation of these properties. In this context, municipal agents expressed concerns that regulation may result in the loss of rental units:

I really don't think that our approach is impacting the ability of market rental to come on stream. Because it's a very straightforward process. I do know that in granting these licenses they're not overly onerous. If you're a multi-dwelling unit owner and you want to rent out the place, the standards are pretty basic. So, vast majority would have no problem. (Business Licensing staff, Personal Interview. Jul 6, 2022)

And so, I mean the first thing I'm going to say is we don't have perfect regulations. We don't. And that's the truth of it, right? Especially because housing is really complicated, and when you've got an affordable housing crisis and you've got a lack of rental housing, we don't want to create a situation where people are going to be forced out of their home. We know that. We recognize that's really an issue. (Senior City Management, Personal Interview. Jun 28, 2022)

In the interviews conducted with city staff, I have observed that the need to curb nuisance generated by rental business has become secondary in the narrative used to describe the motivations and justifications of regulatory activities carried on by municipal agents at rental units. Although the term 'challenging rental properties' still appears connected to apartment buildings, from the licensing perspective, the concept of minimum standards now is used to qualify the built environment that property owners should provide to renters.

When it comes to the accountability of public servants regarding rental properties, the discernible narrative among the interviewed staff mainly refers to the challenge of balancing the need to secure affordable market housing with the need to guarantee housing adequacy, from a standpoint of usability and public health. The business licensing staff summarized this approach in his interview:

Our approach at the City of New Westminster really is about balancing compassion and our strong desire to make sure that people are adequately housed with the need to regulate and when necessary, enforce with multi-dwelling rental property owners and businesses the need to provide appropriate physically safe and pleasant surroundings type of thing. (...) it's our responsibility as a municipal regulator to make sure that we have some semblance of regulatory authority that allows us to give some sort of, to provide oversight as well as maintain some general standards. (...) us being able to license those buildings it also gives us an opportunity to give

closer oversight to some of the challenging rental properties. (Business Licensing staff, Personal Interview. Jul 6, 2022)

In the summer of 2021, New Westminster's rental buildings have regained the status of 'problem spaces' to be dealt by the municipality due to the lethal consequences of heatwaves in that season. As a provincial report accounted for 33 fatalities in the city due to heat extremes, a close examination of data showed that seniors living alone in rental buildings in the city were disproportionately affected due to the lack of access to cooling areas, among other factors²⁰.

The fact that the city was considered one of the hardest-hit areas of BC in terms of fatalities due to the heatwaves²¹ has triggered policy efforts to reducing the isolation of potentially vulnerable individuals living in multi-unit housing²², as we can begin to see in some of the interviews.

And it does have a social connectedness piece to it. A lot of it is around resiliency and emergency management preparedness just because of the heat dome and what happened during that time. (Community Planning staff, Personal Interview. Jun 10, 2022)

And so, I do support proactive management; that's something that the City is working on with landlords right now, but we're actually talking with them around the climate crisis in that, in my neighborhood – the Brow of the Hill – these apartment buildings get deadly in heat waves, and this is where we saw the most deaths actually throughout Metro Vancouver during the heat wave last year, and so we want building managers to be proactive in working with tenants and not allowing them to die or have really serious health impacts. (City Council member, Personal Interview. Jun 21, 2022)

Through pilot programs in partnerships with non-profits, emergency preparedness actions in the City have been incorporating measures to promote social connectedness between neighbors in multi-unit housing²³. That is clearly a new framing on problematic aspects of rental properties, that associates renters' vulnerability to different policy narratives such as climate change, community resilience and public health:

²⁰ https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/death-review-panel/extreme_heat_death_review_panel_report.pdf

²¹ <https://bc.ctvnews.ca/poverty-pavement-isolation-a-closer-look-at-b-c-heat-deaths-1.6038112>

²² <https://www.heyneighbourcollective.ca/2023/02/guide-4-roles-for-local-government-in-strengthening-social-connectedness-and-resilience-activities-in-multi-unit-housing/>

²³ <https://www.newwestrecord.ca/local-news/new-westminster-gets-grant-to-help-vulnerable-seniors-5769415>

So, if we have seniors in these apartment buildings that are socially isolated and they're the most vulnerable, then I think even as a City we have a duty to try to promote that sense of neighborliness and inclusion and engagement in buildings. I mean not just because I think it's the right thing to do, because as we found in health emergencies, they're also the most at risk. (City Council member, Personal Interview. Jun 21, 2022)

Oh yeah, I mean, first of all these are people's homes. And so, apartment buildings are a collection of people's homes. And I think one of the things we need to do a better job of is how do we help foster neighborhood cohesion and engagement, and a sense of community even in our multi, in our apartment buildings. (Senior City Management, Personal Interview. Jun 28, 2022)

An emerging narrative that asks for public action to foster communities of renters that are resilient to climate changes represents a new approach to the problematization of livability in rental properties. It offers a repository of new policy language for staff to reframe their interventions in 'problem properties' in ways that fit a larger narrative of compassionate community: more than promoting housing adequacy, city's intervention towards the maintenance of rental properties should contribute towards renters' social connectedness.

5.4. Conclusion

In this chapter I have identified changes in the problematization of rental spaces in the City. The concerns that staff mainly referred to were balancing the need to secure affordable housing options in the rental market with the need to guarantee housing adequacy, from a standpoint of usability and public health. New problems have been recently associated with rental properties such as public health concerns regarding heat waves. In response to that, new narratives of community resilience to climate change have been introduced in the local policy field to guide interventions in rental properties.

When it comes to nuisance regulation, New Westminster's current administration appears to be engaged in re-signifying the category of nuisance to fit within a larger frame of the compassionate and renter-friendly city. The interviews suggest that public agents in New Westminster have been actively trying to disassociate the City's interventions from punitive approaches to urban governance (see Clarke, 2019). I have also approached how, in the provision of municipal services, the meaning of community is fulfilled according to the prevailing political and social dynamics, as understood by public agents. In this vein, participants shared how the enactment of local policies requires them to reconcile conflicting expectations from city residents regarding notions of livability, quiet enjoyment of property and proper uses of the urban space.

With the adoption of a DEIAR Framework (Diversity, Equity, Inclusion, and Anti-Racism) requiring an inclusive approach to public service, public agents are required to develop their own mechanisms of interpretative accommodation to deal with a legacy of policies that are still lacking review under this new framework, such as the City's nuisance abatement program.

Chapter 6. Conclusion

As various policy-relevant actors bring different and conflicting experiences, expectations, desires, and fears to policy situations or develop these in them, conflicts over the interpretation(s) and meaning(s) of these narrated stories can be expected, and negotiations over their meaning(s) may take place. In this persuasive sense, framing through storytelling manifests discursive power. (Van Hulst & Yanow, 2016 p.101)

With a focus on governance processes through time, I interviewed public agents about a nuisance abatement policy for rental properties that has survived in a bylaw through successive administrations and, used archival data in the form of newspaper articles to provide a contextual background to regulatory concerns in place at time the legislation was introduced in the municipality. I wanted to understand how public agents engage with static policy instruments and make sense of them in the face of current policy framings and narrative resources that populate the policy field of market rentals. This chapter systematizes my findings and conclusions.

6.1. Summary of findings

Chapter 1 delineated the ideas and methodology behind this investigation, and Chapter 2 provided a summary of the literature that was influential in the conception of this research and the analysis that followed data gathering. Using both archival data from local newspapers and semi-structured interviews conducted with municipal agents, I have developed in three chapters an analysis of how policy actors negotiate changes in policy frames that problematize private rental properties in the City of New Westminster.

The first section of Chapter 3 is an exploration of the social-political context that allowed nuisance abatement measures to be attached exclusively to sites of multi-housing rental living in the downtown area of the City in the early 2000s. I situated fear of crime in the city as a main regulatory concern in the City at the time, exemplifying previous policy milestones in the regulation of urban disorder through spatial interventions, including the local “war on drugs” and the history of the Crime-free Multi-housing program in the municipality. I have explained mainstream economic concerns behind the policies of revitalization of the downtown area of city, among which was the nuisance abatement

program to rental properties. I have also shown that the establishment of a fee for homeowners whose rental properties generated repetitive complaints for police/bylaw enforcement was publicly presented as an attempt to both improve livability and reduce expenditure on 'preventable' nuisance calls. The second section of Chapter 3 shows how new municipal policies consequential for housing governance in the City, such as institutional supports for rental tenure and a caring approach for homelessness, have been responsive to changes in the housing market in (and around) the city of New Westminster.

In Chapter 4 I have demonstrated how the notion of 'problem properties', as characterized in the interviews, continues to work as a framework for the problematization of rental spaces. Organized in three sections, those were the main findings about staff's current perspectives about the policy field of market rentals:

- I observed that civic staff associate their work in "problem properties" with lack of building maintenance by property owners. In its turn, the police department deals with nuisance complaints from the perspective of disturbance in the quiet enjoyment of residents.
- I contextualized the city's regulatory concerns regarding the conservation of private rental properties as a source of affordable rental units. Under the framing of 'housing crisis', staff conveyed the message that the City delivers a caring/compassionate public service by ensuring the quality of housing standards in rental properties.
- I explained how the story of the nuisance abatement program, as told by the interviewees, features the oppression of the greedy landlord against the vulnerable tenant.

Chapter 5 was devoted to analysing the content of the interviews where participants expressed their own positionality in the municipal governance of 'problem properties'. When talking about their roles in the municipal governance of 'problem properties', participants shared some challenges in responding to residents' complaints about nuisance/livability and considered the perspective of equity-denied groups living in the city. On the topic of rental properties, they also expressed concerns that regulation may result in the loss of rental units in a housing market characterized by the scarcity of affordable options. Finally, I identified a new approach to the problematization of livability in rental property: an emerging narrative that recognizes the importance of public action to foster communities of renters that are resilient to climate changes.

6.2. Concluding remarks

Van Hulst and Yanow (2006) argue that selecting troublesome features of a situation is both a practical and a political act. It is a practical necessity, in the sense that it allows policy actors “to frame the situation they are engaging in ways that they can act on it” (p.99). However, beyond that aspect, they emphasize that the process by which public agents problematize and choose to act on certain aspects of situation rather than others will always be political and contingent.

The political nature of policy problematization is also approached in the literature through the concept of ‘policy agenda’. Although the term usually refers to the symbolic space where ideas of policy change are discussed before a formal decision is made, Peter John (2018) reminds us about the temporality of agenda-setting process, noting that the process of agenda-setting continues even when policies are introduced, “as political actors continue to argue about which are the best policies and criticize the implementation of a policy if their chosen alternative is not selected” (p.296).

It is because of this ongoing temporal dimension of policymaking that the process of reframing policy issues is a relevant matter in municipal bureaucracies. How public problems are conceptualized and act on is constantly changing depending on decision-makers in charge, resources, public support, among other factors, such as societal norms and even morals (John 2018).

In this thesis, I wanted to approach what happens to public agents when changes in those factors call for a new framing of controversial issues, such as nuisance controls for rental properties. This is how one of the participants described policymaking and agenda setting processes in New Westminster:

I think in a lot of ways, sometimes policies can come from staff up. A lot of the times it comes from Council down. It means Council sets a direction. They become aware of a concern. Sometimes staff raises concerns with Council or comes out of an advisory committee. Or councilors are just connecting with maybe with the New West Tenant’s Union or maybe another group. And they become aware, and they can put forth the motion and council, I mean staff, would typically review the issue. (Community Planning staff, Personal Interview. Jun 10, 2022)

I have conceptualized and started the interviews with public agents having in mind Van Hulst and Yanow’s hypothesis that public agents might have difficulties embracing

the narratives of new municipal policies to reconceptualize public problems and interventions regulated in static legislation. In this case study, the Rental Units bylaw defines nuisance in rental properties as a safety problem and, as a corresponding response, introduces nuisance abatement measures in the form of an “excessive nuisance fee”. Although this part of the legislation has remained unchanged for almost two decades, new municipal policies in the city have changed the problematization of affordable rental tenure in the city.

I wanted to understand if and how those changes are reflected in the enactment of nuisance controls in low-income rental units of the city. In other words, what has become of “problem properties” in New Westminster. I have maintained a special focus on street-level workers such as bylaw enforcement and community police officers that work directly answering to the public, given Van Hulst and Yanow’s assumption that those workers, when compared to staff that works in formal policymaking positions, might be more reactive to changes in policy frames in their fields of work, meaning that they might be more attached to existing ways of problematizing and intervening on situations.

What the interviews have showed is that a static nuisance regulation for rental housing has been informally resignified by all levels of staff in consonance with emergence of new public problems and “compassionate” approaches for public intervention in the field of housing.

In the case of the nuisance abatement program for rental properties, the interviews showed some of the ways in which the policy in was reframed or retold in contemporary terms to fit the current narrative of a renter-friendly city. Between new municipal policies for a caring governance of homelessness and incentives for the development of upper-middle class rentals, the conservation of purpose-built rental properties as a source of affordable housing to low and middle-income dwellers has gained strategic priority in the city and, nuisance has become synonym of lack of maintenance by landlords.

Reframing nuisance regulation in contemporary policy language, most of the participants have evoked a narrative against greedy landlords (see Chapter 4.3) even to contextualize how the nuisance abatement program was introduced in the Rental Units bylaw over two decades ago. In justifying old policies, public agents manifested in the interviews an effort to be attuned with current public expectations.

However, not all participants engaged with the temporality of policy frames in the same way. While conducting the interviews I have observed that public agents that do not hold an official position of policymaker - because they neither are elected officials nor occupy high-executive functions in the administration - have expressed strong concerns with being observant to the Rental Units bylaw. In those positions, I observed attempts to be respectful of the reasoning that guided the work of the public agents in the past regarding nuisance controls, even when those same regulatory concerns no longer occupy the same place in the local policy agenda. The following piece of interview exemplifies this sort of positioning:

But I guess in thinking about it, and I don't make the decisions, but maybe this is one of those by-laws and policies whose time, at the time, maybe it was needed. You know. And over the years it probably; I'm just giving you one opinion and there will be counter opinions on the other side. (...) I guess the question that's being raised is that line necessary now and is this something that at the time met a need but overtime and given where we're going as a society, and given the City's working on the DEIAR framework, and all of this work, has it run its course and is it time to look in a different direction? (Community Planning staff, Personal Interview. Jun 10, 2022)

On a slightly different approach, those who were directly involved with past regulatory initiatives have retrospectively retold the story of the nuisance abatement program using concepts and narrative resources associated with tenants' protections:

And so, which is why so much of the focus over all these years weren't on tenant behavior, per se, unless they were part of the problem, the perpetrators, right? It was about protecting the vulnerable. We don't give ourselves enough credit for just walking through the history of why we got here because we're so focused on the end results that it's important to recognize that sometimes it's not explicit that what we're targeting are problematic landlords because they're exploiting vulnerable tenants. (Senior City Management, Personal Interview. Jun 28, 2022)

Those narratives that place vulnerable renters under the protection of the city against greedy landlords are, of course, situated in time, and are now told over shifting understandings of nuisance and community. More specifically, I have observed an avoidance of using language that privileged the policing component of those initiatives, even though the Rental Units bylaw still grants fee discounts for member of Crime-free Multi-housing program, run by the NWPD:

So that's, so I think in many respects we haven't changed the work we're doing. Our approach has always been if we think that vulnerable

populations are being exploited, we'll throw everything at it. Everything. And sometimes people question our tactics, and we're like yeah, maybe we don't have complete authority, but that's better than someone else being harmed. (Senior City Management, Personal Interview. Jun 28, 2022)

There is a clearly an effort to build a retrospective narrative to provide a sense of coherence to municipal governance throughout time, especially when one has been part of this trajectory. Finally, only the participant that holds an official position of decisionmaker - the City Council member - has openly criticized the potential harmful effects of the policy in question for equity-denied members of the community:

So, that idea of checking people for backgrounds is something I actually don't support at all because I think it just contributes to homelessness, which we've seen in New Westminster. (...) the other thing I would say is that kicking people out for nuisance behavior is very, very punitive and I don't in general support punitive measures because it does not resolve any long-term issues. (...) I would rather try to have, if people are having nuisance behaviors, do they need support networks, do they need mental health care? Do they need things like safe supply if they are using drugs or alcohol even. What is it that they need to be able to live in the community in a way that isn't disturbing neighbors, rather than just saying, 'get out of here, we don't want you here.' (City Council member, Personal Interview. Jun 21, 2022)

For this participant, I captured no sense of commitment to long existing bylaws. Lot of reasons may play a part on that detachment, but I consider that, due to the political nature of the position, council members are subject to different sorts of accountabilities than regular municipal employees, the following being examples of relevant differences:

- Creating or changing bylaws is an integral part of their public duties..
- They access and leave administration through periodic elections, fearing no retaliation from superiors.
- It is expected from them to assert the ideological convictions and political frames that have been ratified by the voters who elected them.

Those observations are in consonance with Lejano, Ingram & Ingram's (2018) description of narrative communities, where policy storylines are shared throughout time by multiple actors, each one with different levels of agency. Although this idea is used the work of Lejano, Ingram & Ingram to talk about counter-narratives thorough informal resistance networks, I argue that it also offers potential to describe how municipal agents engage in modifying and adding to existing policy texts to respond to changes in the policy

context. Reflecting on those findings, against a backdrop of archival data and conceptual framework, I argue that the problematization of rental spaces in policy narratives is produced by a network or community of policy-relevant actors, who are responsive to dynamic institutional narratives when enacting their roles, no matter their position in the formal process of policymaking.

6.3. Implications

6.3.1. Research Implications

This research suggests the need to continue to examine the problematization of urban issues as a continuous process that involve the valuation of multiple agents over the occupation of urban space which does not settle even after its translation into policy instruments. It calls for recognition of the constant negotiation required from public agents to deal with dynamic regulatory demands and find coherence with institutional narratives that change at different paces. Recognizing and understanding those processes of negotiation could benefit both policymaking and evaluation. Additionally, the research also supports additional lines of inquiry into the intersection between municipal governance and policymaking.

Looking at a municipal nuisance abatement program for rental properties from a historical perspective reveals some of the negotiations that emerged over decades to change the framing of purpose-built rentals as a public problem, as well as more recent regulatory concerns that have introduced new framings in the rental policy field, such as community resilience to climate change.

Inclusive housing policies can be a node for local social and economic development. The potential of rental properties for positive community development relies on awareness of the ideological narratives behind the construction of policy instruments and their instrumentation. This knowledge can help unpack generalizations about rental tenure and address those elements that can potentially led to the perpetuation of exclusionary housing practices. Furthermore, awareness of past experiences is central to thinking critically about the present and to challenging established practices, such as overpolicing rental housing.

While critical literature about public administration has mostly focused on the dysfunctional and potentially anti-democratic outcomes of discretion in public services²⁴, considering municipal governance as an environment of inescapable sensemaking invites researchers and elected policymakers to look to the agency of all municipal employees as a potential link to community expectations.

Limitations and future research

In the methodology chapter I have approached how the difficulty of guaranteeing anonymity on a municipality where there is a limited number of professionals dealing with rental policies has had a negative impact in the snow-balling recruitment process. It was clear that staff in the position of enforcement and even more in policy planning positions had reservations to be associated with a research project that posed critical questions about policy developments on renters' living experiences at the city.

Although I was able to interview people directly involved in the design and negotiation of policies, a larger number of participants may have added aspects not captured by the sample. Nevertheless, I have used the archival research component, in the form of newspapers coverage and policy documents to help deepen the understanding of the political context and the regulatory demands behind rental policies in the city.

While my research focuses on the problematization of rental spaces from the stance of policymaking, specifically exploring public agents' perspective, I do not underestimate the relevance of studying other types of governing practices that take place at rental properties, whether by landlords, by tenant unions or simply by spontaneous networks of solidarity among neighbors. There is potential for complementary research about the effects of different kinds of governing practices in social connections developed in rental environments.

²⁴ Public administration literature of the late 1980s pioneered studies about individual rationalities of "street-level" bureaucrats. However, they were mostly interested on how those rationalities lead to the distortion of policy objectives in the stage of implementation (see Lipsky, 1980 about the categorization of clients as a coping strategy of overwhelmed public agents).

6.3.2. Policy Implications

For this thesis, I have interviewed New Westminster's public agents about the problematization of rental properties (aka 'problem properties') in municipal policies.

When asked about the nuisance abatement program for rental properties, participants generally acknowledged that, since the current model of regulation was introduced at the Rental Units bylaw almost two decades ago, a process of review of the policy in question would be beneficial to evaluate its cohesion with subsequent policies that the City has been adopting to promote proper rental tenure in the City. Likewise, the City's DEIAR Framework (City of New Westminster, 2022) envisions a general process of policy revisions taking into consideration outcomes of the city's actions and regulations individuals and communities.

From archival and interview data, I have learned that the nuisance abatement program seeking to inhibit 'excessive' nuisance calls from the same property was conceptualized based on data gathered by the police department from the CFMH program. Based on existing research about the potential for negative effects of over-policing renters housing experiences through municipal nuisance regulation (see Chapter 3.1.3), I suggest that the connections of the rental licensing process with this program of community policing, still referenced in the bylaw, needs to be reassessed based on data to be collected among the communities living in rental properties in the City. Taking into consideration the City's DEIAR Framework, it would be relevant to assess how renters experience being exposed to a police-led program in their home environment, since those rental properties may be home to already overpoliced groups such as drug users, sex workers, or even people suffering from mental disorders. A similar debate was promoted in 2021 by the City's school district regarding the presence of police officers in the school environment, and the presence of liaison officers at schools was discontinued until the partnership with the police department was re-designed to preserve student's safety in different terms²⁵.

For the CHMH to continue in the City's regulatory framework for rental properties, it would be vital to update the program in the light of current commitments both from New

²⁵ <https://newwestschools.ca/liaison-officer-program-comes-to-an-end/>

Westminster's Police Board and City Council to adopt a compassionate approach to deal with drug abuse and mental health crisis in the city, which are well reflected in the City's New Livability Strategy for Downtown (2023). Finally, reflections about inclusivity of renter screening practices deserve further scrutiny, considering that those add an extra barrier in the access to housing in the city (see Miller, 2019).

Still on the question of municipal governance of private rental properties, the interviews also point out for emerging considerations in city initiatives about the potential of social connectedness offered by multi-unit housing, rather than just concerns with antisocial behaviours. Local level effects of multiple crises in policy fields such housing, climate and public health in rental properties has renewed public agents concerns about the vulnerability of renters and the need to incentivize social connection in those environments.

In the past, the administration has put in motion a financial incentive in the form of a fee reduction to incentivize property owners to adhere to building management practices from the Crime-free Multi-housing program. If the decades brought change in the policy agenda surrounding those properties, new forms of regulation can be considered to incentivize property owners to adhere to new programs and partnerships based on the development of social connectedness between neighbours, such as the pilot project "Connect and Prepare", that currently takes place in the city in a public owned building²⁶. In adopting such policy framing, the component of emergency preparedness of such programs can be used to leverage provincial/federal grants targeting the effects of climate change in communities.

A recent summary of research developments about social quality of life in high-density environments, indicated that "promoting and planning for those neighbourly social connections can make a significant contribution to housing, health, and social policy goals" (Holden et al. 2022 p.2). The idea of intervening in rental properties to promote *social* quality-of-live rather than just quality-of-life departs from an environmental perspective of building management to aim for community development as a comprehensive social policy.

²⁶ <https://www.seniorsservicessociety.ca/blog/connect-prepare-emergency-preparedness-for-seniors/>

On that path, Latham and Layton (2019) suggest the benefits of working with the concept of “social infrastructure” to recognize the public dimensions of taken for granted urban spaces, focusing at the communities and networks generated through such spaces. Focusing on social infrastructure, they say, “draws attention to the affordances that particular spaces or facilities offer for inhabitation and social interaction” (p.5). It is using this meaning that I advocate that rental properties are assets of the city’s social infrastructure owned by private individuals and should be framed as so in further policy developments.

Finally, on a more organizational note, the content of the interviews collected for this thesis shows that public agents from Council, high-administration, economic development, community planning, bylaw enforcement, all express slightly different but complementary perspectives about the problems that the municipality must face in the governance of rental properties. I suggest that, given the intersections of rental housing policy with other social and economic policies, the municipality would benefit from intensifying the promotion of thematic interdepartmental forums where staff could aggregate their regulatory concerns, experiences, and expectations about rental governance in less hierarchical ways than the regular division of attributions between departments allows for.

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Appendix A. Newspapers sources

Crime-Free housing at The Record:

NEWSPAPER/PLACE	PUBLICATION DATE	TITLE	DOCUMENT URL
THE RECORD; NEW WESTMINSTER, B.C.	26 APR 2003	Cracking down on nuisances	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/cracking-down-on-nuisances/docview/359157403/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	07 MAY 2003	Facelift for 12th Street	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/facelift-12th-street/docview/359099768/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	23 AUG 2003	Future looks bright for 12th Street	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/future-looks-bright-12th-street/docview/359181210/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	22 MAY 2004	City cracks down on calls	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/city-cracks-down-on-calls/docview/358987166/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	09 OCT 2004	Apartment fights draw police	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/apartment-fights-draw-police/docview/359000821/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	30 AUG 2006	Suess takes in conference	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/gardens-getting-attention/docview/359179042/se-2?accountid=13800

THE RECORD; NEW WESTMINSTER, B.C.	10 FEB 2007	Workshop introduces crime-free housing	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/workshop-introduces-crime-free-housing/docview/359157917/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	02 MAY 2007	Rentals raise concern	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/rentals-raise-concern/docview/359172384/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	20 FEB 2008	Following Royal City's lead; Vancouver's mayor pays a call to check out Crime Free Multi- Housing program	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/following-royal-citys-lead-vancouver-s-mayor-pays/docview/359201822/se-2?accountid=13800
THE RECORD; NEW WESTMINSTER, B.C.	21 JUL 2010	City keeping an eye on problematic property	http://proxy.lib.sfu.ca/login?url=https://www-proquest-com.proxy.lib.sfu.ca/newspapers/city-keeping-eye-on-problematic-property-staff/docview/658018200/se-2?accountid=13800

Crime-Free housing in Metro Vancouver's newspapers:

NEWSPAPER/PLACE	PUBLICATION DATE	TITLE	DOCUMENT URL
KAMLOOPS DAILY NEWS; KAMLOOPS, B.C.	13 SEP 2000	Program aims at reducing policing costs	https://www.proquest.com/newspapers/program-aims-at-reducing-policing-costs/docview/358365935/se-2?accountid=46600
BURNABY NOW; BURNABY, B.C.	07 FEB 2004	Public invited to community safety meeting	https://www.proquest.com/newspapers/public-invited-community-safety-meeting/docview/358786751/se-2?accountid=46600

KAMLOOPS DAILY NEWS;KAMLOOPS, B.C.	09 JAN 2008	Criminal activity helps landlords with evictions	https://www.proquest.com/newspapers/criminal-activity-helps-landlords-with-evictions/docview/358475720/se-2?accountid=46600
BURNABY NOW; BURNABY, B.C.	23 FEV 2008	Program targets safety in apartment buildings	https://www.proquest.com/newspapers/program-targets-safety-apartment-buildings/docview/358605734/se-2?accountid=46600
THEVANCOUVER SUN; VANCOUVER, B.C.	05 APR 2008	A model block for crime-free living; Once one of New Westminister's worst, it's been cleaned up by apartment dwellers, who were trained by the city	https://www.proquest.com/newspapers/model-block-crime-free-living-once-one-new/docview/243876467/se-2?accountid=46600

Media references to Crime in New Westminister:

NEWSPAPER/PLACE	PUBLICATION DATE	TITLE	DOCUMENT URL
THEVANCOUVER SUN; VANCOUVER, B.C..	02 AUG 1996	Royal City's crime rate highest of all	https://www.proquest.com/newspapers/royal-citys-crime-rate-highest-all/docview/243029993/se-2?accountid=46600
THEVANCOUVER SUN; VANCOUVER, B.C...	28 OCT 2002	Putting back the 'New' in New Westminister	https://www.proquest.com/newspapers/putting-back-new-westminister-series-civic/docview/242445630/se-2?accountid=46600
THE RECORD; NEW WESTMINSTER, B.C.	27 MAR 2004	Gerda Suess is Citizen of the Year	https://www.proquest.com/newspapers/gerda-suess-is-citizen-year/docview/359140438/se-2?accountid=46600

THE RECORD; NEW WESTMINSTER, B.C.	30 JAN 2010	Taking shopping to new heights	https://www.proquest.com/newspapers/taking-shopping-new-heights/docview/359156614/session2?accountid=46600
THE RECORD; NEW WESTMINSTER, B.C.	18 JAN 2022	New West police chief looks ahead to a year of changes - and reflects on a challenging year	https://www.newwestrecord.ca/local-news/new-west-police-chief-looks-ahead-to-a-year-of-changes-and-reflects-on-a-challenging-year-4965473

Appendix B. Interview questions prompts

Title of the Study: Governing Nuisance in New Westminster's rental properties: How do changes in the official narratives of community livability affect municipal practices of nuisance control?

I am interested in exploring the tensions between the vision of a livable community and the dynamics of nuisance control in private rental units in the city. In other words, I am focused on getting to know city practitioner's perspectives on the ways in which nuisance control relates to planning visions for a livable and equitable community.

This research will be beneficial for understanding the relationships between nuisance enforcement and planning for livability, as the city is gradually introducing an equity lens to its polices and services.

Interview Questions and Prompts for bylaw enforcement staff

To get started, let's begin with what you do at City of New Westminster and for how long have you been doing it.

About livability and equity

- What is your understanding of a livable city?
- Can you think of any issues that would need to be addressed to improve livability in rental apartments?
- What is your vision of an equitable city?
- What are some of the challenges that you see for the city to become both livable and equitable?

About nuisance control in general

- Could you guide me through some of your tasks related to nuisance control in rental properties?

- What can you tell me about the kinds of problems that nuisance abatement aims to solve in rental properties?
- Would you be able to say what are the most common type of nuisance calls for rental properties? Who would be the most frequent callers? (neighbours? landlords?)
- When you think about the entirety of the city, who do you think values the most nuisance control?
- Can you share what do you see as the most challenging aspect of working with nuisance control?

Equity challenges at nuisance control

Context: New Westminster's most recent social policies have adopted the concept of equity-seeking groups for "those in the community that face entrenched marginalization due to attitudinal, historic, social and environmental barriers including age, ethnicity, disability, economic status, gender, nationality, race, sexual orientation or transgender status"²⁷.

- How often would say a nuisance abatement call involves equity-seeking groups? Any examples that you can think of?
- Have you ever addressed a nuisance abatement call where you felt it could also be addressed by social assistance services?

Context: Advocates for renters' rights worry that landlords' participation on nuisance control – specially background screening and eviction - can lead to housing exclusion of vulnerable groups such as drug users, sex workers or people who had adverse encounters with the police.

²⁷ Social Inclusion, Engagement and Reconciliation Advisory Committee Terms of Reference at <https://pub-newwestcity.escribemeetings.com/filestream.ashx?DocumentId=3811>

- Can you share your perspective about landlords'/managers' participation on nuisance control? Benefits and challenges?
- When it comes to avoiding nuisance, what do you think can be reasonably expected in terms of rental property management?

Closing comments

- Is there anything else you would like to add to our conversation?
- If think there someone else in the City staff that would be interested in contributing to this conversation, I would ask you to, please, forward my contact info and the information about the study.

-

Interview Questions and Prompts for other city-level practitioners and elected officials.

To get started, let's begin with what you do at City of New Westminster and for how long have you been doing it.

About livability and equity

- What is your understanding of a livable city?
- Can you think of any issues that would need to be addressed to improve livability in rental apartments?
- What is your vision of an equitable city?
- What are some of the challenges that you see for the city to become both livable and equitable?

About nuisance control in general

- Can you describe in which way in your job relates (or have related) to the issue of nuisance control in rental properties?
- What can you tell me about the inclusion of nuisance regulation in the rental licensing bylaw? What kinds of problems was it aiming to address? Do you think those problems have changed?
- When you think about the entirety of the city, who do you think values the most nuisance control and why? What do you know or imagine to be the main challenges of bylaw officers in responding to nuisance abatement calls.

Equity challenges at nuisance control

Context: Mirroring the Crime Free Multi-Housing Program (CFMH) led by the Police Department, tenant screening with verified references and the monitoring of tenants' and guests' conduct to prevent nuisance behavior is among the conditions for the licensing of rental units in the city. Advocates for renters' rights worry that nuisance control tools allowed to landlords - such as surveillance, background screening and eviction - can

lead to housing exclusion or trauma for vulnerable groups such as drug users, sex workers or people who had adverse encounters with the police.

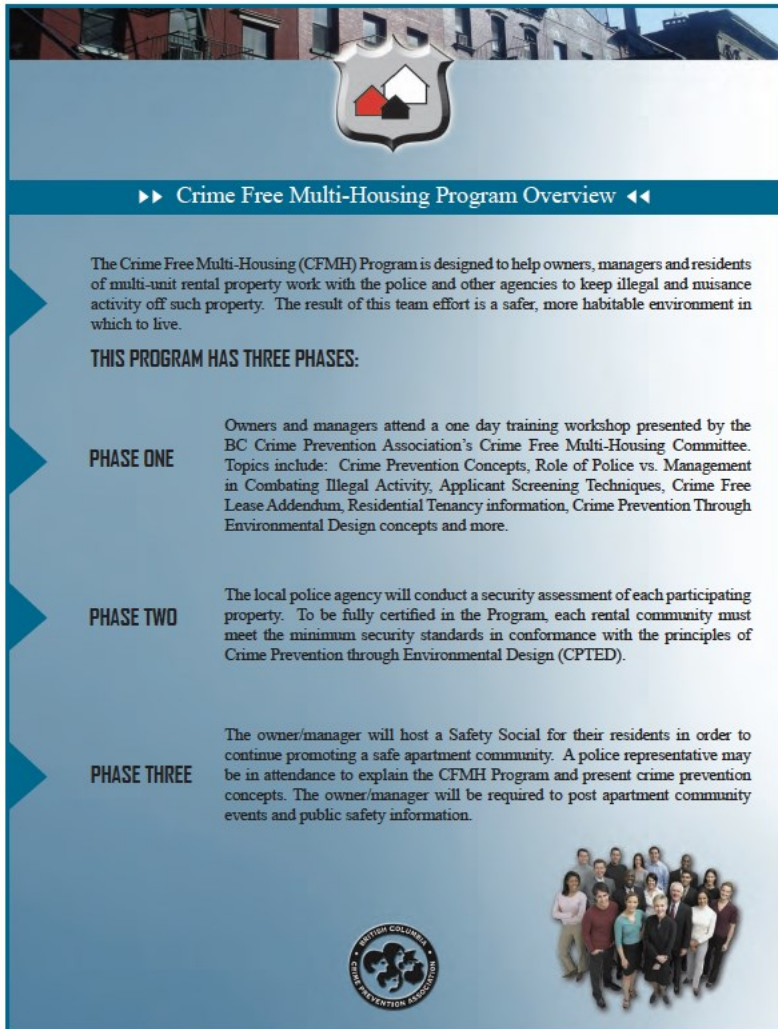
- Can you share your perspective about landlords'/managers' participation on nuisance control? Benefits and challenges?
- Do you think that currently the city has enough data to evaluate the outcomes of nuisance control measures from landlords and city staff in the housing experience of equity-seeking groups?

Closing comments

- Is there anything else you would like to add to our conversation?
- If think there someone else in the City staff that would be interested in contributing to this conversation, I would ask you to, please, forward my contact info and the information about the study.

Appendix C. Crime-Free Multi-Housing

Pamphlet – Program Overview



The pamphlet cover features a blue header with a white shield icon containing a house and a key. Below the header is a blue bar with the title "Crime Free Multi-Housing Program Overview" in white. The main content area is light blue with three phases listed on the left, each with a corresponding description on the right. At the bottom right, there is a group photo of people and the BC Crime Prevention Association logo.

▶▶ Crime Free Multi-Housing Program Overview ◀◀



The Crime Free Multi-Housing (CFMH) Program is designed to help owners, managers and residents of multi-unit rental property work with the police and other agencies to keep illegal and nuisance activity off such property. The result of this team effort is a safer, more habitable environment in which to live.

THIS PROGRAM HAS THREE PHASES:

PHASE ONE Owners and managers attend a one day training workshop presented by the BC Crime Prevention Association's Crime Free Multi-Housing Committee. Topics include: Crime Prevention Concepts, Role of Police vs. Management in Combating Illegal Activity, Applicant Screening Techniques, Crime Free Lease Addendum, Residential Tenancy information, Crime Prevention Through Environmental Design concepts and more.

PHASE TWO The local police agency will conduct a security assessment of each participating property. To be fully certified in the Program, each rental community must meet the minimum security standards in conformance with the principles of Crime Prevention through Environmental Design (CPTED).

PHASE THREE The owner/manager will host a Safety Social for their residents in order to continue promoting a safe apartment community. A police representative may be in attendance to explain the CFMH Program and present crime prevention concepts. The owner/manager will be required to post apartment community events and public safety information.



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Following the completion of all three phases, the owners/ management will earn the privilege of posting signs on the property stating they have joined the local **CRIME FREE MULTI-HOUSING PROGRAM** and the use of the CFMH Program logo for marketing purposes.

Since its inception in 1992 by the Mesa Arizona Police Department, the Crime Free Multi-Housing Program has been introduced to police personnel, owners, managers and residents in approximately 2,000 cities in 44 U.S. states, 5 Canadian Provinces, Mexico, England, Finland, Japan, Russia, Malaysia, Nigeria, Afghanistan, and Puerto Rico. Recently, Australia has expressed interest. The International Crime Free Association (ICFA) has now expanded the program to suit the needs of the rental housing, mobile housing and RV Park, condominium, self-storage, hotel/motel, and business communities.

The CFMH Program is the only one of its kind in Canada. In 1994, New Westminster became the first city in Canada to adopt the Program and it has since been adopted in numerous other B.C. communities. Because of its effectiveness, cities in other provinces are also now adopting the Program. Evaluations conducted by the New Westminster Police Service indicate that 90% of property managers who have completed the training are making successful changes in the way they manage their property. Participating apartment communities have experienced a decrease in police calls for service anywhere from 20% - 70%.

In August 1997, a Provincial Committee was formed and now works with the BC Crime Prevention Association to help promote and govern the CFMH Program in this province. If you desire further information, please call the BC Crime Prevention Association at 604-501-9222 or www.bccpa.org.



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Chronic drug dealing and other illegal activity cause neighbourhood decay. By maintaining your property you foster pride in the community and show respect for all residents of your community. Neglected buildings invite illegal activity. One neglected property on a block encourages deterioration that spreads rapidly throughout the surrounding area. The community's health and well-being are a direct reflection of the quality of life in the neighbourhood.

This manual will help rental property owners avoid the blight of the drug house cycle. It will help responsible property owners find honest residents and prevent dishonest residents from abusing your rental property and your neighbourhood.

Policing agencies are committed to controlling crime, but cannot change the underlying conditions causing the problems without the active participation of property owners, managers, maintenance staff, residents and neighbours. Municipal governments also share a responsibility and many have created bylaws to encourage and enforce responsible management of rental property.

Our mission is to provide an opportunity for rental property owners and residents to share responsibility with the local police and municipalities for creating and maintaining a safe housing environment. To be successful, all parties must coordinate their efforts in the following areas:

- Property owners must manage their properties in ways that prevent and discourage illegal activity.
- Property owners must make a commitment to immediate action when illegal activity begins.
- Residents and neighbours must learn to recognize illegal activity and report it to the police.
- Police agencies and municipalities must work in cooperation with both property owners and residents in their effort to keep illegal activity out of rental property.

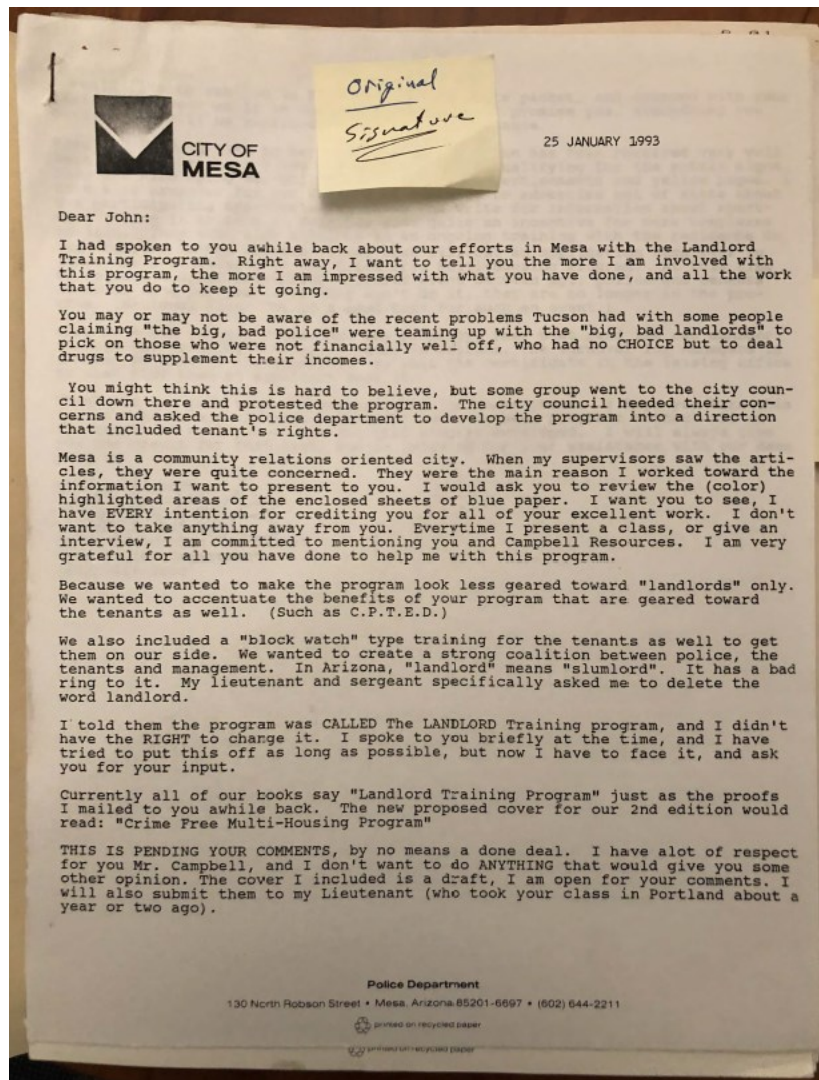
If we all work together, we can improve the quality of life for residents living in rental properties, maintain property values for owners, and the integrity of the neighbourhood.

One way to accomplish this goal is through participation in the Crime Free Multi-Housing Program.

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Letter from Mesa Police Department regarding the Landlord Training Program



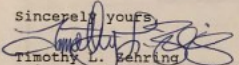
Retrieved Apr 28 2023 at <https://www.motherjones.com/crime-justice/2019/10/crime-free-housing-making-neighborhoods-safer-or-whiter/>

would like to ask you to read through the white packet, and respond with your feelings as soon as it is convenient for you. I promise you, everything you have to say will be regarded as utmost in importance.

Finally, I would like to say, The Landlord Program has been received very well here. There has been a new complex every week qualifying for the metals signs. They are also using our police logo in their advertisements and yellow pages. I have also arranged for our Chamber of Commerce to advertise out of state about the participating apartments (to those who write for information about apartment living in Arizona.) This has made quite an incentive for more complexes to join. They must also continue in an ongoing training with the residents to stay current in the program. They must fill out an application each year to renew their membership in the Crime Free Multi-Housing Program. At this time we require a crime prevention oriented event between mgt, police and tenants at least once per year. If they don't do it, they are no longer in the program. (National Night Out is a good time for such an event.)

Also if a new manager comes into the property, they must send the new manager through the training a.s.a.p. (Here in Arizona, the turnover for managers is similar to that of the tenants). We want the certificate in the leasing office to mean ALOT when an applicant sees it.

Thank you for your time and consideration of these items. I hope you take this in the vein it was intended. It would not have been possible without all of the excellent work you did to get this program developed. I will always give you the credit for that fact, and be indebted for your assistance with our Mesa program.

Sincerely yours,

Timothy L. Behring
Crime Prevention Specialist
Mesa Police Department
(602)-644-2090

Retrieved Apr 28 2023 at <https://www.motherjones.com/crime-justice/2019/10/crime-free-housing-making-neighborhoods-safer-or-whiter/>