

1970 Bill 61

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Third Session, 16th Legislature, 19 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

## **BILL 61**

**An Act to amend The Landlord and Tenant Act**

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MR. HYNDMAN

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First Reading .....

Second Reading .....

Third Reading .....

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# BILL 61

1970

An Act to amend The Landlord and Tenant Act

(Assented to \_\_\_\_\_, 1970)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Landlord and Tenant Act* is hereby amended.

2. The following sections are added after section 14:

**15.** The landlord shall pay interest on any monies held by him as a damage deposit at the rate of 6% per year, compounded annually, and such interest may be retained by the landlord to be added to and form part of the damage deposit, and, if so retained shall be held by the landlord on the same terms and conditions as apply to the original damage deposit.

**16.** Except in cases of emergency and except where the landlord has a right to show the premises to prospective tenants at reasonable hours after notice of termination of the tenancy has been given, the landlord shall not exercise a right to enter the rented premises unless he has first given written notice to the tenant at least twenty-four hours before the time of entry, and the time of entry shall be during daylight hours and specified in the notice.

**17.** Where a tenancy agreement in writing is executed by a tenant the landlord shall ensure that a fully executed duplicate original copy of the tenancy agreement is delivered to the tenant within twenty-one days after its execution by the tenant.

**18.** No landlord or servant or agent of the landlord shall restrict reasonable access to the rented premises by authorized enumerators.

**19.** A landlord is responsible to keep the rented premises in a good state of repair and fit for habitation during the tenancy and for complying with health and safety standards required by law, and notwithstanding that any state of non-repair existed to the knowledge of tenant before the tenancy agreement was entered into.

## **Explanatory Notes**

**1.** This Bill amends chapter 43 of the Statutes of Alberta, 1964.

**2.** This Bill delimits the rights and obligations of landlords and tenants in respect of interest on damage deposits, right of entry of the landlord, and rights of political canvassers and enumerators, and permits municipalities to establish a Landlord and Tenant Advisory Bureau.

**20.** The tenant is responsible for ordinary cleanliness of the rented premises and for the repair of damage caused by his wilful or negligent conduct or that of persons who are permitted on the premises by him.

**21.** (1) The council of a municipality may by by-law establish a Landlord and Tenant Advisory Bureau.

(2) The functions of a Landlord and Tenant Advisory Bureau are,

- (a) to advise landlords and tenants in tenancy matters;
- (b) to receive complaints and to seek to mediate disputes between landlords and tenants;
- (c) to disseminate information for the purpose of educating and advising landlords and tenants concerning rental practices, rights and remedies; and
- (d) to receive and investigate complaints of conduct in contravention of legislation governing tenancies.

**3.** Sections 15 and 16 are renumbered sections 23 and 24 respectively.

**4.** This Act comes into force on the day upon which it is assented to.

