

1977 Bill 211

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 211

AN ACT TO AMEND THE LANDLORD AND TENANT ACT

MR. NOTLEY

First Reading

Second Reading

Third Reading

Bill 211
Mr. Notley

BILL 211

1977

AN ACT TO AMEND THE LANDLORD AND TENANT ACT

(Assented to , 1977)

HER MAJESTY, by and with the advice and consent of
Legislative Assembly of Alberta, enacts as follows:

1. The Landlord and Tenant Act is hereby amended.

*2. Section 10 is amended by adding after subsection (3)
the following subsection:*

(4) An order for possession shall be granted only where
the termination is made on the grounds that

- (a) the tenant has failed to pay rent on the premises
owing to the landlord for 30 days or more past
the normal date of payment, or
- (b) the tenant has failed to comply with an order of the
court with respect to his occupation of the residen-
tial premises, or
- (c) the conduct of the tenant, or person or persons per-
mitted in the residential premises by him, has for
a significant period been such that the quiet enjoy-
ment of other tenants in the residential building
has been disturbed, or
- (d) occupancy by the tenant is resulting in, or has re-
sulted in, the residential premises being damaged
beyond normal wear and tear, or
- (e) the landlord bona fide requires the residential pre-
mises for the purpose of occupation by himself,
his spouse or child, or his or his spouse's parents,
or
- (f) the landlord intends to demolish the residential
premises, without any intervening tenancy be-
tween the date of notice and demolition date, or
- (g) the tenant has failed to give, within 30 days of the
date he enters into a tenancy agreement, a security
deposit required to be made under the tenancy
agreement, or
- (h) the tenant has failed to obtain the consent in writ-
ing of the landlord before subletting the premises,
or

Explanatory Notes

- 1.** Amends chapter 200, Revised Statutes of Alberta, 1970.
- 2.** Amends section 10. Grounds for termination of tenancy.

- (i) the tenant has failed to obtain the consent in writing of the landlord for visits to the premises which exceed 14 days by persons who are not normally resident in the premises, or
- (j) the safety or other bona fide and lawful right or interest of the landlord or other tenant in the residential building is or has been seriously impaired by an act or omission of the tenant or person permitted in the residential premises by him, or
- (k) the notice of termination was given in respect of caretaker's premises, or
- (l) the tenant was an employee of an employer who provided the tenant with residential premises during his employment and his employment has been terminated, or
- (m) the tenant has been convicted of an illegal act with respect to the landlord's property.

3. Section 12 is amended by deleting subsection (1), clause (a1) and by substituting therefor:

- (a1) if he is satisfied that the tenancy has been terminated for a reason specified in section 10, subsection (4), give an order for possession.

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

3. Amends section 12. Granting of order for possession.

4. Coming into force.