

1978 Bill 208

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Fourth Session, 18th Legislature, 27 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA 1978

# BILL 208

AN ACT TO AMEND THE LANDLORD AND TENANT ACT

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MR. NOTLEY

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First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

*Bill 208*  
*Mr. Notley*

## **BILL 208**

1978

### **AN ACT TO AMEND THE LANDLORD AND TENANT ACT**

*(Assented to \_\_\_\_\_, 1978)*

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

- 1. The Landlord and Tenant Act is amended by this Act.*
- 2. Section 10 is amended by adding the following after subsection (3):*
  - (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;
    - (b) the tenant has failed to comply with an order of the court with respect to his occupation of the residential premises;
    - (c) the conduct of the tenant, or person or persons permitted in the residential premises by him, has for a significant period been such that the quiet enjoyment of other tenants in the residential building has been disturbed;
    - (d) occupancy by the tenant is resulting in, or has resulted in, the residential premises being damaged beyond normal wear and tear;
    - (e) the landlord bona fide requires the residential premises for the purpose of occupation by himself, his spouse or child, or his or his spouse's parents;
    - (f) the landlord intends to demolish the residential premises, without any intervening tenancy between the date of notice and demolition date;
    - (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;
    - (h) the tenant has failed to obtain the consent in writing of the landlord before subletting the premises;

## **Explanatory Notes**

- 1.** This Bill will amend chapter 200 of the Revised Statutes of Alberta, 1970.
- 2.** Amends section 10; specifies permitted grounds for termination of a tenancy.

- (i) the tenant has failed to obtain the consent in writing of the landlord for visits to the premises by persons who are not normally resident in the premises which exceed 14 days in duration for an individual visit or, where a person visits more than once in a year, exceed 28 days in aggregate for that person in that year;
- (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;
- (k) the notice of termination was given in respect of caretaker's premises;
- (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 or with respect to the property of any person residing in or leasing space in the residential building or any employee or visitor of such person.

3. *Section 12(1)(a1) is repealed and the following is substituted:*

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

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

**3. Replaces section 12; order for possession only on permitted grounds.**