

1981 BILL 257

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 257

THE RENTAL PROPERTY PROTECTION ACT

MR. NOTLEY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 257
Mr. Notley

BILL 257

1981

THE RENTAL PROPERTY PROTECTION ACT

(Assented to _____, 1981)

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

1(1) The Condominium Property Act is amended by this section.

(2) Section 10.1 is amended

(a) by renumbering it as subsection (1), and

(b) by adding the following after subsection (1):

(2) After December 31, 1981, no condominium plan, that relates to a building in which any of the residential units have been rented for residential purposes at any time after December 31, 1981, may be accepted for registration at the Land Titles Office.

(3) Subsection (2) does not apply where there is presented to the Land Titles Office, statutory declarations signed by at least 75% of the tenants of the building stating that they do not object to the proposed condominium plan.

(4) Subsection (2) does not apply to a building which has 2 or more residential units, where all the units have at one time been occupied as a principal residence by the registered owner or owners of the building and 1 or more of the units has subsequently been rented to another person for residential purposes.

2(1) The Landlord and Tenant Act, 1978 is amended by this section.

(2) Section 43(2) is repealed and the following is substituted:

(2) Where after the commencement of a tenancy of residential premises

Explanatory Notes

1 This section will amend chapter 62 of the Revised Statutes of Alberta, 1970 to restrict condominium conversions.

2 This section will amend chapter 65 of the Statutes of Alberta, 1978 to prevent notice being given to vacate residential premises so that they may be sold under a condominium plan.

(a) a condominium plan is registered or is proposed to be registered in the Land Titles Office that includes or is proposed to include those residential premises, and

(b) a notice of termination of that tenancy is given to the tenant for the purpose of obtaining possession of the residential premises in order that the residential premises or any part of them may be sold as a condominium unit, the notice of termination

(i) if given before November 1, 1981 is void, unless it provides that the tenancy is to terminate as of a day not less than 180 days after the day on which the notice is given to the tenant, and

(ii) if given on or after November 1, 1981, is void.

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

3 Coming into force.