

1982 BILL 217

Fourth Session, 19th Legislature, 31 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 217

RENTAL PROPERTY PROTECTION ACT

MR. NOTLEY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 217
Mr. Notley

BILL 217

1982

RENTAL PROPERTY PROTECTION ACT

(Assented to _____, 1982)

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 July 1, 1982, 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 July 1, 1982, 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 is amended by this section.

(2) Section 10(2) is repealed and the following is substituted: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 C-22 of the Revised Statutes of Alberta 1980 to restrict condominium conversions.

2 This section will amend chapter L-6 of the Statutes of Alberta 1980 to prevent notice being given after June 1, 1982 to vacate residential premises so that they may be sold under a condominium plan and provide for 180 days notice before that date.

(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 June 1, 1982 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 June 1, 1982, is void.

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.