

1984 BILL 41

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Second Session, 20th Legislature, 33 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 41

**ALBERTA MORTGAGE AND  
HOUSING CORPORATION ACT**

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THE MINISTER OF HOUSING

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 41*

# **BILL 41**

1984

## **ALBERTA MORTGAGE AND HOUSING CORPORATION ACT**

*(Assented to , 1984)*

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

Definitions

**1(1)** In this Act,

- (a) “approved lender” means a lending institution approved by the Minister for the purpose of making loans;
- (b) “approved loan” means a loan in respect of which the Corporation has given an undertaking pursuant to section 32(1)(b);
- (c) “CMHC” means the Canada Mortgage and Housing Corporation;
- (d) “community housing project” means a project, together with the land on which it is situated, consisting of detached, semi-detached or row housing, hostel or dormitory housing units, apartments or any combination or form thereof undertaken to provide decent, safe and sanitary housing accommodation in compliance with standards approved by the Government for lease or sale to families or individuals of low income;
- (e) “Corporation” means the Alberta Mortgage and Housing Corporation;
- (f) “Deputy Minister” means the Deputy Minister of Housing;
- (g) “federal Act” means the *National Housing Act* (Canada);
- (h) “housing” means any unit, building or mobile home that provides in it living, sleeping, eating, food preparation and sani-

tary facilities for one or more persons, with or without essential facilities shared with other units, buildings or mobile homes;

(i) “insurable loan” means a loan by an approved lender for one or more of the purposes indicated in section 28 that qualifies to be insured under the regulations;

(j) “lending institution” means a loan, insurance, trust or other company or corporation, a trustee of trust funds, a credit union authorized to lend money on the security of real or immovable property, a bank or a treasury branch;

(k) “Minister” means the Minister of Housing;

(l) “mobile home” means a structure, whether ordinarily equipped with wheels or not, that

(i) is constructed or manufactured to be moved from one point to another, and

(ii) is intended to be occupied by one or more persons,

but does not include a holiday trailer or a recreational vehicle that is being used for bona fide recreational purposes;

(m) “mobile home park” means an area of land designed to provide services, including roads, streets, sidewalks, water, electrical, sewage, gas, communication or other services or facilities, to mobile homes;

(n) “municipality” means a city, town, new town, village, county, municipal district, improvement district or special area;

(o) “non-profit organization” means an organization

(i) wholly owned by the Government, by a municipality or by any agency of either of them, or

(ii) constituted exclusively for charitable or benevolent purposes where no part of the income is payable to or otherwise available for the personal benefit of any proprietor, member or shareholder;

(p) “rehabilitation program” means a program designed to improve the environmental, housing or living conditions of or in a blighted or substandard area;

(q) “senior citizen foundation” means a foundation established under the *Senior Citizens Housing Act*.

(2) In sections 15 and 17, “purposes of the Corporation” include

(a) the carrying out by the Corporation of the powers and duties given to it by or pursuant to this or any other Act and

(i) the provision in whole or in part for expenditures made or to be made by the Corporation in connection with the carrying out of those powers and duties, and

(ii) the reimbursement of the Corporation for the whole or any part of any expenditures made or to be made by the

Corporation in connection with the carrying out of those powers and duties;

- (b) the repayment of sums advanced to the Corporation pursuant to section 26;
- (c) the payment, refunding or renewal from time to time of the whole or any part of any loan raised or the notes, bonds, debentures or other securities issued by the Corporation;
- (d) the payment of any other liability or indebtedness of the Corporation.

## PART 1

### ALBERTA MORTGAGE AND HOUSING CORPORATION

Corporation

**2(1)** The Alberta Home Mortgage Corporation and the Alberta Housing Corporation are hereby amalgamated and are continued as 1 corporation with the name Alberta Mortgage and Housing Corporation.

(2) The Corporation shall consist of the following members, who shall be the board of directors of the Corporation:

- (a) the Minister, who shall also be chairman;
- (b) the Deputy Minister;
- (c) the Deputy Provincial Treasurer;
- (d) the President of the Corporation, who shall also be vice-chairman;
- (e) any other members who are appointed by the Lieutenant Governor in Council, to hold office during pleasure.

(3) The Lieutenant Governor in Council may appoint a person as President of the Corporation.

(4) In the event of the Minister's absence from or inability to act as chairman of a meeting of the Corporation, the vice-chairman shall preside at the meeting and in the further event of the vice-chairman's absence or inability to act the Deputy Minister shall preside at the meeting.

(5) A majority of the members of the Corporation constitutes a quorum.

(6) At its meetings, the Corporation may exercise any of its powers by resolution except where some other mode of exercising the power is prescribed in this or any other Act.

(7) The Corporation shall pay to a member of the Corporation appointed pursuant to subsection (2)(e)

- (a) the remuneration that is prescribed by the Lieutenant Governor in Council, and
- (b) his reasonable travelling and living expenses while absent from his ordinary place of residence and in the course of his

	<p>duties as a member of the Corporation, in accordance with the by-laws of the Corporation.</p>
Objects	<p><b>3</b> The objects of the Corporation are to carry out any of the duties and functions that relate to any program respecting</p> <ul style="list-style-type: none"> <li>(a) housing and land development, and</li> <li>(b) the provision of loans for housing and land development,</li> </ul> <p>assigned to it under this Act or by the Lieutenant Governor in Council.</p>
Employees	<p><b>4(1)</b> The Corporation</p> <ul style="list-style-type: none"> <li>(a) may appoint any employees it considers necessary,</li> <li>(b) shall fix the salaries or remuneration of its employees and define their duties,</li> <li>(c) shall prescribe the conditions of employment of its employees, and</li> <li>(d) may prescribe a code of conduct and ethics to be complied with by its employees.</li> </ul> <p>(2) The appointment of an employee is during the pleasure of the Corporation, unless otherwise agreed to by the Corporation and the employee.</p> <p>(3) The <i>Public Service Pension Act</i> applies to the members of the Corporation appointed pursuant to section 2(2)(e) and (3) and the employees of the Corporation as if they were employees of the Government, subject to</p> <ul style="list-style-type: none"> <li>(a) any modifications and exceptions, and</li> <li>(b) any terms or conditions,</li> </ul> <p>prescribed by the Lieutenant Governor in Council.</p> <p>(4) Subsection (3) does not preclude the Lieutenant Governor in Council from making an order under section 35 of the <i>Public Service Management Pension Act</i> with respect to any of the members or employees referred to in subsection (3).</p> <p>(5) The Corporation may engage the services of one or more experts or persons having special financial, technical or other knowledge to inquire into and report in respect of any matter about which the Corporation considers it necessary to have information for the proper carrying out of its duties under this Act.</p> <p>(6) Every employee shall take and subscribe to an oath as prescribed by the Corporation.</p>
Delegation of powers	<p><b>5(1)</b> The Corporation may by by-law authorize its employee or agent to do any act or thing required or permitted to be done by the Corporation under this Act or the regulations.</p> <p>(2) An authorization made under this section may be made to be</p> <ul style="list-style-type: none"> <li>(a) general or applicable to a particular case, and</li> </ul>

(b) conditional or unconditional.

(3) Notwithstanding that the Corporation has given an authorization under this section, it may do the act or thing in respect of which the authorization was given.

By-laws

**6(1)** The Corporation may make by-laws respecting

(a) the calling of meetings of the Corporation and the conduct of business at them, and

(b) the general conduct and operation of the Corporation.

(2) The *Regulations Act* does not apply to by-laws of the Corporation.

Evidence

**7** A copy of a by-law of the Corporation certified under the seal of the Corporation as a true copy of the by-law shall be admitted in evidence as prima facie proof of the proper making and of the contents of the by-law.

Offices and agents

**8** The Corporation may establish any offices and employ any agents it considers necessary.

Agent of the Crown

**9(1)** The Corporation is for all purposes an agent of the Crown in right of Alberta and its powers may be exercised only as an agent of the Crown in right of Alberta.

(2) Any action or other legal proceeding in respect of any right or obligation acquired or incurred by the Corporation on behalf of the Crown in right of Alberta, whether in its own name or in the name of the Crown in right of Alberta, may be brought or taken by or against the Corporation in the name of the Corporation in any court that would have jurisdiction if the Corporation were not an agent of the Crown.

## PART 2

### GENERAL POWERS AND DUTIES

Supervision by Minister

**10** The Corporation is, in the exercise and performance of its powers and duties under this or any other Act, subject to the general supervision and direction of the Minister.

Powers of Corporation

**11** The Corporation, in addition to the powers conferred on it by the *Interpretation Act*, this Act and any other Act, has the power

(a) to acquire, hold and alienate real or personal property;

(b) to develop, subdivide, manage, lease or otherwise deal in or dispose of real property and all manner of buildings and improvements to land and all manner of interests in land;

(c) to undertake to subdivide land or develop land with roads, streets, sidewalks, water and sewer and other municipal facilities, either alone or in conjunction with municipalities;

(d) to administer, manage and maintain properties;

(e) to appoint any lending institution as its agent;

(f) to make grants or loans with respect to any of the objects of the Corporation;

(g) to guarantee the repayment of any loans in accordance with this Act;

(h) to establish and collect an administrative fee or any other fee or charge for any of its services or programs;

(i) to enter into any agreement to carry out the intent and purpose of this Act;

(j) to realize on any mortgage or other security, assigned to or acquired or taken by the Corporation, by taking title to real or immovable property and selling or disposing of it;

(k) to establish insurance funds for the purposes of this Act;

(l) subject to the approval of the Lieutenant Governor in Council, to purchase mortgages from lending institutions and take assignments of them;

(m) to sell mortgages;

(n) generally to perform any function or duty that is necessary or incidental to the carrying out of its objects.

Fiscal year **12** The fiscal year of the Corporation shall commence on April 1 and end on the next following March 31, unless otherwise ordered by the Lieutenant Governor in Council.

Audit **13** The Auditor General is the auditor of the Corporation.

Operating deficit **14(1)** The operating deficit of the Corporation shall be paid from money voted by the Legislature for the purposes of this Act.

(2) The Provincial Treasurer shall pay to the Corporation the funds referred to in subsection (1) in equal monthly instalments unless otherwise agreed between the Provincial Treasurer and the Corporation.

Borrowing powers **15(1)** Subject to the approval of the Lieutenant Governor in Council, the Corporation may, from time to time,

(a) borrow any sums of money that it requires for the purposes of the Corporation, and

(b) for the purposes of clause (a) issue notes, bonds, debentures or other securities.

(2) When an authorizing resolution that is made by the Corporation for the purposes of subsection (1) contains a recital or declaration that the amount of the notes, bonds, debentures or other securities authorized by the resolution is necessary to realize the net sum required for the purposes of the Corporation, the recital or declaration is conclusive proof of the facts stated in it.

(3) Subject to the approval of the Lieutenant Governor in Council, the Corporation may



(a) sell or otherwise dispose of any notes, bonds, debentures or other securities on any terms and conditions it considers advisable, either at their par value or at less or more than their par value, and

(b) charge, pledge, hypothecate, deposit or deal with any of the securities referred to in clause (a) as collateral security.

(4) Any notes, bonds, debentures or other securities and the coupons, if any, attached to them shall be in the form and shall be executed in the manner and by the persons determined by the Corporation.

**Investments** **16** Notwithstanding anything in any other Act, debentures issued by the Corporation under section 15 shall be deemed to be investments or securities in which funds may be invested under the following enactments:

(a) section 26 of the *Public Trustee Act*;

(b) section 9 of the *Teachers' Retirement Fund Act*;

(c) section 86 of the *Workers' Compensation Act*.

**Temporary loans** **17** Subject to the approval of the Lieutenant Governor in Council, the Corporation may, for the purposes of the Corporation, borrow by way of temporary loans from time to time any sums on any terms that the Corporation determines.

**Loans from CMHC** **18(1)** The Corporation may borrow or receive contributions from CMHC for any of the purposes mentioned in this Act or the federal Act.

(2) Notwithstanding anything in any other Act, a municipality may, with the approval of the Corporation, borrow from CMHC for any of the purposes of this Act or the federal Act.

(3) The Lieutenant Governor in Council may prescribe any terms or conditions governing

(a) any borrowing done or contributions received by the Corporation under subsection (1), and

(b) any borrowing done by a municipality under subsection (2).

(4) The Corporation, and a municipality with the approval of the Corporation, may receive contributions available under the federal Act.

**Provincial guarantee** **19(1)** The repayment of

(a) the principal and interest of any borrowings by the Corporation, and

(b) the principal and interest of, and any premiums payable under, any notes, bonds, mortgages, debentures or other securities issued by the Corporation, whether issued before or after the coming into force of this subsection,

is hereby guaranteed by the Government.

(2) The guarantee, in a form and manner the Lieutenant Governor in Council approves, may be

(a) endorsed on any notes, bonds, debentures or other securities issued by the Corporation, and

(b) signed on behalf of the Government by the Provincial Treasurer, the Deputy Provincial Treasurer or any other person that the Lieutenant Governor in Council may designate.

(3) The signature of the Provincial Treasurer, the Deputy Provincial Treasurer or the person designated by the Lieutenant Governor in Council on the guarantee is conclusive proof that the relevant provisions of this Act have been complied with.

(4) When, in respect of any notes, bonds, debentures or other securities issued by the Corporation, it becomes necessary or desirable under the terms of any guarantee given on behalf of the Government to make payment under the guarantee, the payment may be made on the order of the Lieutenant Governor in Council

(a) out of the General Revenue Fund, or

(b) from the proceeds of any loan made by the Government or the sale of securities owned by the Government.

Seal and  
signatures on  
securities

**20(1)** The seal of the Corporation on any notes, bonds, debentures or other securities of the Corporation and the signature of

(a) any person authorized by the Corporation to execute the notes, bonds, debentures or other securities or any coupon attached to them, or

(b) the Provincial Treasurer, the Deputy Provincial Treasurer or the person designated by the Provincial Treasurer to sign a guarantee that is endorsed on the notes, bonds, debentures or other securities

may be engraved, lithographed, printed or otherwise reproduced on the notes, bonds, debentures or other securities of the Corporation and on the guarantee endorsed on them.

(2) The reproduced signature of a person referred to in subsection (1) is for all purposes deemed to be the signature of that person and is binding on the Corporation and the Government notwithstanding that the person whose signature is reproduced did not hold office at the date of the notes, bonds, debentures or other securities or at the date of delivery of them.

Sinking funds

**21** Subject to the approval of the Lieutenant Governor in Council, the Corporation may provide for the creation, management and application of sinking funds or other means of securing the repayment of any loan raised or notes, bonds, debentures or other securities issued by the Corporation, including the redemption by call of any securities issued subject to redemption in advance of maturity.

Investment of  
reserve funds

**22(1)** The Corporation

(a) has, with all or any portion of an insurance fund, sinking fund or any other money not presently required, the same powers of

investment and of making loans that the Provincial Treasurer has in respect of the General Revenue Fund under the *Financial Administration Act*, and

(b) may, whenever required to meet expenditures, dispose of any of its investments in any manner, on any terms and in the amounts that the Corporation considers necessary or expedient.

(2) At the date of maturity of a loan of the Corporation, that portion of the money so set aside that the Corporation considers proper may be used for retiring the loan in whole or in part, if any funds that exist in the sinking fund for that purpose are so used first.

Grant in lieu of taxes

**23(1)** The Corporation may each year pay to any municipality within which any of the Corporation's real property is situated a grant not exceeding the amount that would be recoverable by the municipality if the property were subject to the property and frontage taxes of the municipality for that year.

(2) The Corporation may each year pay to any municipality within which any of the Corporation's premises are situated a grant not exceeding the amount that would be recoverable by the municipality if the premises were subject to the business tax of the municipality for that year.

Agreements and approvals by Government

**24(1)** Any agreement that may be entered into by the Corporation under this Act may be entered into by the Government.

(2) Any approval that is to be given by the Government under this Act or the federal Act may be given by the Corporation.

Annual report

**25(1)** The Corporation shall annually, after the end of a fiscal year, prepare a general report

(a) summarizing its transactions and affairs during that preceding fiscal year,

(b) showing the revenues and expenditures during that preceding fiscal year, an audited balance sheet of the money loaned, guaranteed, advanced or received under this Act for that preceding fiscal year and its other financial transactions during that preceding fiscal year, and

(c) setting forth any other information the Lieutenant Governor in Council may require.

(2) When the report is prepared, the Minister shall lay a copy of it before the Legislative Assembly if it is then sitting and if it is not sitting, within 15 days from the commencement of the next ensuing sitting.

### PART 3

#### FINANCIAL ASSISTANCE FOR HOUSING

Advances

**26(1)** The Provincial Treasurer shall from time to time on the direction of the Lieutenant Governor in Council and at the request of the Corporation advance to the Corporation out of the General Revenue Fund the sums of money that are required by the Corporation for making loans under this Part.

(2) The total of the sums advanced in each fiscal year under subsection (1) shall be

(a) repaid to the Provincial Treasurer on the terms and conditions, and

(b) secured by any evidence of indebtedness, including bonds, debentures or promissory notes,

that may be agreed on by the Provincial Treasurer and the Corporation.

Surplus

**27** The Lieutenant Governor in Council may order that any surplus money of the Corporation shall be transferred to the General Revenue Fund and credited to the advances made pursuant to section 26.

Loans and guarantees

**28(1)** The Corporation may, in accordance with the regulations, make loans or guarantee loans made by lending institutions for the purpose of providing money for

(a) the cost of acquiring, constructing or improving housing;

(b) the cost of acquiring, developing and servicing land for housing;

(c) any other purpose that the Corporation considers proper, necessary or desirable in connection with or incidental to housing.

(2) A loan or guarantee by the Corporation is subject to any terms and conditions that may be prescribed by the regulations and the Corporation.

(3) The total amount of the liability of the Corporation as a guarantor under this section shall not exceed the amount prescribed in the regulations.

Grants

**29** The Corporation may exercise any power, perform any duty or fulfil any function that is delegated to it under section 7(2)(i) of the *Department of Housing Act* with respect to the providing of money by way of grants for

(a) the cost of acquiring, constructing or improving housing,

(b) the cost of acquiring, developing and servicing land for housing, or

(c) any other purpose that the Corporation considers proper, necessary or desirable in connection with or incidental to housing.

Form of guarantee of loan

**30** A guarantee by the Corporation

(a) shall be in the form approved by the Corporation, and

(b) may be executed on behalf of the Corporation by the chairman, vice-chairman or any other person designated by the Corporation and that signature on the guarantee is conclusive proof that the relevant provisions of this Act have been complied with.

Regulations

- 31** The Lieutenant Governor in Council may make regulations
- (a) prescribing the conditions which must be met by applicants to render them eligible for a loan or guarantee from the Corporation;
  - (b) prescribing the terms and conditions on which loans or guarantees are to be given;
  - (c) prescribing the maximum total aggregate liability which the Corporation may incur as a guarantor under this Part;
  - (d) prescribing the duties and obligations of a person to whom a loan is made or for whom a loan is guaranteed during the period that his indebtedness is outstanding;
  - (e) prescribing the security to be given to the Corporation by applicants in consideration of a loan or guarantee;
  - (f) prescribing the types or classes of lending institutions in respect of whose loans guarantees may be given.

#### PART 4

#### INSURED LOANS

Loan insurance

- 32(1)** The Corporation may, in accordance with the regulations,
- (a) issue a loan insurance policy in respect of an insurable loan,
  - (b) give an approved lender an undertaking to issue a loan insurance policy in respect of an insurable loan;
  - (c) collect an insurance fee in respect of each insured loan policy issued in respect of each insured loan.
- (2) The *Insurance Act* does not apply in respect of insurance issued under this Part.

Insurance payment

- 33** If a loan secured by mortgage has been insured by the Corporation and there is a default in payment of that loan, the Corporation shall make payment to the lending institution in accordance with the regulations.

Regulations

- 34** The Lieutenant Governor in Council may make regulations
- (a) determining the kinds of loans that are insurable loans for the purposes of this Part;
  - (b) governing the procedure with respect to the insuring of a loan that is fully advanced, is not fully advanced or is to be advanced in stages;
  - (c) determining the kinds of security that shall be taken by an approved lender in respect of an insurable loan;
  - (d) prescribing the maximum insurance fee to be collected from the borrower and paid to the Corporation;
  - (e) prescribing the form of insurance policy that may be issued under this Part and of the mortgage to be taken in respect of it;

(f) prescribing the terms and conditions in respect of which loans may be approved or insured;

(g) prescribing the procedure to be followed in the event of a default in payment under an insured loan and the payments that shall be made by the Corporation to the approved lender in that event;

(h) generally for the purpose of carrying out this Part.

## PART 5

### LAND AND HOUSING PROJECTS

**Housing projects** **35** The Corporation may undertake and complete housing projects and for that purpose it may do any one or more of the following:

- (a) acquire, assemble and develop land;
- (b) design and construct housing units;
- (c) acquire, improve or convert existing buildings for housing purposes;
- (d) administer, manage and maintain housing units;
- (e) borrow any money required for housing;
- (f) sell, lease or dispose of any land or housing units.

**Agreements by municipalities and housing authorities** **36(1)** Notwithstanding any other Act, a municipality may, with the approval of the Corporation, enter into agreements with

- (a) the Government of Canada,
- (b) CMHC,
- (c) the Government or any agency thereof, and
- (d) any housing authority established under section 42,

or any combination of them, to undertake projects of a type mentioned in the federal Act.

(2) A housing authority established under section 42 may, with the approval of the Corporation, enter into agreements with any municipality for the management, operation, maintenance and administration of community housing projects undertaken pursuant to the federal Act.

**Cost-sharing** **37** When the Corporation enters into an agreement with the Government of Canada under section 40 of the federal Act, the Corporation

- (a) shall pay 25% of the capital cost,
- (b) may require the municipality to reimburse to the Corporation up to 10% of the capital cost, and
- (c) may share the profits and losses with the municipality in the same proportions as their net contributions under clauses (a) and (b).

Operating losses  
re section 44 of  
the federal Act

**38(1)** When the Corporation or a municipality enters into an agreement with CMHC under section 44 of the federal Act, the Corporation may

- (a) pay up to 50% of the annual operating losses, and
- (b) require the municipality to pay the remainder of the losses that is not paid by CMHC.

(2) The contributions shall be made for a period not exceeding

- (a) the useful life of the project as determined by the Corporation, or
- (b) 50 years from the date of completion of the project,

whichever is the shorter period of time.

Operating losses  
re section 56 of  
the federal Act

**39** When the Corporation enters into an agreement with the Government of Canada under section 56 of the federal Act, the Corporation may

- (a) make contributions pursuant to the agreement, and
- (b) require the municipality to contribute up to 10% of the operating deficit.

Community  
housing projects

**40** The Corporation, or a municipality with the approval of the Corporation, may undertake, complete, maintain, operate and lease or sell a community housing project and for that purpose it may do one or more of the following:

- (a) acquire and develop land for community housing projects;
- (b) construct community housing projects;
- (c) acquire, improve and convert existing buildings for the purposes of a community housing project;
- (d) enter into agreements for the development or management of community housing projects;
- (e) exercise any other power not referred to in clauses (a) to (d) to do any other thing that may be required to be exercised or done for the purpose of a project.

Senior citizen  
housing projects

**41** The Corporation may undertake senior citizen housing projects and for that purpose it may do any one or more of the following:

- (a) acquire, assemble and develop land;
- (b) design and construct senior citizen housing accommodation;
- (c) acquire, improve or convert existing buildings for senior citizen housing accommodation;
- (d) administer, manage or maintain senior citizen accommodation;
- (e) borrow any money required for a project;
- (f) sell, lease or dispose of any senior citizen accommodation or project.

Housing  
authorities

**42(1)** For the purposes of carrying out agreements entered into in respect of matters under this Part, the Minister may, by order, incorporate housing authorities consisting of any number of persons he determines.

(2) The Minister shall appoint the members of a housing authority to hold office during pleasure or for any term he determines and shall designate one of them to be chairman.

(3) The Minister may in an order made under subsection (1) vest in a housing authority any powers, functions and duties he considers necessary or advisable to carry out any agreement, including the power to acquire, operate and maintain housing projects and housing accommodation.

Land assembly  
or development  
projects

**43** The Corporation may undertake and complete a land assembly project or land development project for any purpose including, but not restricted to, housing, institutional, commercial, industrial, park or service purposes and for those purposes it may do one or more of the following:

(a) acquire, assemble, subdivide, service, hold, administer, manage or develop land;

(b) lease, sell or otherwise dispose of or deal in or with any land acquired, assembled, subdivided, serviced or developed under a land assembly project or land development project;

(c) acquire housing units or other improvements or construct housing units of any form or type for lease or sale in conjunction with or separately from a land assembly project or land development project;

(d) do any other thing or exercise any power not referred to in clauses (a) to (c) that may be required to be done or exercised for the purposes of this section.

Agreements re  
rehabilitation  
programs

**44** An agreement entered into by the Corporation for the preparation and implementation of a rehabilitation project shall specify the respective share of the costs to be borne by each of the parties to the agreement.

Acquisition  
of land

**45(1)** Land may be acquired by the Corporation by purchase, expropriation or otherwise for any of the purposes of this Act and it may be acquired before it is actually needed for and in anticipation of any project or program mentioned in this Act.

(2) For the purpose of expropriating land the Corporation, with the consent of the Minister, has the same powers and may proceed in the same manner as the Minister of Housing under the *Expropriation Act*.

## PART 6

### CONSEQUENTIAL, TRANSITIONAL AND COMMENCEMENT

Transitional

**46(1)** *Where, under any*

*(a) statute, regulation or order,*

*(b) agreement, guarantee or other document made or entered into before the coming into force of this Act, or*



*(c) mortgage, instrument or caveat registered under the Land Titles Act before the coming into force of this Act,*

*any right, power, duty, liability or function was vested in or was to be exercised or performed by or on behalf of*

*(d) the Alberta Home Mortgage Corporation, or*

*(e) the Alberta Housing Corporation,*

*that right, power, duty, liability or function is, after this Act comes into force, vested in and may be exercised or performed by or on behalf of the Alberta Mortgage and Housing Corporation.*

*(2) Without restricting the generality of subsection (1), the Alberta Mortgage and Housing Corporation is liable to repay advances, together with interest on them, made to*

*(a) the Alberta Home Mortgage Corporation under the Alberta Home Mortgage Corporation Act, and*

*(b) the Alberta Housing Corporation under the Alberta Housing Act.*

*(3) Where,*

*(a) under any*

*(i) statute, regulation or order,*

*(ii) agreement, guarantee or other document, or*

*(iii) mortgage, instrument or caveat registered under the Land Titles Act,*

*a reference is made to*

*(iv) the Alberta Home Mortgage Corporation, or*

*(v) the Alberta Housing Act,*

*that reference is deemed to be a reference to the Alberta Mortgage and Housing Corporation,*

*(b) under any mortgage, charge, encumbrance or other evidence of indebtedness or any agreement or obligation any money is owing to*

*(i) the Alberta Home Mortgage Corporation, or*

*(ii) the Alberta Housing Corporation,*

*that money is deemed to be owing to the Alberta Mortgage and Housing Corporation,*

*(c) any proceedings have been commenced by or against*

*(i) the Alberta Home Mortgage Corporation, or*

*(ii) the Alberta Housing Corporation,*

*those proceedings may be continued or defended, as the case may be, by the Alberta Mortgage and Housing Corporation, and*

*(d) in any statute, regulation or order a reference is made to*

(i) *the Alberta Home Mortgage Corporation Act, or*

(ii) *the Alberta Housing Act,*

*that reference is deemed to be a reference, with all necessary modifications, to the Alberta Mortgage and Housing Corporation Act.*

Amends  
RSA 1980 cA-17

**47** *The Alberta Corporate Income Tax Act is amended in section 25*

(a) *as to subsection (1)(c)(i) and (ii) by striking out “Alberta Home Mortgage Corporation” and substituting “Alberta Mortgage and Housing Corporation”;*

(b) *as to subsection (4) by striking out “Alberta Home Mortgage Corporation” wherever it occurs and substituting “Alberta Mortgage and Housing Corporation”;*

(c) *as to subsection (5) by striking out “Alberta Home Mortgage Corporation” and substituting “Alberta Mortgage and Housing Corporation”.*

Amends  
RSA 1980 cF-9

**48** *The Financial Administration Act is amended in section 1(n) by striking out “section 39 of the Alberta Housing Act” and substituting “section 42 of the Alberta Mortgage and Housing Corporation Act”.*

Amends  
SA 1983 L-10.1

**49** *The Legislative Assembly Act is amended in Part 3 of the Schedule*

(a) *by striking out “Alberta Home Mortgage Corporation”;*

(b) *by striking out “Alberta Housing Corporation”;*

(c) *by adding “Alberta Mortgage and Housing Corporation” after “The Alberta Liquor Control Board”.*

Amends  
RSA 1980 cM-26

**50** *The Municipal Government Act is amended*

(a) *in section 128(1)(a) by striking out “section 39 of the Alberta Housing Act” and substituting “section 42 of the Alberta Mortgage and Housing Corporation Act”;*

(b) *in section 132(2) by striking out “Alberta Housing Act” and substituting “Alberta Mortgage and Housing Corporation Act”.*

Amends  
RSA 1980 M-28

**51** *The Municipal and Provincial Properties Valuation Act is amended*

(a) *by repealing section 4(1)(b) and (c) and substituting the following:*

(b) *the Alberta Mortgage and Housing Corporation,*

(b) *in section 9 by striking out “Alberta Housing Act” and substituting “Alberta Mortgage and Housing Corporation Act”.*

Amends  
RSA 1980 cP-33

**52** *The Public Service Employee Relations Act is amended in section 1(j) of the Schedule by striking out “section 39 of the Alberta Housing Act” and substituting “section 42 of the Alberta Mortgage and Housing Corporation Act”.*

Amends  
RSA 1980 cS-3

**53** *The School Act is amended in section 71(2)(c)*

*(a) by striking out “Alberta Home Mortgage Corporation Act” and substituting “Alberta Mortgage and Housing Corporation Act”, and*

*(b) by striking out “the Alberta Housing Act,”.*

Amends  
RSA 1980 cS-13

**54** *The Senior Citizens Housing Act is amended*

*(a) in section 1(b) by striking out “Alberta Housing Corporation under the Alberta Housing Act” and substituting “Alberta Mortgage and Housing Corporation under the Alberta Mortgage and Housing Corporation Act”;*

*(b) in section 1(g) by striking out “Alberta Housing Act” and substituting “Alberta Mortgage and Housing Corporation Act”.*

Repeal

**55** *The following Acts are repealed:*

*(a) the Alberta Home Mortgage Corporation Act;*

*(b) the Alberta Housing Act.*

Commencement

**56** *This Act comes into force on Proclamation.*