

1986 BILL 217

First Session, 21st Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 217

AN ACT TO AMEND THE LANDLORD AND TENANT ACT

MR. GOGO

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 217
Mr. Gogo

BILL 217

1986

AN ACT TO AMEND THE LANDLORD AND TENANT ACT

(Assented to , 1986)

HER 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 39 is amended by adding the following after subsection (2):*

(2.1) A tenant commencing an action pursuant to subsection (2) may commence the action against the landlord, against all or any of the owners of the building in which the residential premises are located and against all or any of the directors of the landlord where the landlord is a corporation and each one of such persons are jointly and severally liable to the tenant for the amount of the security deposit that the tenant is entitled to receive.

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

Explanatory Notes

1 This Bill will amend chapter L-6 of the Revised Statutes of Alberta 1980.

2 Section 39(2) reads as follows:

(2) If a landlord fails to return all or part of a security deposit to a tenant in accordance with subsection (1), then, whether or not a statement of account was delivered to the tenant, the tenant may commence an action in a court to recover the whole of the deposit or that part of the deposit to which the tenant claims to be entitled.

This amendment would make the owner and the directors of a corporate owner jointly and severally liable for the return of a security deposit.