



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Tuesday afternoon, April 7, 2020

Day 15

The Honourable Nathan M. Cooper, Speaker

## Legislative Assembly of Alberta

### The 30th Legislature

Second Session

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Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

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Amery, Mickey K., Calgary-Cross (UCP)  
Armstrong-Homeniuk, Jackie,  
Fort Saskatchewan-Vegreville (UCP)  
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Ceci, Joe, Calgary-Buffalo (NDP)  
Copping, Hon. Jason C., Calgary-Varsity (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South (NDP)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
Dreeshen, Hon. Devin, Innisfail-Sylvan Lake (UCP)  
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Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)  
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Horner, Nate S., Drumheller-Stettler (UCP)  
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Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Yaseen, Muhammad, Calgary-North (UCP)

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United Conservative: 63

New Democrat: 24

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Singh  
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Yaseen

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 7, 2020

[The Speaker in the chair]

**The Speaker:** Good afternoon, hon. members. We will now be led in the singing of our national anthem by the press secretary for the Minister of Transportation, Ms Brooklyn Elhard. I would invite you to participate in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all of us command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Hon. members, please be seated.

If Brooklyn is not careful, she's going to get put on full-time. A great job. Thank you so much.

### Members' Statements

**The Speaker:** The hon. Member for Fort McMurray-Lac La Biche has a member's statement to make.

### Organ and Tissue Donation COVID-19

**Ms Goodridge:** Thank you, Mr. Speaker. I'm very proud to be from such an amazing province. It is the birthplace of extraordinary people such as Logan Boulet, a Humboldt Broncos hockey player who not only saved six lives but inspired a national movement to register as an organ donor. My thoughts and prayers are with all the families and friends of those lost two years ago in the tragic Humboldt Broncos accident.

Today I wear green to raise awareness about organ and tissue donation, and I urge everyone to take some time today to register and become a donor. Small choices can have big impacts.

This is also the case in the fight against COVID-19. The single biggest thing that we can do right now to stop the spread is to stay home whenever possible. I know that these aggressive public health measures are tough, but we can and we will get through these difficult times together. By staying home, we give our medical professionals a fighting chance.

I want to express my sincere gratitude to some of the other remarkable Albertans: our essential workers that are battling COVID-19. I want to thank our nurses, doctors, paramedics, respiratory therapists, grocery store cashiers, janitors, gas station attendants, truck drivers, caregivers, and all of the other essential service workers. You have my and all Albertans most deep, sincere appreciation and gratitude for all the work you do. In the wake of mounting anxiety around COVID-19, it is these essential workers who have offered us a sense of comfort and normalcy in these trying times. Thank you to every individual that has been working hard around the clock to keep all of us safe, healthy, and fed. Your devotion is something all Albertans appreciate and admire.

We might not always realize the impact a small gesture such as ticking off an organ donation box or simply staying home can make,

but it is these small gestures that can make all the difference. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-City Centre.

### Rural Physicians

**Mr. Shepherd:** Thank you, Mr. Speaker. In a few months, I hope, the coronavirus crisis will begin to subside, and our attention will turn to picking up the pieces. But in rural Alberta a new crisis will be rising: the mass exodus of doctors from towns and counties and small cities. We're already seeing that crisis beginning in Stettler, Canmore, Fort McMurray, Drayton Valley, Sundre, Rimbey, Three Hills, Medicine Hat. A list keeps growing every day, and each time a doctor gives notice, the Member for Calgary-Acadia stands up and says: don't worry. He'll find some replacement doctors.

That member clearly does not understand the hard work and expenses that these communities have invested in recruiting and retaining doctors, often over the span of several decades. He clearly doesn't understand the time, money, blood, sweat, and tears doctors have invested in building practices and relationships that form an essential part of the beating heart of their communities. That member will not be able to replace that sustained community effort with a wave of his hand, and how condescending it is for him to suggest that he can. Doctors are leaving rural Alberta, Mr. Speaker. Dr. Cian Hackett recently wrote, "The UCP has systemically removed every incentive there was for me to stay in Rimbey where I had imagined I would work for 30 more years."

It's no secret that we believe the Member for Calgary-Acadia should be removed from his post. So the question falls on government's rural MLAs: are they just going to watch this generational damage happen? Are they going to try to explain to their friends and neighbours why there won't be any more babies born in their hometown? I hope not. I hope they came to this place to speak up for their communities and, if necessary, to fight for them. I hope they listen to their local doctors. I hope they listen to their mayors and reeves and councillors and chambers of commerce and, most importantly, their constituents. I hope they stand up in their caucus room today and tell the Member for Calgary-Acadia that he must end his dangerous war on Alberta doctors.

**The Speaker:** The hon. Member for Calgary-North has a statement to make.

### COVID-19 Response

**Mr. Yaseen:** Thank you, Mr. Speaker. First, I want to acknowledge that yesterday was the second anniversary of the Humboldt Broncos tragedy. My thoughts and prayers are with the team, parents, and anyone affected by this.

I'd like today to talk about COVID-19 and the contributions of Albertans during this difficult time. Thanks to many Albertans who have opened their wallets and donated to the Emergency Management Agency. Not all people are in a position to donate financially, and they are doing what they can to help their family, friends, and neighbours. This includes picking up groceries for elderly neighbours, holding signs of support outside of McKenzie Towne long-term care facility, and even giving blood. Albertans are taking the initiative to help.

Just last week our government announced the bits and pieces program, and within a week we received over 1,000 offers to help from companies, nonprofits, charities, and individuals across this amazing province. Alberta companies that manufacture goods that could be in any way useful during the COVID-19 pandemic are asked to come forward and offer your help. One example of an Alberta

company that has stepped up in Alberta is Alberta Garment, based out of Calgary. The company even announced that their participation in this program has caused a chain reaction. Another company reached out to them to donate fabric to make their products more affordable. I am impressed. I am so proud to be an Albertan.

The battle against COVID-19 will take all of us working together. It will be tough, Mr. Speaker, but Albertans are tougher.

Thank you.

**The Speaker:** The hon. Member for Edmonton-McClung.

### COVID-19 and Agriculture

**Mr. Dach:** Thank you, Mr. Speaker. Our food supply chain has been declared an essential service, hoping to ensure the food supply for Albertans can be sustained for the duration of the COVID-19 pandemic. Unfortunately, the minister of agriculture has been vague about the support and measures he plans to put in place to assist Alberta farmers or their workers during this time. We've not heard about plans or supports to ensure physical distancing or the active implementation of labour protections our chief medical officer has set out for essential service workers. The example of the Harmony Beef processing plant in Balzac, where an employee tested positive for COVID-19, shows the importance of these measures as well as the need for further action. Albertans deserve to know what specific actions, recommendations, and interministerial priorities the minister has made when it comes to Alberta's food producers in supporting them to do their great work during this pandemic.

I'm asking for the minister to take more direct action to protect seasonal farm workers. I've heard a number of proposals and hope the minister considers them carefully and does what he can to support the safety of these workers. I've heard from worried farmers, who shared their concerns about seasonal food and the potential for crops to fail due to this global pandemic. This pandemic has shown how important our farmers and workers are all the way along the supply chain. We need to stand with them and make sure they can feel safe when continuing to do their work.

1:40

Due to the international infection rate of the pandemic amongst agricultural workers and processors, there's a very real risk that much of the fresh produce we import from United States, Mexico, and other global regions may not get planted, harvested, or shipped to meet our needs here in Alberta. Many of the 2,700 temporary foreign workers we rely on in Alberta to plant and harvest much of our locally grown fresh produce may not be available. We may need to regionalize our supply chain and ramp up local food production in a hurry to mitigate that risk.

Today I call on the minister once again to share his contingency plans for our agriculture and food sector and tell us how he plans to support agricultural workers to avoid a consequential food security crisis.

**The Speaker:** The hon. Member for Calgary-East has a statement to make.

### COVID-19 Economic Impacts

**Mr. Singh:** Thank you, Mr. Speaker. The COVID-19 pandemic is one of the most prominent threats the world has faced in decades, and it's causing an unprecedented amount of suffering. The pandemic is taking a toll on people's health but also wiping out jobs and causing severe damage to the economy as a whole.

Protecting the vulnerable will always be our utmost priority, but the financial harm that many Albertans are facing cannot be

ignored. I have thousands of constituents who are living paycheque to paycheque and are now facing drastically reduced hours and income or have lost their job entirely. Many are now almost entirely reliant on government aid programs such as our provincial emergency isolation support or the federal EI program to feed their family and pay the rent at the end of the month.

For all the Albertans out there who are struggling, feeling lost, feeling helpless or uncertain about the future: remember that we are in this together. You are not alone. Albertans are a strong group. We will stick together and get through this pandemic. Our government will guide the province through this crisis by helping Albertans stay safe, healthy, and financially secure. This pandemic will not last forever. When it eventually recedes, we will do everything in our power to help facilitate economic recovery and get Albertans back to work.

In the meantime we must continue to practise good hygiene routines and follow the directions provided by our chief medical officer. Stay safe, Albertans.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-South.

### Postsecondary Education Funding

**Mr. Dang:** Thank you, Mr. Speaker. Now, this government has cut funding to almost every area imaginable, from health care to education. They have pushed through a budget with bad ideas and broken promises, but today it is this government's assault on postsecondary education that is extremely concerning. Our province is home to some of the country's finest trade colleges, universities, and higher education institutions. The education delivered, from SAIT to the University of Lethbridge to right across the river here at the University of Alberta, is preparing the next generation of our province to navigate an ever-changing world. Instead of supporting these initiatives, this government is kicking them when they are down. Albertans won't be able to attend schools and work on life-saving research we need now more than ever.

Just yesterday MacEwan University here in Edmonton announced that the government's cuts have contributed to forcing the university to lay off 50 staff without pay in the middle of a global pandemic, right when families are hurting the most. Instead of funding investments in critical postsecondary infrastructure, this government is cutting operational funding and abolishing the infrastructure and maintenance program. Instead of making tuition more affordable, the government is skyrocketing tuition rates by 21 per cent and abolishing tuition tax credits. Now graduates will have less money available for them to start a business, buy a home, or do anything else that's useful and creates jobs in our economy. And instead of investing in a facility's research on COVID-19 treatment and cures, we see critical support staff laid off in the middle of their research.

The minister says that this is all done in the name of fiscal discipline, but we know, Mr. Speaker, that this is just not true. These brutal cuts and tax increases are all to pay for a \$4.7 billion corporate handout, and now in the face of a pandemic, when the students are facing uncertainty about not just the future of their education but also the prospects of getting a job, whether it be for the summer or after they graduate, this government has yet to do anything substantive to address their concerns. Some students have had job offers rescinded or even their hours greatly reduced.

The Premier has said: nobody will fall through the cracks. Here is a gaping hole that he's waiting for the federal government to fill. He should step up and act now to support students. Instead of

stepping up to help this generation, he's going to have to answer to them.

**The Speaker:** The hon. Member for Vermilion-Lloydminster-Wainwright.

### Humboldt Broncos Bus Crash Anniversary

**Mr. Rowsell:** Thank you, Mr. Speaker. Two years ago 16 lives were lost far too soon when their bus, carrying the Humboldt Broncos junior hockey team, was hit by a truck. Countless other lives were changed forever as the loved ones of those who were lost and injured faced this horrible loss. Humboldt's tragedy shocked people across our country and around the world. For so many of us here in Alberta – we grew up in rinks, and we even travelled around the province with teams.

In their shared grief communities across Alberta came together to show their support of the Humboldt Broncos and their families. Over 150,000 people were inspired to register as organ donors following the crash as a tribute to those who were lost. Thousands of houses across the province placed hockey sticks outside their doors, a simple yet powerful gesture to show the solidarity with Humboldt.

Today Albertans are facing a different tragedy, but the outpouring of support is the same. Along with hockey sticks, the porches of Albertans are adorned with signs cheering on our health workers and bright artwork to cheer up those passing by. In this time of tragedy we are seeing seemingly endless compassion that Albertans have for one another. In the weeks to come, we will continue to feel the uncertainty brought on by this pandemic and grieve the loss of Albertans to COVID-19, but we can also learn from the resilience and compassion of the Humboldt Broncos' community. In these moments of tragedy it is powerful to know that we can turn to our neighbours in our grief for support.

**The Speaker:** The hon. Member for Drumheller-Stettler is rising.

### Keystone XL Pipeline Provincial Equity

**Mr. Horner:** Thank you, Mr. Speaker. The COVID-19 pandemic is testing the resolve and resources of every jurisdiction on the planet, including Alberta. What makes our struggle in this crisis even more challenging is that while we plan and battle this invisible enemy, we are at the same time witnessing the global price collapse of oil due to the Saudi-Russian price war.

Despite Alberta's enormous energy potential, we've witnessed an organized campaign to land-lock our oil, the plan enacted by leave-it-in-the-ground climate zealots like Tzeporah Berman acting as minions for our competitors. We have a federal government who'd rather see oil hit the Irving refinery from places like Saudi Arabia than support a pipeline and a national approach to support ourselves as Canadians. The federal government purchased TMX, and I'm hopeful that it will get built and be completed, but our government and the people of Alberta can't put all our eggs in that basket.

Mr. Speaker, almost all of Keystone XL within Alberta is in my riding of Drumheller-Stettler. From the tank farms east of Hardisty running to the southeast towards Empress, this pipeline will serve Albertans and Canadians for many decades. The KXL project will create over 1,400 direct and 5,400 indirect jobs in Alberta during construction. It will also generate an estimated \$30 billion in tax and royalty revenues for future generations of Albertans. Our province has been under mandatory curtailment since last January. Keystone XL represents the capacity our province desperately needs. The Keystone XL project will move 830,000 barrels per day

once completed, preparing Alberta and this great industry for when global demand resumes.

TC Energy has already spent over a decade and \$6 billion on Keystone XL. Without the very real support shown by this government, the project would be abandoned, not because it isn't viable but because no private company can continue to burn through cash and years while governments play games. I'm proud to support this investment in this partnership. This was a necessary move that will give our province hope and pay back Albertans for generations to come.

**The Speaker:** The hon. Member for Banff-Kananaskis.

### National Caregiver Day

**Ms Rosin:** Thank you, Mr. Speaker. Throughout the COVID-19 pandemic many Albertans are learning the importance of keeping friends and family safe from serious illness. We are learning the sacrifices that must be made in order to protect the health of our loved ones.

Today, April 7, marks National Caregiver Day in Canada. Today is a day to commemorate the many sacrifices that caregivers make on a daily basis. One in 4 Canadians are caregivers. When members of our society are unable to fully care for themselves, whether from life-altering injury, cognitive or physical disability, age, or illness, caregivers step in and assist them to reach their full potential. Many of our caregivers further balance their caretaking duties with additional important roles such as employee, parent, child, and friend. The heavy burdens of others that caretakers take upon themselves are often ignored and forgotten in the shadows of the great joy that they bring to those they help. While many caretakers act as a ray of sunshine to those around them, caretakers themselves typically experience higher rates of anxiety and depression, have a greater risk of burnout, suffer poor physical health, and bear increased out-of-pocket expenses related to their role.

Caregivers give so much of their time and energy carrying out additional responsibilities, and today it is important that we acknowledge them and give them our utmost thanks. There are many unsung heroes on the front lines of our health care system who are getting the recognition they deserve as we continue to wade through the COVID-19 pandemic, but our unpaid caregivers deserve their gratitude and acknowledgement as well.

Today, as we recognize today, I would like to join with everyone in this Chamber to thank the caregivers of our province, who give so much of themselves every day to support the loved ones in their lives.

1:50

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Official Opposition has the call.

### COVID-19 and Care Facilities

**Ms Notley:** Thank you, Mr. Speaker. I want to begin by once more offering our condolences to families of the Albertans we've lost to COVID-19, in particular all the residents and families of loved ones at McKenzie Towne in Calgary. This has been devastating to watch. Eleven people have died. Another 50 residents and 36 staff have tested positive. Everyone there is scared. Now, in other provinces governments have stepped up, centralized their response in these homes, managed staff movement, increased PPE, and provided surge funding to ensure proper care and make sure this is not replicated in other places. When will this government do the same?

**The Speaker:** The hon. Minister of Health.

**Mr. Shandro:** Thank you, Mr. Speaker. The issue here is to reduce risk and to protect our seniors in continuing care. The ministry, the chief medical officer of health, and AHS are all taking this extremely seriously. Dr. Hinshaw herself has issued four distinct orders on continuing care, including one today, and those orders set out specific standards for infection control during the pandemic and our response to it and in the event of an outbreak at a specific facility. Those orders are being followed, including the one at McKenzie Towne in Calgary.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Notley:** Well, thank you very much, Mr. Speaker. But none of those orders deal with the profound shortage of staffing and the additional hazards that are in place there. Now, Melanie Morris's 76-year-old mother is a resident at McKenzie Towne, and she said that her mother hasn't been bathed since March 14. Nina Vaughan e-mailed me to say that her father had been in bed for a week. There aren't enough staff to help him move to a bathroom, so he's left to soil himself. Premier, leaving this to individual care homes to manage is failing. Other governments are stepping up to manage these staff shortages. When will Alberta start doing the same?

**Mr. Shandro:** Well, Mr. Speaker, AHS and the chief medical officer of health have been working very closely with our care providers throughout the province, including our AHS sites, to make sure that they are overseeing and they are working closely with those care providers. They're especially working very closely at the sites where there might be a suspected outbreak or where there has been an outbreak. I'm very confident in the work that the chief medical officer of health, Dr. Hinshaw, and AHS are doing in this respect.

**Ms Notley:** Well, Mr. Speaker, this government has given themselves authority, and they're not using it, and the need is dire. Doreen Gauvreau was one of the first residents at McKenzie Towne to test positive. She died yesterday. Her family is speaking out. They're asking for hazard pay for every worker. They're asking for the Premier to intervene and secure more staff. They say: as more staff get sick, care gets worse. The province must help now, they say, before this tragedy is compounded in other places. Premier, this family is watching. Other families are watching. We have to do more. We need to do what other provinces are doing. When will we start doing that work?

**Mr. Shandro:** Well, as I said previously, Mr. Speaker, the issue here is about clinical infection control. It's an issue for continuing care providers across Canada. As I said, the chief medical officer of health, Dr. Hinshaw, and AHS are providing very close supervision to every facility where an outbreak is suspected or confirmed. Continuing care providers may face exceptional costs, and of course we'll consider those issues as required to make sure that the operators can provide the safe care that our patients need in this province.

**The Speaker:** The hon. the Leader of the Official Opposition for her second set of questions.

**Ms Notley:** Well, Mr. Speaker, the situation is "as required" and has been for three weeks, and it is time for this government to move.

### Emergency Isolation Support Program

**Ms Notley:** Now, on a different question, when people are in a crisis, they need to be able to trust that when their government says

that they will be there for them, the rug won't be pulled out from under them days later. But when it comes to the emergency isolation support, the Premier has broken that trust. Today there are hundreds of thousands of Albertans who've been told that they missed the boat, and the Premier claims that he's being generous. Premier, why did you slam the door shut on the very program you offered Albertans at a time when they need to trust you the most?

**Mr. Jason Nixon:** Mr. Speaker, that question's premise is categorically false. There are still conversations happening between the minister and the federal government, but to be clear, 94,000 Albertans have received emergency isolation support, at a 95 per cent approval rate. Money generally was transferred within hours to those bank accounts. Over \$108 million was allocated to that, which is 117 per cent higher than originally planned. The reality is that this conversation is happening as the transition happens to the federal government to be able to manage this important issue going forward, but this government has stepped up to the plate.

**Ms Notley:** Well, the fact that the Premier lowballed the cost of the program initially does not help the hundreds of thousands of Albertans who thought that they would get help getting food on the table and couldn't get through. Calgary electrician Kurt Perkins couldn't get through no matter how hard he tried. He spent days calling the support lines over and over because the online application system wouldn't recognize his ID. He said: it was unfair of the government to offer something they couldn't deliver and cruel when they pulled it out. He called it a lottery system, Mr. Speaker. Premier, why won't you keep your promise to Kurt and reopen the application program for the emergency isolation support?

**Mr. Jason Nixon:** Mr. Speaker, as I said, there are conversations happening between the federal government and the ministry to figure out how to deal with those issues going forward. In fact, they went back and looked at some individuals who were disqualified during the original application and approved another 14,000 people. The reality is that almost 100,000 Albertans have been able to access over \$108 million. There's much work to be done now between the province and the federal government going forward. It's an important issue, and I assure you that we'll continue to work with the federal government to make sure it happens.

**Ms Notley:** Well, Mr. Speaker, it's not the federal government's word that's at issue here; it's the Alberta government's.

Now, Cody Smith lost his job as a subcontractor with Home Depot as a result of the pandemic. He started applying for the emergency isolation support, only to experience problem after problem – error messages, service outages, kicked out of line – over and over. He waited hours to apply but was locked out in the final steps of his application when the site crashed again on Sunday. To the Premier: why will he not keep his promise to Cody and reopen the application program so that the Albertans he made a promise to could actually see their promise kept?

**Mr. Jason Nixon:** Mr. Speaker, one of the problems of the Leader of the Official Opposition is that she can't go off script. I've already answered that question. She can't adjust the question. It's unfortunate.

Mr. Speaker, the Premier is keeping his promise to Albertans. As I said, the minister is in conversations with the federal government to work with people that find themselves in that grey area to make sure that we go forward and get this dealt with. The reality is that this government kept their promise to Albertans. Almost 100,000 Albertans have received funding already – \$108 million already so far, 117 per cent more than originally budgeted – and we continue



to work to make sure that Albertans receive the financing that they need.

**The Speaker:** The hon. Member for Calgary-McCall has a question.

### Alberta Energy Regulator

**Mr. Sabir:** Thank you, Mr. Speaker. A couple of weeks ago the AER appointed Laurie Pushor as their new president and CEO. While in Saskatchewan Mr. Pushor was a central figure in the Global Transportation Hub land scandal, that saw Saskatchewan party donors make millions of dollars. The deal was investigated by the RCMP, and the Auditor General found that the deal was not done in “a financially responsible manner.” To the Premier: are you aware of Mr. Pushor’s involvement in the GTH scandal? If so, why was somebody with such a troubling past hired into this critical role?

**Mrs. Savage:** Well, thank you for that question. Laurie Pushor was hired by the Alberta Energy Regulator after a thorough and competitive process. Let me be clear. He was hired by the board of directors of the Alberta Energy Regulator. There were a number of other candidates that were considered. They were put through a rigorous, very vigorous vetting process, and Mr. Pushor was found to be the best candidate. He’s a former deputy minister from Saskatchewan, and he will make an excellent head of the AER.

**Mr. Sabir:** Mr. Speaker, let me be clear. The deal Mr. Pushor personally negotiated was the subject of an RCMP investigation. As well, he doesn’t have any experience in the oil and gas industry in Alberta, and he only has very limited experience in the industry in Saskatchewan, which has a much different regulatory regime. To the Premier: could they really not find anyone from Alberta with more experience and someone who is not plagued by a scandal, or do you not take RCMP investigations seriously?

**Mrs. Savage:** Thank you for that question. Mr. Pushor made the Alberta Energy Regulator board very aware of the media attention that he had received in Saskatchewan. Let me be clear. He was exonerated by the RCMP and the Auditor General, and it’s absolutely appalling to have his name slurred in this Chamber. He was cleared. Mr. Speaker, the Alberta Energy Regulator was satisfied with the clearing of these investigations by the Auditor General and the RCMP, and that’s the end of the matter as far as I’m concerned.

**Mr. Sabir:** Mr. Speaker, this is a crucial time for our energy industry, and the challenges faced now are like none before. Let’s be clear. There are far more qualified individuals for this job who have not been the subject of RCMP probes in the past. Frankly, we need the head of the AER to be accountable to the public, not to the whims of this Premier. Will the Premier admit that Mr. Pushor was appointed to be his yes-man, and now that his concerning past has been exposed, will he reconsider this terrible appointment?

2:00

**The Speaker:** The hon. the Minister of Energy.

**Mrs. Savage:** Well, thank you, Mr. Speaker. As I made clear, he was exonerated by the RCMP. He was vetted thoroughly and hired by the board of directors. He will make an excellent head of the Alberta Energy Regulator. I’ll just point out that the members on that side of the room appointed Ed Whittingham to be on the board of directors of the AER, and Ed Whittingham was a known

opponent of the oil and gas sector. I will not have a person’s good name torn apart in this Chamber. [interjections]

**The Speaker:** Order. The House will come to order.

### COVID-19 and Small Business

**Member Loyola:** Last week the Canadian Federation of Independent Business found that close to half of Alberta’s small businesses were at least partially closed down, and a third fear that they might have to close permanently. Now this government has announced some measures to support small businesses, but as the president of the Calgary Chamber of commerce stated, these measures are, quote, not enough. To the Premier. Small businesses around this province are fighting for their very survival. What will this government do to support them? We need action now. Please be specific.

**The Speaker:** The Minister of Transportation has risen.

**Mr. McIver:** Thank you, Mr. Speaker. I have to say that I heard on the radio this morning an interview with the head of the Calgary Chamber of commerce. She did say that the actions that our government has taken to date are positive, and we appreciate that. I also heard that she would be looking for more things to happen. We will look forward to talking to the chamber more than we have, and, as that happens, I would say to the hon. member: stay tuned; we will continue to support small business here in Alberta.

**Member Loyola:** The president of the Calgary Chamber called upon this government to help businesses cover more of their fixed costs during the crisis to help them reopen when it’s over, and we know that the Premier is talking openly about 25 per cent unemployment in this province. One way to get people back to work quickly is to have their places of employment reopen as soon as the chief medical officer says that they can. To the Premier: will you commit to immediate financial support to help small businesses with their fixed costs like utility charges?

**Mr. McIver:** Mr. Speaker, as I expect the hon. member knows, we have said to businesses that they will be able to defer their WCB payments, and they will be able to defer some of their property taxes for several months. We’ll continue to stay in touch with our business partners here in Alberta because we do want them to get back up and running, but we have taken action now and will continue in conversation with them.

**Member Loyola:** The message that we’re hearing from small business loudly and clearly is that this government is not doing enough to support them. A quarter of small businesses reported that they were unable to pay their lease and mortgage payments in April; 68 per cent of small businesses agreed that the government should take more action to protect commercial renters. In fact, we were told that a bill was coming to protect commercial renters, but it has since been pulled back. Will the Premier stand in the House today and commit to full protection for commercial renters? When? The clock is ticking. They need help right now.

**Mr. Jason Nixon:** Mr. Speaker, I’m getting confused. First, the opposition doesn’t want the Legislature to sit, then they want the Legislature to sit, then they want us to pass the legislation around mobile homes, which is now passing this week, then they don’t want us to pass the legislation around mobile homes. The reality is that it appears the opposition just does not want to work. Instead, they want to play politics with COVID-19. This government,

Alberta's government, will not do that. We'll keep working hard each and every day to come up with solutions that work. I promise Albertans, through you to them, that we will do that, and we will not buy into this ridiculous behaviour by the NDP.

**The Speaker:** The hon. Member for Lethbridge-East has a question.

### COVID-19 and Employment Standards

**Mr. Neudorf:** Thank you, Mr. Speaker. I'm hearing from many constituents who have concerns about the difficult choice to stay home and self-isolate to protect themselves and their families. These constituents have had to give up their paycheques with the uncertainty of when and if they'll be able to return to work. Given that these workers are an integral part of our economy and are necessary for our recovery after this pandemic, to the Minister of Labour and Immigration: can you inform this House of what steps you'll be taking to help Albertans, to keep Albertans safe, and to ensure that they can look after themselves and their families?

**The Speaker:** The Minister of Labour and Immigration has the call.

**Mr. Copping:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. Our government is doing everything it can to support Albertans and to help contain the spread of COVID-19. This week I made changes to the Employment Standards Code that will ensure Albertans can care for themselves and their loved ones during these challenging times. Yesterday I announced that effective March 17 employees who need to care for children impacted by school and daycare closures or are caring for a self-isolated family member due to COVID-19 are entitled to unpaid job-protected leave. We have also waived the 90-day employment requirement, and the leave length is flexible.

**The Speaker:** The hon. Member for Lethbridge-East.

**Mr. Neudorf:** Thank you, Mr. Speaker, and thank you to the minister. Many Albertans are trying to cope with being temporarily laid off. Other individuals are trying to cling to a job for as long as they are able. Given that our government committed to helping employees and job creators both during COVID-19, to the same minister: how are you helping to ensure that these Albertans can return to the workforce once they get through this global health crisis?

**The Speaker:** The Minister of Labour and Immigration.

**Mr. Copping:** Thank you again, Mr. Speaker, and thanks again to the hon. member. We know that a number of businesses have made some very difficult decisions to lay off people, and I know this isn't easy. We don't know how long we will be in this position, and we want to ensure that temporarily laid off workers can stay attached to a job. That is why we have increased the maximum time for a temporary layoff related to COVID-19 from 60 to 120 days. This change is retroactive for any temporary layoff that occurred on or after March 17, and these changes will allow employees to stay attached to workplaces longer and help Albertans get back to work quickly once the recovery starts.

**Mr. Neudorf:** During these unprecedented times, in the midst of this health crisis and the economic challenges we are facing as a result, employers are having to make difficult decisions regarding staffing. Given that these job creators require more flexibility to adapt to this rapidly changing situation and given the uncertainty about the duration of the crisis and the need to maintain public

health and safety measures, to the same minister: how are you ensuring that job creators have the full range of options and the ability to be flexible?

**The Speaker:** The hon. minister.

**Mr. Copping:** Thank you, Mr. Speaker. As this situation continues to evolve, we are making sure we adapt and do everything we can to get Albertans through this. We've heard from businesses that it is challenging to operate under the current standards during this unprecedented crisis. Given higher absenteeism rates than normal, it's important that employers and employees work together to deliver critical services that Albertans need to get through this pandemic, and that is why we made changes to allow greater flexibility in scheduling while still ensuring businesses give notice to employees as soon as is practical.

### Rural Physicians

**Member Irwin:** The Member for Calgary-Acadia is at war with Alberta doctors in the middle of a pandemic, but it's not just the COVID response that's threatened by his actions. Last week eight doctors in Sundre announced that they have resigned their labour and delivery privileges. This means that expecting parents in Sundre will have to drive to another community to give birth. That could mean being away from home for weeks or having to leave town very suddenly at the onset of labour. Why is this member creating new stress and new danger for mothers and babies in rural Alberta?

**The Speaker:** The hon. Minister of Health.

**Mr. Shandro:** Thank you, Mr. Speaker. We recognize that physicians throughout the province are facing unprecedented demands, and we're taking action to support them. Their clinics are under pressure throughout this province. As businesses they're affected by reduced activity throughout the province, as all businesses are. But let's be clear. There has been no increase in physicians starting a process to withdraw from practice.

**Member Irwin:** Given the member seems to think this is just a Sundre crisis that he can fix by poaching doctors from elsewhere, but this is actually a provincial crisis due to this member doubling the insurance costs for doctors who deliver babies, does this member understand that Sundre is only the first town in Alberta to lose its labour and delivery doctors and will certainly not be the last? Do his rural colleagues understand that? And if so, are they going to speak out?

**Mr. Shandro:** Well, listen, Mr. Speaker, none of that is true. We are making some changes with our new physician funding framework, which, I think, came into force on April 1. We're going to work with the AMA and continue to meet with them formally and informally. Both the ministry and my office are going to continue to get feedback from the AMA on changes they would like to see to physician compensation. We're going to consider those submissions from them and continue to get that feedback from them and their members going forward.

2:10

**Member Irwin:** Given that there are two other hospitals in the environment minister's riding and given that if the Member for Calgary-Acadia can't protect mothers and babies in a cabinet minister's riding, there isn't much hope for the rest of his caucus colleagues, to the minister: what will be the state of rural health by the time you're through? Will you stop pushing rural doctors out of

Alberta, especially at a time when our health care needs have never been greater?

**Mr. Shandro:** Look, Mr. Speaker, our government is going to provide whatever resources are needed to protect Albertans during this COVID emergency, this pandemic response. I think that's the most important thing to make very clear to all Albertans, rural and urban. Spending on physicians is not being cut. In fact, we fully expect to be significantly spending much more this year and originally were going to maintain spending on physicians. That's obviously not going to happen as a result of this COVID pandemic response. Now we've provided unlimited virtual visits for physicians to be able to meet with their patients. That's what the physicians asked for, and that's what we're going to do to support them and their patients.

**The Speaker:** The hon. Member for Edmonton-City Centre has a question.

#### Minister of Health

**Mr. Shepherd:** Thank you, Mr. Speaker. Now, CBC News recently reported that staff in the office of the Minister of Health were answering e-mails for a private company owned by the Member for Calgary-Acadia and his wife, Vital Partners Inc. On March 20 ministerial assistant Chad Hallman wrote, quote, Minister, please don't respond to these or send these e-mails personally; I will send these out on your behalf. To the Member for Calgary-Acadia: shouldn't Mr. Hallman be working on Alberta's COVID response, not answering your wife's company's e-mails?

**The Speaker:** I'm not entirely sure that I heard a question about government policy, but I'm happy to hear from the Government House Leader if he'd like to respond.

**Mr. Jason Nixon:** Mr. Speaker, certainly there's no question there about government policy. It also just illustrates what I was talking about earlier, that the NDP are just in full on partisan mode, are not working for the people of Alberta, and instead just want to play political games. Alberta's government is focused fully on the COVID-19 crisis and the economic crisis that comes from that. We'll continue to work hard each and every day, and we certainly appreciate the entire Ministry of Health and Alberta Health Services and their great leadership on this file across this province. Again, I want to assure Albertans that we won't play NDP games.

**The Speaker:** The hon. Member for Edmonton-City Centre.

**Mr. Shepherd:** Thank you, Mr. Speaker. Given that as long as I'm called to come and serve my constituents in this place, I will ask the questions that they are asking of me and given that it's also come to light that the member compelled AHS to inappropriately share doctors' personal cellphone numbers with him, including a doctor that he'd never interacted with, and given that the member did this so that he could call those doctors at night and argue about his cuts to their pay, why is this member expending his time, AHS staff time, and doctors' time on pursuing his personal vendettas when, as he so angrily declared two weeks ago in this House, they should all be focused on Alberta's pandemic response?

**Mr. Shandro:** Mr. Speaker, none of that is true. In February a fellow was looking to reach out to me and be able to provide me with a statement. I wanted to make myself available and did, in fact, make myself available to be able to speak with that physician. The conversation went so well that he continued to leave me voice mail

and I think was texting me as recently as last week. I'm very happy to have provided that opportunity for that fellow to be able to speak with me and be able to get his feedback so that it could be given, as well, to the ministry so that the ministry could integrate that feedback that the physician was able to get in the new physician framework.

**Mr. Shepherd:** Given, Mr. Speaker, that that does not cover the second doctor, who'd had no interaction with the minister, whose number he also accessed and given that there are more examples of bizarre and inappropriate behaviour by this member and given that he's demonstrated one serious failure of judgment after another and given that he is clearly distracted by his personal battles and his distraction is now pulling people away from their responsibilities as well, will the member do the right thing, put Albertans first, and resign from his post, or, better yet, if he won't resign, will the Premier show the necessary leadership and remove him from his current post?

**The Speaker:** The hon. the Minister of Health.

**Mr. Shandro:** Thank you, Mr. Speaker. That's the difference between this side and that side. That side is focused on gossip. They're focused on lies. We are focused on Albertans. We are focused on making sure that this province is testing at the highest per capita rate in this country to be able to make sure that our front-line workers are taken care of, to make sure that they have the PPEs that they need, to make sure that patients throughout the province have the care that they need to get us through this pandemic. That's this government's priority, and not theirs.

#### Keystone XL Pipeline Provincial Equity

**Mr. Guthrie:** Mr. Speaker, Canada's energy industry is a major contributor to not only Alberta's but to Canada's prosperity, with over \$360 billion in revenues paid to provinces and the federal government from 2000 to 2018. This is an incredible amount of revenue, and we need to acknowledge the importance of our energy sector to the Canadian economy. Investing in the KXL pipeline is as important to Canada as it is to Alberta. To the Minister of Energy: has your department calculated the potential economic benefit of Keystone XL to both Alberta and the country as a whole?

**The Speaker:** The Minister of Energy.

**Mrs. Savage:** Well, thank you, Mr. Speaker, and thank you to the member for that question. Keystone XL, the construction of it, will create 15,000 jobs across Canada; 7,000 of those will be here in Alberta. Most importantly, it'll give us \$30 billion of revenue in royalties to this province. It'll bring in tens of millions of dollars in municipal property taxes to municipalities that are struggling now. It'll be a \$2.4 billion boost to the GDP of Canada. The boost to small communities along the right-of-way will be incredible, and it's much-needed during this economic downturn.

**The Speaker:** The hon. Member for Airdrie-Cochrane.

**Mr. Guthrie:** Thank you, Mr. Speaker, and thank you, Minister. Given that NR Can's own website states that the Canadian energy industry contributed approximately 832,000 direct and indirect jobs across this country in 2018 and given that this includes 144,000 direct jobs in Alberta, with thousands of First Nations people sharing in the prosperity, to the Minister of Energy: what potential job creation is expected with this pipeline, and what kind of benefits can Albertans expect upon completion?

**The Speaker:** The hon. Minister of Energy.

**Mrs. Savage:** Well, thank you. Thank you again for that question. Jobs are desperately needed in this province right now as we go through the economic downturn with the impact of COVID-19 and the drop in prices. This project, Keystone XL, is under construction now. It'll create 7,000 jobs here in Alberta, much-needed jobs in communities that are desperately needing those jobs. There are shovels in the ground now. There couldn't be a more important time to start construction of a project like this than now, and it's happening because of our government's investment.

**The Speaker:** The hon. member.

**Mr. Guthrie:** Thank you, Mr. Speaker, and thank you again, Minister. Given that the KXL pipeline gives us substantial access to heavy refineries in the American Gulf and given that we still need a deepwater port to the west of Alberta and given that Trans Mountain is a shallow-water port, is the Minister of Energy considering any other options to ensure that Canada has the energy security and independence it needs moving forward?

**Mrs. Savage:** Well, thank you for that question. KXL will bring 830,000 barrels of Alberta oil into the Gulf of Mexico. This is important because the Gulf of Mexico takes heavy crude, which Alberta supplies. The only other places the Gulf of Mexico could get heavy crude from are Venezuela and Mexico. This is an important project that can reach new markets. You can export out of the Gulf of Mexico. In addition to that, we have the TMX pipeline under construction to the west coast, which will open markets and get new product to Asia. Mr. Speaker, we will support any option to get egress and access for our pipelines.

**The Speaker:** Now it's time for the hon. Member for Edmonton-Riverview.

### COVID-19 and Seniors' Housing

**Ms Sigurdson:** Thank you, Mr. Speaker. First, I want to express my deepest condolences to the families of those who lost loved ones at McKenzie Towne. One of the biggest concerns from the family of Doreen Gauvreau, who passed away yesterday, is that there will be outbreaks of this virus at other seniors' housing facilities. To the Minister of Seniors and Housing: how many centres currently have residents with positive COVID-19 cases, and what measures are you taking to ensure that the tragedy at McKenzie Towne doesn't happen again?

**The Speaker:** The hon. the Minister of Health.

**Mr. Shandro:** Thank you, Mr. Speaker, and I thank the hon. member for the question, a very thoughtful question. I think this Legislature and this government have to make both the patients and the health care workers in our long-term care facilities a focus for us. I can get back on the exact number of positive or presumptive cases that are in those facilities. What we're doing to protect those workers is through the orders of the chief medical officer of health and supporting those orders not only through them being issued but also now taking steps to enforce those orders of Dr. Hinshaw.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Ms Sigurdson:** Thank you, Mr. Speaker, and thank you to the minister for the answer. Given that Renee LaBoucane, Doreen's daughter, said that a lack of information has exasperated the situation at McKenzie Towne and given that families are cut off

from their loved ones and are often learning of this situation through the media – this is wrong – to the minister: what steps will you take today to personally engage with the families of McKenzie Towne and those with loved ones at other seniors' housing facilities beyond AHS? We're talking about seniors' lodges also. Will you host town halls? Will you host conference calls? Please be specific.

2:20

**Mr. Shandro:** Well, I actually think that the hon. member's question had in it reference to a town hall, and I think that's a fantastic idea. It is something that the minister of seniors has done with Dr. Hinshaw. It was very well received, and I'd love to be able to see that continue to be provided, as she said, not just for those who are in long-term care but also those who are in supportive living, those who are in seniors' lodges, to be able to make sure that our government is continuing to reach out not just to the patients but also to the loved ones. I think it's a fantastic question that the hon. member had.

**The Speaker:** The hon. member.

**Ms Sigurdson:** Thank you, Mr. Speaker. Given that the Minister of Seniors and Housing often isn't very specific in her answers and given that we have already lost so much at McKenzie Towne and that families are calling for action or at the very least some information and leadership from this minister, Minister, if I arrange the meeting myself, will you commit here and now to meeting by webcam with myself and the families of loved ones at McKenzie Towne and other seniors' facilities across the province?

**Mr. Shandro:** Well, I can't commit on behalf of my colleague, Mr. Speaker, but I'm happy to be able to take that under advisement and be able to advise my hon. colleague of the member's request and be able to take that and see if it's something that can be accommodated. As I said, I think that for our government to be able to continue to make sure that we're reaching out and communicating with patients throughout the system and the loved ones of those who are in care in our province is most important to us.

### COVID-19 and Homeless Shelters

**Ms Renaud:** My colleagues and many other Albertans have raised concerns with this government's approach to ensuring the safety of our homeless population during the pandemic. We all know the risk that the virus can enter the shelter and the dangerous impact it could have on our vulnerable populations. In the interest of public safety, can the minister of social services inform this House if there have been any cases, presumptive or confirmed, in any Alberta shelter, and will the minister commit to notifying the public immediately if the situation changes?

**The Speaker:** The hon. Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. I can advise that currently there are no presumptive or confirmed cases of COVID-19 among our homeless populations throughout the province. We do have some folks who are in isolation, for example, at the Expo centre and halls. Maybe I shouldn't say the hall numbers, but there are folks who are unknown or who are negative for COVID but still in isolation for other reasons. Of course, we would advise the public if that situation ever did change.

**Ms Renaud:** Given that protecting our vulnerable populations is our number one priority and given that other jurisdictions are taking steps to ensure that the homeless populations are protected in the pandemic and given that we've seen news that Calgary has secured

some hotel rooms should homeless Albertans become infected, to the minister: how many hotel spaces have been secured province-wide, and how often are residents attending the larger shelters being screened for symptoms of COVID-19?

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. We have secured housing inside the Edmonton Expo Centre. It's activated. Hope Mission and the Mustard Seed have activated additional capacity to meet social-distancing guidelines. The Mustard Seed has relocated to the Kinsmen centre, and Hope Mission has activated additional space in the Baptist church basement.

In the city of Calgary isolation and care will operate out of hotel rooms, 100 spaces. The work is still ongoing to get hotels operational. Alpha House, the Calgary drop-in centre, the Mustard Seed, and Inn from the Cold have activated additional spaces to meet social-distancing guidelines.

I'll have more to say in the next question.

**The Speaker:** The hon. member.

**Ms Renaud:** Thanks, Mr. Speaker. Given that I asked for the number of hotel rooms, not space in conference centres, and given that concerns stated on the dangers posed by COVID-19 face both homeless Albertans and front-line staff, who work with them on an ongoing basis, will the minister of social services confirm that our shelters have enough access to personal protective equipment to deal with any outbreaks in the facility, and what is the plan to supplement if needed? This is a serious question. It requires serious and specific answers.

**Mr. Jason Nixon:** Mr. Speaker, just to finish up, also in Calgary the drop-in centre is working to relocate 350 people to the Telus Convention Centre.

In the city of Red Deer the Safe Harbour Society has relocated to an adjacent site to accommodate up to 100 individuals, and an isolation hotel has been identified.

In Lethbridge the Lethbridge Senior Citizens Organization will be operating as a social-distancing and surge capacity site. It will accommodate up to 65 individuals, and the main shelter will remain open.

Grande Prairie: the CBO has activated additional capacity and has been activated at the Dave Barr arena, and a hotel has been identified for isolation care.

Fort McMurray and Medicine Hat have adequate capacity to implement social-distancing recommendations, and no additional facilities have been activated. Fort McMurray has also identified a motel for isolation.

### COVID-19 and Health Care Workers

**Mr. Yao:** Mr. Speaker, about 80 per cent of people with COVID-19 will recover without any need for special treatment. Many, though, will have to be hospitalized, and as of yesterday's update 90 Albertans were in the hospital due to this. Our health care workers, like nurses and doctors and paramedics as well as others like janitors and porters and hospital security and many others, all take the risk that they will be exposed as they provide for and support Albertans. It's imperative that they are protected. To the Minister of Health: how is the government protecting our health care workers?

**The Speaker:** The Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. We know that this is an unprecedented time for health care workers in our province, and we can't thank them enough for their amazing and hard work and their dedication to Albertans. I can advise the member that AHS has implemented a number of safety precautions for our health care workers such as appropriate PPE, or personal protective equipment, to all health care workers, screening before shifts, a strict no-visitor policy at acute-care and continuing care sites, enhanced infection prevention and control at all facilities, and physical distancing at all sites. As well, testing for health care workers is going to be prioritized.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you, Mr. Speaker. It's given that some of our health care workers have already tested positive for COVID-19, and despite some of the protections that the minister stated, health care workers will ultimately still get sick, whether it's inside a hospital environment or outside in the public. To the Minister of Health: what is the government doing for health care workers after they have contracted COVID-19?

**The Speaker:** The Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. We know that this is an extremely stressful and challenging time for staff in the health care system. AHS will stand by its members who test positive for COVID-19. Any AHS staff member who tests positive for COVID-19 will be asked to self-isolate. If the staff member is out of sick time, the manager and staff member will work together with an ability adviser to ensure that wage loss replacement is in place. There's also support available through workers' compensation, and AHS staff also have access to the employee and family assistance program to support them through this time.

**The Speaker:** The hon. member.

**Mr. Yao:** Thank you, Mr. Speaker. It's also given that many of these health care workers ultimately do go home to their families every night, and many of these family members are immunocompromised. They're elderly. They have pre-existing conditions that make them especially vulnerable to COVID-19. To the Minister of Health: what actions has the government taken to help these health care workers protect their families?

**The Speaker:** The minister.

**Mr. Shandro:** Well, thank you, Mr. Speaker. We understand that staff have concerns about COVID and the impact it has on their friends and their family. We are confident that the guidelines and equipment that we have in place will protect our workers from exposure to COVID-19. It is critical that staff understand and that they're compliant with AHS infection prevention and control, or IPC, standards to reduce transmission. AHS workers can also find support, as I mentioned previously, in the employee and family assistance program, available 24/7.

**The Speaker:** The hon. Member for Edmonton-Glenora has a question.

### Education-sector Layoffs

**Ms Hoffman:** Thank you, Mr. Speaker. Edmonton public, Edmonton Catholic, Elk Island public, Elk Island Catholic, Medicine Hat public, Red Deer public: these are just some of the boards that have stepped

up and denied this minister's claim that school boards asked her to lay off more than 20,000 staff. Minister, will you please name one board that asked you to fire all of these Albertans, and if you can't, will you please stop slandering them all with your terrible decision?

**The Speaker:** The hon. Minister of Education has risen.

**Member LaGrange:** Thank you, Mr. Speaker. All Albertans know that these are unprecedented times and that government and businesses have all had to make very, very difficult decisions. I value the role that everyone plays in our education system, and I know that boards are absolutely being responsive to the flexibility we've been able to provide them in terms of the way this is rolling out. It is unfortunate that at-home learning options have not been able to maintain staffing levels and resources because we are providing education in a different format than it normally has been.

**Ms Hoffman:** Given that the reason that staffing levels haven't been maintained is because this minister issued a directive and cut \$130 million from kids when they needed it most, Mr. Speaker, and given that the superintendent of Medicine Hat public said, when asked of this decision to request cuts, quote, "We have never explored the notion of laying off staff until we received the announcement" and given that when asked the same question, the superintendent of Red Deer public said, "Nope; not us" and given that the minister has been unable to name a single board or superintendent who requested these brutal cuts, if and when every school board denies this minister's story over whose idea these cuts were, will she apologize and reverse the cuts?

2:30

**Member LaGrange:** Again, Mr. Speaker, these are unprecedented times, and the situation is and was rapidly evolving. We are working around the clock to address the COVID-19 pandemic and ensure that education returns to normal as quickly as possible. We are doing everything within our power to do that. Again, these are temporary measures that will be reversed when in-class programming resumes again.

**Ms Hoffman:** Given that the minister added insult to injury when she claimed that the more than 20,000 Albertans she fired weren't working and given that she's been proven wrong by countless students and parents who vouched for their educational assistants, who were working harder than ever to support their child learning at home, to the minister: will you apologize to the staff and parents that you have insulted, and if you won't, how do you ever expect to regain credibility as their minister?

**The Speaker:** The hon. the Minister of Education.

**Member LaGrange:** Thank you, Mr. Speaker. Again, this is a temporary measure put in place as we deliver education in a new format under these challenging, challenging circumstances. Again I want to assure all of the staff that have been affected by this change that it is temporary, and the funding will resume to school divisions as soon as we return to in-class sessions, or July, whichever comes first. I also want to advise this Assembly that we have provided flexibility to school boards and ensured that benefits are maintained.

#### COVID-19 and Emergency Preparedness

**Member Ceci:** While this pandemic is of highest concern, nature won't necessarily give us a break. Unfortunately, Alberta's municipal

governments will have severe new challenges this year as they respond to potential flooding and the start of wildfire season. That includes employees affected by the pandemic, employees laid off due to the economic crisis, and missing resources due to the UCP provincial downloading and the UCP cuts to provincial transfers. How much has Alberta's disaster readiness been damaged by these factors?

**Mr. Jason Nixon:** Mr. Speaker, the hon. member is correct about one thing. We could be facing multiple disasters, and I do know that we'll have more to say about that to Albertans in the coming days, about how we will be able to manage floods, potential fires, and, of course, the pandemic. What he is wrong about is that we're not ready to deal with that. We are ready to deal with that as a government. We are also ready to deal with that with our municipal partners. We've taken steps to be able to secure our dam staff, who supervise dams, for example, which help with flood mitigation. So we'll make sure that they're ready.

The ministry of forestry will have more to say in the next couple of days about some steps that they'll be taking to be able to make sure they're ready to manage during forest fire season.

**Member Ceci:** Given that flood response requires the rapid deployment of large numbers of people to protect lives and property and given that these kinds of mass deployments will increase the risk of COVID community transmission among workers, can the minister commit to this House that he has stockpiled all of the personal protective equipment that flood response crews, including volunteers, will need to keep themselves and their families safe during the pandemic? If he hasn't, will he do so immediately and report back to the House?

**Mr. Jason Nixon:** Mr. Speaker, the POC is dealing with those issues. As I said, in the coming days there'll be a press conference in regard to managing during multiple crises in the province. If, unfortunately, we do see forest fires and floods, the Alberta government is taking that seriously, recognizes that that's a potential risk, and is taking steps to make sure that we're ready. We'll have more to say about it in the coming days.

**The Speaker:** The hon. member.

**Member Ceci:** Thank you. Given that wildfire season began one month ago and given that any potential wildfire-related evacuation will add to the significant other pressures that this pandemic has placed on our disaster and emergency response teams and given the need to ensure that any potential evacuees are protected both from wildfires and COVID-19, will the minister commit that families, should their homes be evacuated, be offered hotel rooms with walls to limit the spread of COVID-19?

**Mr. Jason Nixon:** Mr. Speaker, this province takes it seriously when people are displaced because of disasters, including floods and fires. As I said in the earlier answer, we're taking steps to make sure that we're ready, just like we do every year, but making sure that we're ready in the context that this is the first year we'll have to do this while managing a pandemic. I have the utmost confidence in our officials. We're going to make sure that we're ready to do just that. As for specific details on how we will respond to that emergency, that's significantly hypothetical. It would depend on what is taking place. But what I can tell you is that Alberta's government will be ready, and we will stand with Albertans.

**The Speaker:** The hon. Member for Calgary-Falconridge.

### Capital Plan

**Mr. Toor:** Thank you, Mr. Speaker. During this COVID-19 crisis every sector of the economy has been affected. With increased measures in place requiring social distancing, the status of many infrastructure projects for the upcoming season is in question. This creates uncertainty for construction workers and small-business owners related to construction. My question is to the Minister of Infrastructure. How will the declared state of emergency affect the upcoming construction season?

**Mr. Panda:** Mr. Speaker, at this point we just don't know all the impacts the coronavirus will have on the upcoming construction season. Every day I am monitoring construction around the province closely, and I'm pleased to report that at the majority of Alberta Infrastructure sites construction remains under way. My department is also getting tens of millions out the door quickly to perform maintenance on government buildings, which will help to get Alberta tradespeople back to work.

**The Speaker:** The hon. Member for Calgary-Falconridge.

**Mr. Toor:** Thank you, Mr. Speaker, and thank you to the minister for the answer. Given that the coronavirus has created widespread economic uncertainty and given that infrastructure projects are an important way for governments to create employment and boost the economy in these challenging times and given that there is a strong need to accelerate efforts that create jobs in uncertain times, to the same minister: what options are available to accelerate infrastructure spending in the short term and create jobs on these projects?

**Mr. Panda:** Thank you to the Member for Calgary-Falconridge for the advocacy on behalf of Albertans. Mr. Speaker, on top of major projects like the Red Deer justice centre and the Calgary Bridgeland long-term care facility, that have gone out for bids, and the millions of dollars I just mentioned on the maintenance projects, I'm pushing the federal government not to delay federal infrastructure program funding. Our government handles more than 70 projects for ICIP funding, and each of those projects represents jobs for communities in every corner of the province.

**The Speaker:** The hon. member.

**Mr. Toor:** Thank you again to the Speaker, and thank you to the minister for the answer. Given that a rapid response to the current economic situation is important and given the potential for job creation in construction projects around the province and given that our government is committed to an aggressive capital plan that will employ thousands of Albertans, to the Minister of Infrastructure: what options are being considered to increase the number of capital projects being undertaken in our province?

**Mr. Panda:** Mr. Speaker, our government's number one priority is supporting jobs, and we are working hard to cut the red tape, expedite where possible, and get construction under way. I'll not sugar-coat that the onset of the COVID-19 pandemic has presented unique challenges that may slow down certain projects. We continue to monitor every situation closely and are absolutely committed to building critical infrastructure. I reached out across the aisle to my critic, and I extend an invitation to all members of this House to come with ideas for projects and opportunities to partner with other levels of government to see . . .

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

### Bill 10 and Individual Rights

**Mr. Barnes:** Thank you, Mr. Speaker. These difficult times have required that we put in place some tough measures in order to protect public health. Social media often becomes a breeding ground for rumours, and fear spreads quickly when people are already worried. As such, many of my constituents have been raising concerns with my office over the past week regarding their understanding of items in Bill 10. Of course, one of the concerns is that we are making vaccines mandatory. To the Minister of Health: is the government of Alberta making vaccines mandatory under the amendments that were made last week?

**The Speaker:** The Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. The answer is that we are not. Bill 10 clarifies the powers available to the government, it increases the financial penalties for noncompliance with a public health order, and it expedites the government's ability to be able to respond in a crisis. To be clear, this does not change the scope of the government's existing powers. The chief medical officer of health and ministers have extraordinary powers during a public health crisis, but Bill 10 does not change the Public Health Act to require mandatory vaccination.

2:40

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you. Given that we have had to make these measures with public health in mind and that we've brought in additional abilities for law enforcement officers to carry out their duties and enforce the law and that many of my constituents now are concerned that officers will be able to forcefully enter their private residences and seize samples from their person, again to the minister: can you please assure this House and my constituents that this is not the case and that their rights will continue to be respected?

**The Speaker:** The Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. Bill 10 does not create any additional powers in this regard. Bill 10 allows community peace officers in addition to police the ability to issue tickets to enforce COVID-19 public health orders related to mandatory self-isolation, restrictions on gatherings, and other measures to protect the health and safety of Albertans. Public health orders are not suggestions or guidelines. They are law, and they must be followed.

**The Speaker:** The hon. member.

**Mr. Barnes:** Thank you. Given that many people feel very restricted right now with the present isolation and distancing rules in place and that the present situation already causes them a great deal of anxiety and given that the public did not see a sunset clause in the amendments made in Bill 10 and may not understand how that works, can the minister please assure this House and the public that the emergency measures will in fact cease once the emergency health declaration has been lifted?

**The Speaker:** The Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker. As per the Public Health Act the order in council declares that the public health emergency expires within 90 days of when it was issued, which was the middle of March, and Bill 10 did not change that. All ministerial orders related to the declaration of a public health emergency are already on and will continue to be published on the COVID-19

website of the Alberta government, and all have expiration dates expressly stated in each of those ministerial orders. We continue to be open and transparent with Albertans throughout our response to the COVID-19 pandemic, and this will not change.

**The Speaker:** Hon. members, in 30 seconds or less we will proceed to the rest of the daily Routine.

### Tabling Returns and Reports

**The Speaker:** Hon. members, are there tablings?

Seeing none, I have two tablings this afternoon: first, six requisite copies of correspondence from the hon. the Government House Leader relevant to the scheduling of House business, received in my office Friday, April 3, 2020, and from my office and sent to all members on Friday six copies of an abbreviated, revised, projected sitting day calendar for April 7, 8, 9, 2020.

### Tablings to the Clerk

**The Clerk:** I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of the hon. Ms Pon, Minister of Seniors and Housing, responses to questions raised by Member Carson, the hon. Member for Edmonton-West Henday, and MLA Irwin, the hon. Member for Edmonton-Highlands-Norwood, on March 2, 2020, Ministry of Seniors and Housing 2020-21 main estimates debate.

**The Speaker:** Hon. members, we are at Ordres du jour.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 3

#### Mobile Home Sites Tenancies Amendment Act, 2020

[Debate adjourned April 7: Mr. Dang speaking]

**The Speaker:** Hon. members, are there those wishing to join in the debate? I see the hon. Member for Edmonton-McClung has risen.

**Mr. Dach:** Thank you, Mr. Speaker. It gives me pleasure today to rise to speak to Bill 3, a bill which touches a topic that I spent many years in a previous career dealing with, that being the sale of property, and of course many of those properties that I sold were mobile homes. Even before that, I had a previous summer job where I was a milkman in a mobile-home park, actually, and got to know many owners of mobile homes on a daily basis when I was making the rounds as their milkman, when I was just a teenager.

More importantly, the experience that I gained as a real estate agent in selling mobile homes allowed me to intimately become aware of many of the issues faced by mobile-home owners and some of the situations that would crop up between themselves and the mobile-home park ownership. The rules, of course, over the years – and I'm speaking about it from the time I began my career as a real estate agent, the mid-80s, up to about five and a half years ago – were never rules that favoured the owners of the mobile homes. The difficulties that mobile-home owners have faced historically have been ones of a lack of empowerment, I guess, for a better word.

I speak to the bill that's before us now and talk about perhaps the empowerment that this bill will seek to give to mobile-home owners when they do have disputes with the owners of the mobile-home communities on the land that these mobile-home owners rent from

the mobile-home community owners or landlords to situate their mobile homes on. The variety of disputes that can arise between a mobile-home owner and the owner of the land that they rent, the landlord, are many and can be quite complex. Yet acting on their own, the individual mobile-home owner right now simply has the courts to rely upon to resolve these disputes, and of course that's a very blunt instrument and a very costly and timely procedure. It is pretty much impossible for many mobile-home owners to even proceed with or begin to think about entering into such a dispute resolution using the courts.

Of course, this is a timely piece of legislation. I know that we as government considered many of these elements in terms of protecting the mobile-home owners and allowing them a greater sense of empowerment in terms of getting a mechanism that allowed them to bring a dispute forward for resolution, and this piece of legislation is one that I think deserves to be seriously considered and supported. There may be some improvements that can be made to it, but in addressing the basic issue in principle, I'm glad to see that the bill has come forward to allow for other than the court-action mechanism for mobile-home owners to resolve disputes in a timely and affordable way.

[The Deputy Speaker in the chair]

As we know, mobile homes are an affordable home for many thousands of Albertans, and they are a housing option that is quite often chosen because it is the most affordable option for Alberta families. Given that, many families who live in mobile-home parks and own their mobile homes and choose this kind of homeownership combined with a lot rental are not the wealthiest of those in our province, and the cost of a court resolution towards dispute resolution is prohibitive in many cases. This important, affordable option for Alberta housing is something we should maintain. Addressing mobile-home disputes was in our platform, and I'm glad that the UCP has followed our lead.

Now, there are very many different disputes that can arise between a landlord and a tenant in a mobile-home park situation. I know that we're approaching spring runoff, and there will be some drainage issues in many of the mobile-home parks. To be fair, Madam Speaker, there are many, many mobile-home park owners who are very progressively responsive to the requests and demands of their tenants when faced with a problem that the tenant is trying to avoid or having to endure, whether that be something that is such a thing as a runoff of flood water or spring runoff during the springtime, such as we may be facing pretty soon. It may be coming from common property or landlord-owned property onto private property or the rented lot that the mobile-home owner's unit sits on, causing a problem or a hazard or a safety issue.

2:50

Most mobile-home owners will respond quite quickly to resolve issues, but in the cases where they aren't and the cases where there are outstanding issues, we need a mechanism that is much more adept at coming to a resolution between the landowner and mobile-home tenant than the court system would provide.

The types of things that can happen – I mean, I've seen lots in my years in the real estate industry – are sometimes surprising issues. They can be roadway issues. They can be, as I mentioned, drainage issues. They could be utility issues, whether it be electrical or water or sewer. It can be issues over perhaps even rules about moving a mobile home on or off the property. In particular, when a property is sold, that can become a significant factor and affect the ability of the sale to actually complete if indeed the landlord and tenant cannot come to terms about when and how the mobile home may be moved.



So provisions to help tenants that are now only solved by application through the courts are going to be helped in that the amendment to the mobile-home tenancy act made by this bill will allow the residential tenancy dispute resolution service to be accessed by mobile-home lot renters, and that's an improvement that they've been asking for for quite some time. I'm pleased to see that it will allow these parties to seek a more affordable resolution in a timely way that removes some of the ability of landlords, who actually, Madam Speaker, have the greatest amount of power in this dynamic between landlords and tenants in a mobile-home community.

Landlords can often intimidate the tenant by going to court first, and this is kind of a check that would be put on that practice by having the mechanism of dispute resolution service access and allowing that sledgehammer to be removed from the toolbox of the landlords. One of the things that I would be wondering about is if indeed we could look at other measures – and we can look at perhaps some changes to the legislation – of protection to ensure that the power differential between landlords and tenants is not abused. That's one of the reasons, I think, that the minister has come forward with this legislation, to recognize that there is a power differential between the two parties. Of course, the landowner, being usually of greater means than the individual tenants, would have an opportunity to withstand a longer court battle than most tenants would. I'm glad to see that the minister has recognized that by bringing forward this legislation.

Now, some of the things that we are hearing about from tenants involve utilities and submetering. I'm not sure, indeed, if this will be something that's fully captured by this piece of legislation. There were fairly common concerns of people who rent mobile homes, and that's a question that I think the minister could be more clear about and determine for this House as to whether those two issues will be captured by this legislation.

Now, as I mentioned, Madam Speaker, the bill amends the mobile-home tenancy act to allow for disputes to be handled by the residential tenancy dispute resolution service, or RTDRS. Currently disputes between tenants and landowners of mobile-home sites, the site the land sits upon, require court intervention.

Fees that will apply to the RTDRS are \$75 while applications to the court typically range between \$100 and \$200. It's not necessarily the fees that are the huge impediment. It's just the fact that the power differential between the landowners and the tenants is such that the landowner is able to draw the process out and withstand a longer process of dispute resolution through the courts than the tenants can.

I'm wondering about the list of issues that can be handled by the RTDRS. We know that disputes that can be handled by them are issues regarding security deposits, rent deductions, completing repairs, recovery of unpaid rent or utilities, but they will not be able to deal with the sale or disposal of abandoned mobile homes, which can be a serious issue if indeed somebody has gone into foreclosure or bankruptcy and has left the site and abandoned the mobile home. That's a big concern, of course, for the landowner, and that is something that the courts will end up still dealing with. Mobile-home sites occupied by a surviving spouse of a partner is another matter that may not be capable of being dealt with by the RTDRS.

Madam Speaker, one issue of concern that I know will raise its head and should be dealt with is any circumstance involving remedies over \$50,000. Now, in a mobile-home community you have infrastructure of various kinds: roadways, culverts, and electrical, natural gas, water, and drainage utilities. They're all there, and they are costly, and \$50,000 can easily be reached in terms of the maintenance or repair of any of these types of infrastructure pieces. I'm wondering about that cap of \$50,000,

whether it's indeed a useful number to apply. I think that there probably are circumstances where remedies over \$50,000 should be dealt with under the dispute resolution mechanism, not necessarily having to go to the courts.

Once again, I thank the minister for bringing forward this legislation, which was on our radar. It was not in the UCP platform, but they saw fit to bring it forward in this session, and that's a good thing. Any time that we're looking at balancing the role between the tenant and the landlord to make it more fair, it's a positive move, and I think that it's something that would be welcomed, probably, by landlords as well. They know that any dispute between themselves and a tenant is not something that goes over well in the community. Believe me, mobile-home parks are very tight-knit communities. They usually have one particular community hall and a store and a small central location where people congregate. Quite often there's a newsletter amongst tenants, and they talk to each other. A landlord should be motivated to resolve disputes quickly and not to the detriment of the tenant. I know that a tenant situation that gets out of hand is something that will really go like wildfire throughout the mobile-home community, and it also creates a stigma in the mobile-home park.

Now, as I mentioned, I've sold many mobile homes over the years in many different mobile-home communities, and, believe me, there were some that I couldn't recommend.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers to the bill? The hon. Member for Edmonton-North West.

**Mr. Eggen:** Thank you, Madam Speaker. I appreciate the opportunity to ask the hon. Member for Edmonton-Decore a couple of questions. I know that he has long, distinguished experience as . . .

3:00

**The Deputy Speaker:** Hon. member, I hesitate to interrupt you, but this is your speaking time. We are past the 29(2)(a).

**Mr. Eggen:** Oh.

**The Deputy Speaker:** I just wanted to make that clearer.

**Mr. Eggen:** I heard you say that there was a 29(2)(a).

**The Deputy Speaker:** I did, I know, but then nobody rose for that, so I called for other speakers.

**Mr. Eggen:** I jumped up pretty darn quick.

**The Deputy Speaker:** I would be happy to turn this into a 29(2)(a).

**Mr. Eggen:** Let's, shall we? I would be so . . .

**The Deputy Speaker:** As you are so eager, I am more than . . .

**Mr. Eggen:** I'd really . . .

**The Deputy Speaker:** Please proceed under 29(2)(a).

**Mr. Eggen:** You are the best Speaker, for sure. Don't tell the other Speakers that, though.

I know that the hon. Member for Edmonton-McClung had quite a lot of real estate experience and indeed was working in the west end of Edmonton, where we have several trailer court facilities. I guess one of the things that piqued my interest was his discussion around what to do with, you know, bankruptcy situations with trailer courts, because, of course, the actual physical structure is in

the ownership of an individual, but then the site is owned by whoever owns the park, right? In those cases I'm just curious to know how important it is to have a dispute resolution mechanism in place to expedite a resolution to a situation like that.

Then another issue that I've just been reflecting on, which the hon. Member for Edmonton-McClung could perhaps explore for us or expand on, is that, you know, with a typical condominium type of situation you have each owner of the individual units collectively owning the land or the property, if I'm not mistaken – right? – of any given condo units, but then, of course, with a trailer park or court you have a private owner of those shared services. Again, I mean, it just naturally seems like you would have more potential for conflict in that situation, which is fine as long as you indeed have a dispute resolution mechanism that is expeditious and fair and is seen to be fair as well.

With that, I would put a question mark behind each of those statements and invite the hon. member to perhaps help us to understand. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Speaker, and thank you to the Member for Edmonton-North West. As the Edmonton-McClung MLA I don't have any mobile-home parks in my constituency, but of course I did frequent many of them as a real estate agent. Although I'm not a lawyer, I did act as a real estate agent in situations where there were bankruptcies involved in mobile-home park sales.

I can't speak specifically as to whether or not this will be something – the dispute resolution mechanism would probably not be the place to capture individuals who are involved with a bankruptcy. There are some pretty serious consequences there, and quite often they end up with the lender being the one who actually will be dealt with by the landlord in the situation where a bankruptcy occurs. Typically, the building would be removed at some point after the process has run its course through the courts and the bankruptcy procedures.

But many of the mobile homes, of course, do get paid off. That's one of the attractions to them, that they are an affordable home that is something that can be paid off more quickly than a conventional home with land attached, and that's why many people are attracted to them. So you might end up with a situation where mobile homes are abandoned because, of course, they do depreciate as an asset over time, and at some point, depending upon how well they are maintained, they may just not be worth moving or they may not be capable of being transported anymore. That's why you end up, perhaps, with an abandoned mobile home, and that may be, therefore, something that the landowner would try to seek compensation for.

Once again, I don't know if at that point we have a tenant dispute resolution mechanism that would be capable of handling that type of a situation. It probably would end up being in the courts because we're talking about, you know, probably obtaining court orders to move that abandoned property. Then, of course, who do you go after in the case of an abandonment if indeed you don't have anything to . . .

**The Deputy Speaker:** Are there any other speakers to Bill 3 in second reading? The hon. Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Madam Speaker. It's my pleasure to rise and speak to the Mobile Home Sites Tenancies Amendment Act, 2020. Let me thank the minister for bringing forward this important piece of legislation. As was indicated earlier, in fact, that was in our platform, and my colleague from Edmonton-West Henday has advocated for these changes.

I believe that every Albertan has a right to have a safe place to call home. However, in our province affordable housing remains an issue. Successive previous Conservative governments, in their quest to balance the books, have left many deficits, social deficits, in our communities, and certainly affordable housing is one such deficit. Personally, during my time in university I worked for a homeless shelter, so I've had an opportunity to learn about this need for affordable housing and learn about these social deficits in more detail.

According to a 2016 report there are somewhere around 46,000 Albertans who live in these mobile homes, and they call that their home. This is a good piece of legislation, that I will be speaking in support of. Certainly, I think and my colleagues think that this doesn't go far enough, so we will be suggesting some well-thought-out changes to this piece of legislation that will certainly strengthen the protection for the people who are in these mobile homes.

A number of things. The first thing: I noticed that this bill will come in place by the fall of 2020. I think that when we were asked to come back – and we are always happy to come back whenever Albertans need us here, whenever there are things before this House that are emergent, and need to deal with issues facing Albertans. In this pandemic I've heard from many of my constituents, and my colleagues have heard from many of their constituents. People have been reaching out to us through various different means.

I think one of the key issues, top-of-mind issues for many Albertans is their health and well-being, and when we talk about health and well-being, I think having a safe place to call home is critical. While we are bringing these changes that will give more certainty to those who live in mobile homes, I think or would suggest that the minister consider changing the coming into force for this piece of legislation so that people who are in these homes have some assurance that during this pandemic they will have the protection of the law and they will have the backing of their government. That's a very reasonable and sensible suggestion, that my colleague has also written to the minister about, I think, yesterday.

**3:10**

So that's an important change that can be made. It will certainly strengthen this piece of legislation, and it will certainly strengthen the protection for those who are living in these mobile homes. It will ensure that during this pandemic those Albertans who are in these mobile homes have these protections in place and that they can access these protections right away instead of waiting until the fall of 2020. If those protection changes wait until the fall of 2020, I don't think that serves the purpose of us coming here in a larger group than otherwise recommended by Dr. Deena Hinshaw. I think that to make it worth while, I would strongly urge the minister to look into this and make these protections available immediately to those who are in these mobile homes.

The second thing is with respect to access to the residential tenancy dispute resolution service, RTDRS. I think that's a question of access to justice for people who are in these mobile homes. As I indicated, this is one option for thousands of Albertans, one affordable housing option. People in these homes at this time are struggling to make their ends meet, and placing fees on their access to the service may unduly burden their ability to access RTDRS. We can make a number of changes, but if we are putting in place fees which are prohibitive or fees that are a challenge for these Albertans, these protections will be of no avail to these Albertans.

Again, we are suggesting that at a time when Albertans are worried about their health and well-being, at a time when many Albertans have lost jobs, and at a time when many Albertans are living on very limited income – many of them may have been laid

off. Many of them are accessing the supports that government is offering, in particular the federal government, because the isolation benefit from this government was shut down a couple of days ago. Keeping in mind that Albertans are getting by on a very limited income, at this point I think that it would be beneficial for many of those in these mobile homes. It will be a huge support for those who are in these mobile homes that they don't have to pay anything additional and that whatever money they have they can use towards rent, towards utilities, towards their basic necessities.

Any way we can help Albertans get through this, I think, is critically important. One way of doing it will be that we make sure that access to these services, access to these important changes that the minister is making is not tied to their ability to pay whatever that amount is, because we know that these are tough times. These are challenging times. People's livelihoods have been disturbed with this COVID-19. Their jobs have been disturbed with this. Earlier I was looking at a newspaper article where the Premier even commented that we may see 25 per cent unemployment, although quite a bit of that unemployment has been caused by this government's policies. That's high unemployment, so in these circumstances I think it will be helpful for Albertans who are living in mobile homes if they could access these services for free.

A few other things. We have heard that Alberta courts have put protocols in place where they are hearing fewer numbers of cases. Like any other workplace, every workplace's ability has been challenged because of these circumstances. Even here we are sitting with a reduced number of MLAs. Many MLAs will have legitimate reasons not to be here. They may not be feeling well. They may have somebody elderly to take care of. They may have children to look after. They may not be able to find daycare and those supports. I think that like any other workplace, courts have been challenged as well, and they are trying to manage best.

It will also be, I guess, one important change that we could make in this piece of legislation if in those cases respecting mobile-home sites which are before the courts, those applicants would be able to move those courts back into the residential tenancies dispute resolution service. That would be a huge support. Again, at this point during these difficult times I think it's incumbent on our government to take all steps needed and necessary to make sure that all Albertans have a safe place to call home, and if there are disputes before the courts which impact their ability to keep their shelter, I think it's important that we make sure that they have some way of moving those files, moving those disputes before this dispute resolution service and getting them resolved in a more timely fashion and giving them assurance that they will have a safe place to call home during this pandemic.

Also, we have heard from my colleague, as I mentioned, the MLA for Edmonton-West Henday – he has worked on this issue for a while – and we have heard from those who are in these mobile homes that there are issues with respect to infrastructure deficiencies, and oftentimes the costs involved with those issues may go above \$50,000. As I indicated, courts are also managing the effects of this pandemic, and their ability to deal with everything is affected by this pandemic, so I think it will be wise if we could allow RTDRS to deal with issues that are worth more than \$50,000. That will help us take the caseload off the court system, allowing them the ability to deal with the most emergent issues. On the other hand, as I said earlier, it will give these Albertans assurance that their issues can be dealt with through this pandemic.

A few other things. As we saw earlier, the government made some changes to the Residential Tenancies Act. Changes were put in place that landlords and tenants were asked to work in a collaborative manner to make sure that nobody is evicted from their homes. They can make arrangements how rent can be paid, so I

think another good thing to consider will be that we make sure that these Albertans have that kind of safety net as well, where they can maintain their housing . . .

3:20

**The Deputy Speaker:** Standing Order 29(2)(a) is available, and I see the hon. Minister of Service Alberta.

**Mr. Glubish:** Thank you, Madam Speaker. I was listening intently to the Member for Calgary-McCall as he was adding to the debate on this important piece of legislation, and I just wanted to clarify a couple of things. I'm not going to get into the amendments that are likely to be coming forward in later steps of this process, but I just wanted to clarify a couple of things.

First of all, with respect to rent increases I know the Member for Calgary-McCall mentioned that that would be, you know, a potentially challenging time for residents of mobile-home communities, who are struggling with the economic fallout of COVID-19. I just want to remind the Member for Calgary-McCall that that is why a week and a half ago I announced protections for those renters, to say that no rent increases will take place from April 1 until the conclusion of the public health emergency. Residents in mobile-home communities are already currently protected against any rent increases, so exactly what you were suggesting is already in place as a result of an announcement I made a week and a half ago.

Furthermore, in terms of eviction protections, at the same time as the protection against rent increases I announced a number of measures to protect tenants in Alberta from eviction. Those eviction protections apply to all Alberta tenants, not just those in traditional dwellings but also those in mobile homes. Those protections already exist. I agree that it's important during this crisis to ensure that we've taken those measures, and that's why we did announce those measures a week and a half ago. But that is also why we really need to have this debate about Bill 3, which is allowing residents of mobile-home communities to have access to all of the same dispute resolution options as every other tenant from traditional dwellings like condos, apartments, and single-family homes.

The last thing I'll just address – and I had mentioned this earlier – is that with respect to the fee to access the RTDRS, there already is a provision to allow for the waiver of the fee in the case of an individual who is facing financial hardship. That already exists. That will continue to exist, so no one will lack access to the system simply because they cannot afford it.

I think those are some important pieces of clarification that I believe address a number of the items raised by the Member for Calgary-McCall, and I am looking forward to the rest of the debate as we continue to discuss this very important topic.

Thank you, Madam Speaker.

**Mr. Sabir:** Thank you, Minister, for those clarifications. I lost my thought on where I was going with respect to these increases, but I do want to raise another issue quickly. As we know, utilities are an important part of these mobile-home arrangements. I was also going to talk briefly about how we have some protections afforded to Albertans across this province. I'm hoping that we can make changes to allow RTDRS to be able to deal with utility and submetering issues within their jurisdiction.

In short, I want to stress that these are important changes. What we are suggesting will certainly help make this legislation better. The most important of all is that we make sure that these changes come into place right away and not in the fall of 2020 because people are going through these challenging times now. Now is the time that they need these protections more than ever so they can

maintain a safe place to call home. These are important changes. These protections you have put in place are important as well, but I would urge you to move that coming-into-force date rather immediately so that these Albertans have the benefit of these changes right away.

Thank you.

**The Deputy Speaker:** I see the hon. Member for Edmonton-Riverview rising on Bill 3.

**Ms Sigurdson:** Thank you very much, Madam Speaker. I'm pleased to rise to talk about Bill 3, the Mobile Home Sites Tenancies Amendment Act, 2020. Certainly, along with my colleagues today I just want to express thanks to the government for bringing this forward. There are, I think, approximately 50,000 Albertans who choose to live in mobile homes all across our province, and certainly we want to make sure that they have the same rights as people in other kinds of home ownership situations or certainly even in rental situations. This bill does bring some things closer so that the people who do live in mobile homes can have those same rights.

Certainly, the residential tenancy dispute resolution service was not accessible before to people who live in mobile homes, and now this bill does make that accessible to people so they don't have to actually, you know, go to the court system, which is often very onerous and expensive and may involve having to hire lawyers. It can be a very difficult process for people, and this is much more accessible just to regular Albertans, so I'm pleased that Bill 3 has been brought forward.

We know that disputes regarding security deposits, rent deductions, completing repairs, recovery of unpaid rent and utilities can be addressed by the dispute resolution services now. That is welcome news, certainly. There are still, of course, some issues that we understand will still need to go to the court. I mean, I think my caucus has some suggestions in terms of amendments regarding some of that. Some things are not within this bill, but those four things, as I said, are a part of it.

Certainly, having grown up in a, you know, small town in northern Alberta, kind of a remote community, lots of my friends lived in mobile homes. I think that's pretty common in our province. People oftentimes – I lived in an oil town up in the Peace River country. Certainly, people – there weren't homes that were available for them, so it made sense for them to buy a trailer and move up to, in my case, Valleyview. Many times I had friends and I'd go to their places. Certainly, many people in rural Alberta and obviously in the larger centres, too, live in mobile homes and mobile-home parks.

You know, it sort of, I think, helps people in many ways. One of them is that in more remote locations in our province we want to make sure that they have access to all of the sort of supports if there is a dispute with their landlords. The thing about mobile homes, as we all know, is that you own that home, but you don't own the lot, generally. Sometimes you do, but of course this bill is for people who don't own the lot, who must actually pay a landlord for that lot.

Of course, there are roads in their communities. There's all sorts of infrastructure and things that, you know, matter in how they're maintained or not maintained. So it's important that if there are issues that the owners of these mobile homes, the tenants do have recourse to go to some kind of a dispute resolution process that's beyond going to the court because that can be, as I said, an expensive, onerous process. This is a positive move forward.

3:30

Certainly, I think another key aspect about this is that people are looking for solutions. You know, they may not have enough income to buy a sort of bricks and mortar home, but they want to be homeowners, so oftentimes the mobile home does create that opportunity for them because they can afford that. One of the things that I learned when I first became Minister of Seniors and Housing and I certainly knew about, very clearly, after having been a social worker for 30 years, is just how many people in our province cannot afford housing, many, many people, thousands and thousands. I think a rough estimate is that at least 200,000 Alberta households cannot afford housing, and that means they're in core housing need. Core housing is when you have to spend 30 per cent or more of your income on rent or, in some cases, I suppose, a mortgage. Many, many Albertans struggle to be able to afford a home. A mobile home sometimes has given people that opportunity that they can own a home that they never thought that they could before. It gives them that independence and sort of that pride of ownership, so it's a valuable opportunity for them to be able to be homeowners.

The trouble, of course, as we're addressing with this bill, is that sometimes, because they don't own the property that mobile home sits on, they're vulnerable. Sometimes landlords are not fulfilling as they must some of the requirements, or they're raising rents without giving due notice. There are, you know, a myriad of challenges that people experience, of course, in that situation. This bill does bring the dispute resolution service to mobile-home owners whereas before their only recourse was, of course, to go through the court, so that's a very positive move. For households that do choose that, that's an option for them, but it has previously kept them vulnerable because they couldn't necessarily challenge things.

But, I mean, I think this is sort of touching on a much larger issue in our province, and that is sort of, you know, decades of neglect in the affordable housing sector in our province. Certainly, when I became minister, I was very concerned that people would want to move to new communities but they could not afford to live in that community. We're not experiencing this now – our situation is very much different – but if you think about Calgary, for example, and Edmonton, to a degree, I mean, housing costs were very, very high, and people just couldn't afford that. Again, this is a private-market solution. It would help people to be able to buy mobile homes.

But the sad thing is that such a long time of neglect certainly in the affordable housing sector in our province has created just, you know, I think a lot of challenges for people. They can't afford homes. They live precariously, oftentimes in situations that aren't really safe for them, or they don't have adequate space. They don't have the bedrooms they need. I know that there was a recent report done by the Edmonton Social Planning Council, by John Kolkman, and he talked specifically about how many people are simply on wait-lists in Edmonton. I think that the estimate was about 10,000 on wait-lists for affordable housing here in this city alone, not even looking at other parts of the province at this moment.

Then we have, you know, COVID-19. That means that people are in those situations. They're not even necessarily on a list. I mean, I think that's one of the red tape cuts that this government brought in, that housing management bodies aren't necessarily asked to keep wait-lists anymore, but these are people who need housing. They need it desperately, and I'm concerned about their safety and their well-being in this very difficult time. We want to make sure that Albertans have the supports they need, they have the housing they need. This is one mechanism, for sure. I mean, I just know how challenging it is for so many Albertans who don't have the appropriate housing, the housing that . . .

**The Deputy Speaker:** Hon. member, please don't pass between the Speaker and the speaker. Thank you.

**Ms Sigurdson:** ... their families need, you know, that they have the right to their privacy and just safety concerns. Certainly, that was something that our government took very much to heart. When I was minister, we committed \$1.2 billion investment in capital to build affordable housing in our province so that more affordable housing could be available to Albertans. That was four times more than the previous government's budget, that significant capital investment that we made. Sadly, in the most recent budget of the current government they have not put in any new capital for affordable housing, and the demand is just so profound. It certainly is very sad that more people won't be able to access that kind of housing.

Of course it is about priorities; it is about the priorities of a government. We know that right away, as soon as the government was elected, they did put \$4.7 billion into wealthy corporations. But for vulnerable Albertans living on a low income, maybe making minimum wage, people who need some help, there wasn't anything for them. You know, that's concerning because housing is very important, a fundamental human right for people. Everyone deserves – deserves isn't the right word; everyone has the right to housing. Certainly, in Alberta we need to invest and support that much more.

Besides the lack of capital investment in the most recent budget, there's also a 24 per cent cut in the rent supplement program. The rent supplement program, of course, is a program that helps people who are in poor housing need so that they're not spending more than 30 per cent of their income on housing. What's great about that program is that people can make their own arrangements with landlords all across the province, so it's especially important for rural Alberta. Sometimes in rural Alberta there isn't that affordable housing like in Edmonton and Calgary, some of the larger cities. We do have, you know, housing management bodies that do manage large portfolios and can provide housing. But in rural Alberta oftentimes that's not available to them. So when this cut of 24 per cent happened in the most recent budget, I mean, that really hurt rural Alberta because then people were not having access to those funds. Again, as we've talked about, they're just maybe precariously housed, or in unsafe situations. That's not good.

Besides this key component, which is very important for households that are living in a mobile home, giving them rights, we need to have those rights across the board so that all Albertans have the right to appropriate, safe housing that meets their needs.

Some of the outstanding issues sometimes, you know, that are beyond sort of an individual person who rents a lot for a mobile home are drainage and making sure that that infrastructure is there for that mobile-home site. Certainly, we know that in the spring when it's melting, kind of like a day like today, it's a nice sunny day outside – I know I haven't been out for a while, but I think it was melting a bit on my way here this morning – there's flooding sometimes. Is the landlord managing that appropriately in these mobile-home parks? If they're not, what recourse do those tenants have?

This legislation, of course, does give those mobile-home owners the recourse to actually deal with those issues and not in such an expensive manner, and it's more timely because we know the court system. Of course, right now we know that, you know, the courts, just like many other places of work within our province, within our country are not really looking at cases unless they are very key. Like, most nonemergency cases aren't being looked at. Yet some of these things are really emergent and need to be looked at, so it's good that the government has brought forward this legislation.

Again, it just is really bringing mobile-home owners ...

3:40

**The Deputy Speaker:** Standing Order 29(2)(a) is available. Any members wishing to speak?

Seeing none, any members wishing to speak to Bill 3? The hon. Member for Calgary-Mountain View.

**Ms Ganley:** Thank you very much, Madam Speaker. I'm pleased to rise and speak to this bill. Bill 3 does what I would consider an incredibly important thing. It's basically enabling these individuals to seek the same remedy through a different means. Because of Bill 11 and because of the pandemic that came down on us, I think Albertans could rightly be sort of confused about what's going on right now, so I think it's worth going back and sort of discussing this.

This bill, Bill 3, is essentially there to give mobile-home owners and the people who own the land, who rent the plots on which mobile homes are located access to the residential tenancies dispute resolution system. One of the reasons why that is important at this moment in time is because Bill 11 enabled the giving – Bill 11 did a couple of things. It prevented increases in rent, but it also enabled, by ministerial order, a prohibition on evictions both in mobile tenancies and as well in general tenancies, so anyone covered by the Residential Tenancies Act.

Those are good things. They were important steps, absolutely. Rather than being about the remedy which is available to the owners, this is about where they seek that remedy. Of course, it's incredibly timely because at this moment all of our courts are closed to everything that isn't a very emergency-type application. This would give individuals that ability to seek that remedy, and that's why it's timely right now.

Personally, I think that giving individuals this ability to access the dispute resolution board is incredibly important not just in this one circumstance but generally. I actually think these sorts of administrative tribunals play an incredibly important role. I'm not sure that necessarily Albertans are aware of that role. You know, the courts are a fantastic process. I have nothing but respect for the courts. But, well, full court process, for lack of a better term, is an incredibly sort of long and arduous process designed to be essentially the best thing we can get to adjudicate incredibly fundamental rights and interests of individuals out there walking around and going about their lives. In some instances it is perhaps better for those individuals on both sides and better for society as a whole to be able to take those disputes elsewhere, maybe where there is not quite as much process, and as a result, the process is considerably abbreviated. Essentially, it's maybe not as fulsome a process, but it gets to a solution much more quickly, and in many instances, where the law itself is not that complicated, this is a much better method of resolution for individuals.

I actually think that this is the way that society generally should be going, towards an increased number – obviously, not for everything. There are some things for which the court is absolutely the best process and for which it ought to go to court. But I think that this process for this particular purpose is much, much better because it allows the disputes to be resolved much more quickly. Sometimes there is value simply in having something resolved. We see this in many different areas in the law, but sometimes there is value in simply having a resolution to the issue so that everyone knows how to govern themselves moving forward.

So I think that this is an incredibly important piece. I think that the reason that it has become very important at this moment is because there is the potential to see an increased number of disputes coming forward. You know, obviously, especially right now,

especially at this moment when we are in the midst of a pandemic, getting those disputes resolved is incredibly important because it's incredibly fundamental to the rights of any individual, their ability to be housed at any time but at this time more than at any other time. At this time, when everyone is essentially being ordered to go to their own homes and to stay there and not to interact with other people unless absolutely necessary, this is the moment, I think, at which it becomes even more important to ensure that people are able to remain housed, and that's one of the things that I think this bill would do because it gives folks access much more quickly. I think it's a really good step. I think it's an incredibly important step.

One of the challenges, I think, that does arise is that it only covers certain disputes. The remedy for certain disputes will be at the residential tenancy dispute board, and that's incredibly important. I think that there are other disputes, for instance involving infrastructure or road repairs or other things that can affect a mobile-home tenant, that are not necessarily touched by this, so that remains a source of concern because that still has to go through the court process. Again, I have nothing but respect for the court process, but it can be very lengthy and it can be very challenging for the individuals involved, particularly in instances where a claim may exceed the Provincial Court level and may require them to go to the Court of Queen's Bench. It can be very challenging for individuals, particularly individuals who can't afford counsel, which is a whole other area I could get into, but I will not. I will not digress that far. It can be very challenging for individuals to get access to that. That is one of the reasons that this continues to be important. It's also one of the reasons that there are some, I think, challenges outstanding.

Now, that isn't a criticism; it's merely to say that this is something that we would love to see in the future. I think it needs to be stated a lot that this bill moves us forward, so even though I may say things that indicate that I think it is imperfect or that there are other areas to expand on, I want to make it clear that I think this moves us forward. It certainly creates a situation which is better than the situation we have presently, so that is important, and it's particularly important to people at this time.

A couple of other things. Certainly, the RTDRS has been up and functioning for a while with respect to general residential tenancies. There are, I think, some areas in which concerns potentially still exist, but those tend to be around the act as opposed to specifically decisions of that board. I think that one of the things that would be really nice to see in this time of pandemic would be the potential for the government to set up access to legal advice for tenants, whether they be mobile-home tenants or whether they be other tenants, because I think that a lot of things can be resolved without even having to go to a dispute board. A lot of things could be resolved if people just had access to the information, right?

We here in this room spend an enormous amount of our time reading legislation. It's the thing that we do. We understand it quite easily, but there are a lot of people for whom this can be very, very challenging, and it can be challenging for a number of reasons, whether it's because they're not familiar with the specific language that tends to be used in legislation or they're not familiar with the underlying framework. Each one of these acts interacts with multiple other acts, and there's no list kept anywhere of how that goes, so that can be really challenging for people to determine. Legal advice, even a small amount of legal advice, can help individuals a lot. I do think that there's someone that one can speak to at the residential tenancies dispute resolution tribunal. Tribunals often, human rights tribunals for instance, have someone you can call and sort of ask these questions to.

3:50

I think that that is a really important piece of this, and I hope that the government is injecting resources into this board, not just because it will be dealing with a vastly increased number of claims because of the pandemic but also because their jurisdiction is now being increased to include mobile-home sites, so we'll see a lot more claims coming forward. In order for the residential tenancies dispute resolution board to maintain the advantages it has over going to court – you get there a lot faster is one of the main ones – there will have to be additional resources injected in order to hire more people who are making decisions and more staff who are able to sort of answer phones and help people fill out claims and all of those sorts of other important things.

Again, I think it's worth noting that even though we're talking about spending more money on the dispute resolution tribunal, that's money that ultimately is sort of – saved isn't the right word because in a situation of a growing province, you don't recognize those savings; you just don't have to inject more money into something like a court system. This is usually a much more cost-effective resolution mechanism for the public to give people access to than the courts, right? The courts are pretty expensive for the litigants but also pretty expensive for the state in terms of funding those and in terms of wanting to give someone a place to resolve their disputes. So I'm hoping that we'll hear from the government that there are increased resources going to that tribunal in order to enable that.

Obviously, the other question is: what's going to be done in terms of other issues that can arise between the owner of a mobile home and the owner of the site which are not being moved into the residential tenancies dispute resolution? Of course, those will include anything over the \$50,000 limit and some having to do with submetering and others having to do with sort of road maintenance, snow removal, that kind of thing.

[The Speaker in the chair]

I think, generally, those are most of the comments I had around this. I'd like to close by again saying that this is definitely a step forward. It's maybe not perfect, but it is a step forward, so I applaud the government for taking that step forward. I think this will make it easier for a lot of folks to get their disputes resolved more quickly and more easily, and that is always a good thing.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Calgary-Mountain View.

Seeing none, is there anyone else wishing to join in the debate? The hon. the Member for Edmonton-North West.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise with some interest to speak to Bill 3, the Mobile Home Sites Tenancies Amendment Act. Certainly, this was something that we were discussing last week when we were looking to ensure that people were not evicted during the emergency that we are experiencing here now, both economic and medical. Certainly, there are certain elements of Bill 3 that we had during the session before, you know, we rose a few weeks ago that, I think, deserve some more attention. Certainly, we expressed our positive reaction in regard to this bill when it first came forward, and here we are with it again.

I know that lots of individuals in mobile homes are experiencing the same things as many Albertans are across the province here, which are job loss, income loss, insecurity, and then plus the added layer of the medical emergency that we are experiencing here at this very moment. To ensure that we are providing equity and equality

for all Albertans, it's important, I think, that we re-examine existing programs at every juncture to ensure that nobody gets left behind during this time. Indeed, perhaps it's an opportunity for us to look, in a larger sense, at providing some basic protections around a person's home, income, health, and education that we can move forward on even after we pass through this very difficult circumstance that we're in here today. It offers some very interesting questions that I think we all are examining day by day as we make a point of looking to ensure that nobody gets left behind here in the province of Alberta during this very difficult circumstance that we're in today.

Here we are with mobile homes. I know from my own experience that at some point my constituency did have quite a large mobile-home development in west Edmonton, so I am familiar with some aspects of both dispute resolution, things that come up over time. You have that unique circumstance that people have talked about already where people do own their physical structure, but the subdivision is owned privately or through a corporation or something like that. You need to ensure that individuals are protected and that though an individual might be owning their place and leasing from a larger company, they can be on an equal footing to resolve disputes as they come up, as they sometimes do, as in all parts of our lives, I suppose.

I guess an update to the mobile-home act is due. I know that my colleague was certainly working on this before, and here we are, this natural movement forward of Legislature even with a different government. People can move on with good ideas, right? No one has an exclusivity around good ideas, nor should they be chased down or just abandoned even if there is a change of government. We see some continuum here today, and for that I am certainly grateful.

While we are using or while we are investigating this act and existing laws, I think it's a good idea to, you know, put a new coat of paint on some of these things – right? – to make some changes that will help us moving forward. This whole issue around evictions, say, for example, is something that people need to be protected from in mobile homes as well. We know that these things do happen regardless of what form of rental or lease accommodation people live in, and we need to make sure everybody gets covered.

We will be putting forward some other amendments here, reasonable amendments that I think are worthy of examination. I'm not sure to what degree the minister is aware of the direction of some of these amendments, but I know that we've had a good relationship before. Just to, you know, review some of the areas that we will be exploring here this afternoon in regard to proposed amendments by the Official Opposition here, we want to perhaps take a look at the coming-into-force date – right? – because, of course, we're dealing with an emergency situation now, so the immediacy of this bill and, in fact, for us to be coming back to debate this bill was framed as being part of an emergency. For this same bill to have a coming-into-force date that doesn't go until fall, I mean, that's not logical. We will be pursuing that one. I know that the government is probably thinking: "Yeah. That's a great idea. Very reasonable." We could probably kick the tires around that one.

Another issue is around fees for access for dispute resolution cases, right? You know, we want to make sure, again, that if someone is probably going forward because there is a money problem, then certainly we want to make the disputes mechanism affordable and not have an obstacle or hurdle that's based on people perceiving that they can't afford to access that mechanism.

4:00

We want to make sure that people are protected for rent – right? – during the course of time that they're perhaps resolving a dispute, now more than ever because, of course, of the economic insecurity that people might be facing and so forth in the emergency as it manifests itself in different people's lives. You know, we want to make sure that we use this as a substantive body that helps to shield further litigious action in the courts, I think – I see my fellow member who's a lawyer giving me some affirmation there, which makes me feel good – so that we are using this disputes body as a way by which people can avoid the courts, basically. That is an expeditious, reasonable amendment thing, too.

We have quite a few, and I want to make sure we are making the best use of time for everybody here. You know, I know everybody is feeling very nervous about assembling like we are here during a pandemic, and I want to make sure that we make the most efficient use of this place to expedite legislation that is in keeping with the emergency which we are facing here today. If we can use that as our template, the litmus test, so to speak, to say, "If legislation is necessary, to what degree is it necessary in the face of an emergency?" then we can go ahead and continue to serve Albertans during this very difficult time.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or a comment for the Member for Edmonton-North West.

Seeing none, is there anyone else wishing to join the debate?

I am prepared to call the question, but I'll be happy to give the hon. the Minister of Service Alberta the opportunity to close debate on second reading should he desire to do so. Seeing none.

[Motion carried; Bill 3 read a second time]

## Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

**The Chair:** Hon members, I would like to call Committee of the Whole to order.

### Bill 3 Mobile Home Sites Tenancies Amendment Act, 2020

**The Chair:** Are there any speakers to the bill? The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Madam Chair. I appreciate the opportunity to rise here in Committee of the Whole to add my thoughts to Bill 3, the Mobile Home Sites Tenancies Amendment Act, 2020. My comments will probably be brief, although every time I seem to say that, the buzzer tends to go off on me shortly after that. You know, I must admit that I don't have a lot of experience when it does come to mobile-home areas. Unfortunately, Edmonton-Decore doesn't have any of those. Perhaps one day maybe a builder will decide to bring one into Edmonton-Decore, and I'll get to have one of those as well. But from time to time I do have individuals that know people that reside in these areas, so I get to hear from time to time about their comments.

As we are here talking about this now, I guess I'd be remiss if I don't say that I wish we'd have had the opportunity to maybe debate this earlier last week, Madam Chair. We were, you know, spending some legislative time debating, for instance, a government motion that talked about supporting oil and gas and pipelines, something

that this Assembly is very, very clear in supporting in the past, and, of course, maybe more broadly around a deal with Keystone pipeline that the government had already made a decision on and had moved forward to finalize. I think we could have possibly taken up that time to devote to this opportunity a little bit sooner.

The good news is that at least we're here, and we're getting a chance to move this forward and to be able to provide the residents of mobile homes a little bit more to work with. They've been a little bit forgotten in the past, and this is our opportunity to make it a little bit better because when we do start looking at mobile homes – certainly, for some of the residents that are in Edmonton-Decore, they're lower income, not a lot of means at their disposal. Sometimes mobile-home ownership is their only opportunity and avenue to be able to get into ownership of some kind. Having the ability to access mechanisms that have been absent, I think, maybe posed a bit of a barrier to these individuals looking at that opportunity to be able to purchase a mobile home. You know, some of our seniors would also fall into that category of lower income individuals that maybe can't get into the really nice condos and things like that that sometimes can be price prohibitive.

While I certainly do support Bill 3 moving forward, I don't think we have it absolutely perfect. I think we have a really great opportunity now here in Committee of the Whole to be able to address some of these things, to take a piece of legislation and make it even stronger so that we provide a fair balance to mobile-home owners in the event of any problems that do come up.

You know, I would I guess say that I do have a concern that, when we do see some mobile-home owners out there, sometimes the amount that they pay for the land that that thing sits on happens to be a lot more than the actual mobile home itself is worth. When you have individuals that are paying these very, very high fees and then start to experience problems, at the moment – obviously this bill will start to change those things – their only opportunity is to seek recourse through the court system, which, as I'm sure the Member for Calgary-Mountain View in her experience as the former Justice minister would know, can be somewhat of an expensive process not only for the system itself but also for that individual.

With my experience, coming from where I do, you know, I hate to say it, but there's always the one outlier that will make things very, very difficult. I think that could be said with landowners as well that when a dispute does arise, sometimes they will unfortunately choose the path where: well, perhaps I can just let them take me to court, wait them out, and they'll simply run out of money to be able to dispute me. Obviously, my hope is that those are very few and far between, but I do know that they do exist. I think this will provide a mechanism for those homeowners to be able to go where that's not necessarily the case, and they can have their dispute heard in a fair and equitable way.

**4:10**

Reading through the bill, of course, I did have a few questions that have popped up. Obviously, through Committee of the Whole and possibly maybe some amendments that are coming forward, we might have the opportunity to address some of these questions. You know, I wonder whether the disputes resolution will be able to hear cases involving issues with utilities within the property or maybe even some submetering issues that come across. I guess before I go even further, certainly if the minister wants to jump up to talk about those things, I'd be grateful for any insights or information that you might be able to share with the House going forward.

I also wonder a little bit around the \$50,000 limit for remedies. You know, maybe, what are some of the key issues in mobile-home communities that are being missed? We've certainly seen how

potential infrastructure projects can probably break that \$50,000 barrier very, very quickly. I mean, I guess just thinking back in terms of what Edmonton-Decore has, I've seen many, many organizations that are seeking as of late to install new playgrounds within their communities. We know that a playground could very, very quickly become very, very expensive in terms of that. If that happens to be something that the landowner had put up for the residents and so still has that to resolve, eventually at some point in time those facilities are no longer viable for the kids to play on. Simply even something like that could quickly reach that \$50,000 limit. I'm wondering if perhaps the minister has thought about maybe changing that or removing that or something along those lines. I would be appreciative of any thoughts.

I'm wondering: has the minister or maybe the government as a whole been thinking about how to deal with issues of roads that have fallen into disrepair, possibly even snow removal? I certainly hear from time to time from my residents in Decore either about the snow removal that is not happening or about the way it happened. I'm sure mobile-home sites are no exception to that. If it gets to the point where it's almost impossible to be able to access your home driving in because of, for instance, snow removal issues, I'm wondering: has there been anything thought about around those types of things?

I guess maybe just thinking a little bit around the ministry itself – I mean, obviously we're going to be making some changes here, adding extra tools for the disputes resolution to be able to deal with these things. I'm wondering if any additional staff might be needed within Service Alberta to be able to address and move these disputes forward in a timely manner. I'm wondering if maybe any recent cuts that were made within Service Alberta could have a negative effect on this program going forward. I think that the Member for Calgary-Mountain View had brought this up around making sure that we are investing within that program. I think there's an opportunity for the government to be able to save some money. Rather than things going through the court system, they could go through the dispute resolution, saving Alberta taxpayers some money and getting faster and more equitable results for the mobile-home owners themselves.

Those were some of my thoughts going forward within this bill. Like I said, perhaps the minister might want to jump up and add any extra thoughts around some of my questions that I had. I am supportive of this bill. My hope is that, I think, as we bring forward some amendments to this bill, we'll have the opportunity to make, you know, a pretty solid piece of legislation very solid and be able to provide mobile-home owners as well as the landowners a really good, solid mechanism that they can access in a timely manner and save our court system some time and allow them to be able to move forward on some other things.

I will be listening intently to the discussion as it moves forward in Committee of the Whole, and hopefully we'll get a chance to address some amendments that will be coming forward here probably very shortly that I know the minister has had a chance to take a quick peek at and maybe form some thoughts around.

**The Chair:** The hon. Minister of Service Alberta.

**Mr. Glubish:** Thank you, Madam Chair. You know, before I get to some of the remarks I had prepared for this stage, I would just like to maybe clarify a couple of points for the Member for Edmonton-Decore. As I was listening to his contributions to this debate, I thought it might just be helpful to clarify. The RTDRS falls under the consumer services portion of Service Alberta's budget. Consumer services has not been reduced in the 2020 budget compared to 2019. Furthermore, I can also confirm that we, of



course, anticipated that during this pandemic we would be likely to see an increase in demand for the RTDRS service, and as a result of that and our desire to see Bill 3 pass, we have allocated additional resources to RTDRS to deal with that volume that we anticipate. We know how important a service the RTDRS is. We know that it's important for it to be able to administer the caseload it faces in a timely and consistent manner, so we have made sure to prioritize that with our resources in Service Alberta.

Madam Chair, as we continue our debate, I'd just like to share maybe a couple of additional comments and, again, just to ensure we stay focused, a couple of quick overview points on the bill itself. As I said during first and second readings, this bill takes a service that has been successful in a conventional rental context and extends it to include mobile-home site leases. Last summer as I toured the province and spoke with many folks living in mobile-home communities, in every one of those discussions I heard that this initiative was much needed and long overdue. In every one of those discussions I heard from residents that have been asking for this access for many years, and in conversations with the landlords of mobile-home communities I also heard a desire to have access to this service. This bill will also bring us in line with our provincial counterparts as all of them currently offer dispute resolution services to mobile-home communities. If the RTDRS past experiences are any indication, providing this access and bringing us in line with Canada's other provinces will become even more impactful over time.

Madam Chair, for the benefit of all members of this Assembly I'd just like to walk through Bill 3 quickly so that we're all on the same page as we continue in this committee process. To begin, I want to make clear that this bill is not setting up an alternate and parallel system to the RTDRS. Instead, we are actually just leveraging the existing RTDRS system and service and using it to hear mobile-home site disputes. We're not changing the parameters of the RTDRS. Actually, as the Member for Calgary-Mountain View put it so well, we're just changing where folks seek remedy when they have a dispute. So for residents of mobile-home communities, if they have a dispute with their landlord or if the landlord has a dispute with their tenant, they would now be able to go to the RTDRS to sort out that dispute instead of going to the courts. At the end of the day, this ensures that residents from all types of dwellings in Alberta will have access to the same dispute resolution service.

So what would that access look like? Well, you know, that's a good question. Another good question is: what concerns can be brought before the RTDRS? Disputes on many different tenancy issues such as rent payments, ending tenancies, security deposits, breaches of legislation or rental agreement: all of these would be the kinds of things that could be covered by the RTDRS. These are the kinds of things that are already successfully being resolved by the RTDRS in the context of traditional residential tenancies. Some of the other examples: helping tenants where a landlord is entering their premises without authorization, attempting to change rent improperly, eviction without sufficient notice or cause. Those are some of the things the RTDRS can do to help tenants. It's also valuable for landlords in that it can assist when tenants are not paying rent, are refusing to vacate at the end of a lease, or are wilfully damaging the landlord's property. So this is a useful tool for tenants and for landlords, and with the passage of Bill 3, if we get that far, this would now extend to all residents in Alberta who are tenants or landlords regardless of the type of dwelling.

4:20

As we've said a few times before, a lot of folks have pointed out that this is an alternative to the court system, allowing for faster hearing of these disputes in a less formal environment. I think these

are all reasons why this move by our government is being supported and applauded by both residents and landlords. Through access to the RTDRS landlords and tenants will be able to resolve differences and conflicts more quickly and at a lower cost. While at times landlords and tenants may disagree, I'm pleased to say that when it comes to wanting access to this service, they are united.

That said, it is equally important that we ensure everyone knows that there are some disputes that are not eligible for a hearing under the RTDRS. In those cases the courts are still the appropriate venue for those disputes regardless of what type of home someone lives in. It's not going to be different if you live in a mobile home. It's not going to be different if you live in an apartment or a condo or a traditional house. I'm sure we'll have some more debate on that and, of course, some of the proposed amendments. Through Bill 3 we're granting the same access to the RTDRS to residents and landlords of mobile-home communities as to the residents and landlords of all other dwellings in the province.

Madam Chair, I thought that while we're here, it would also be helpful just to talk about the process of how a dispute is filed. When a dispute is filed, the party who applies first, whether they're a landlord or a tenant, selects the venue, meaning they can choose whether to have the dispute heard by the RTDRS or by the court. Once a dispute has been filed with the RTDRS, the dispute is bound to the tribunal, and that means that the applicant cannot file the same case with the court while they wait for an RTDRS hearing. This is important to ensure that we don't create multiple cases on a single issue.

Of course, this approach does not remove all flexibility. The RTDRS works with the court and can refuse to accept a filing or can transfer it to the court if that would be more appropriate. This might happen in cases where the RTDRS does not have the authority to grant the relief an applicant is seeking. For example, if an applicant files a dispute relating to a human rights issue and chooses to file with the RTDRS, the RTDRS would actually transfer that to the courts instead because it's outside of their purview.

The amendments brought forward in Bill 3 are all about granting greater choice to Albertans in mobile-home communities and sending disputes to the forum best suited to hear them. In doing this, we also achieve a gain for Alberta's Provincial Court system. After all, each case heard by the RTDRS is one fewer that needs to be heard by the courts.

Madam Chair, I'm proud of this legislation, the work we've done on it. I'm very confident that we've captured what needs to be done. With that, I look forward to discussing these proposals and providing further explanations to all members on any questions they have so that they can feel confident in supporting this bill.

Thank you.

**The Chair:** Are there any other speakers to the bill? The hon. Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Madam Chair. It is my pleasure to rise and be able to speak to this bill. Since I moved to Canada, you know, I have always lived and enjoyed my public life. Not only that, but I kind of was open to the idea of opening up a business in my community. That was not something I really wanted to get into and really focused on to make big money. The idea was to stay in the community in a way that I could just be in touch with lots of people around by doing that, not only earning my living but, at the same time, meeting more people and learning more about our society and being able to be involved and do my part to help people and build communities around.

Let me say that since this debate on Bill 3, I've been watching my colleagues this morning, my colleague the hon. Member for Edmonton-Gold Bar and other colleagues, from both sides, speaking so eloquently. Let me tell you that I'm so grateful to see this. Also, this is something for me to learn that is totally new, that I was not aware of.

For me, this was also kind of a lost opportunity. The riding I contested in the election and represent right now: before the boundary changes it actually represented the large community of Maple Ridge, where there are a number of people, actually, in a big community of mobile homes. The boundary changes actually happened before I contested the election last April, and I just lost the opportunity to work with those people. But I'm feeling so grateful to listen to the members speaking with in-depth knowledge and coming up with first-hand information about the problems, the challenges these communities are facing.

Our party, the NDP, did have this, you know, as their campaign promise. This was one of their platforms, and they ran the election on it, meaning that I also am very thankful to the government for actually taking this necessary step to move forward to address some of the issues pertaining to this community. Not actually in the wake of this new challenge we are facing, the COVID-19 pandemic, but some of the issues, as I'm hearing, should have been addressed, you know, long, long ago, but somehow this didn't happen. I am so thankful to the minister for bringing this bill forward. I'm also feeling so humbled and proud to be part of this debate we are having on behalf of the mobile-home community and my constituents and that I have the opportunity to speak on behalf of them.

As we were campaigning, we were proposing, arguing a very similar proposition not long ago that due to the COVID-19 pandemic, the challenge we are facing, there was a huge demand to address the issue of leasing and evictions and the rent increase issues that the people who rent were facing. In a similar manner, I was thinking about something for the mobile-home community. It was great to learn that the Minister of Service Alberta provided information. The bill we just passed last week also, actually, had implications for, you know, cancellations of eviction notices or freezing rent increases but also pertaining to the issues relating to mobile-home communities. Still, listening to my colleagues and learning more about this issue, I feel that this bill needs to do a bit more, maybe not at this time, but this is probably, I will say, a good time to actually discuss those, an overview. For me, personally, it's a time to know if this bill is broad enough to address some of those issues.

4:30

Some of them are common, are similar to what we were dealing with when we were, you know, addressing the issues of evictions or rent freezing or the increase of rents, where people usually rent single-family homes or they will rent the premises from the bigger part of the units of the condominiums or the apartment condos. Something I heard that is very unique to this is that the mobile-home communities do have common areas. They do have some issues that are related to the community at large, not specifically to individual tenants or the owners of the land. I'm not aware if this bill goes that far, like, addressing those issues, the disputes that come into being based on the common areas in those premises, the issues that have been discussed like the condition of the land the home is situated on or the roads in the community and also other infrastructure issues.

[Mr. Hanson in the chair]

As the member already, you know, highlighted, the issues seem like small issues, but as a business owner in strip malls or having to

be able to live in a community of a condominium, I know that these small, small issues can become a big pain if they are not really outlined exactly in their duties, who is doing what. Snow removal seems like not a big issue, but if it's not really clear in the agreements that can really be a pain until we deal with something. Those small things seem like small things, but I was looking into that. That is something that, for me, was new to learn here, and I would be concerned to know how this bill is going to address these kinds of issues.

The other thing, dealing with RTDRS: I think that is a unique situation with these communities. I was looking at this \$50,000 cap for the tenants of the landowners. They are seeking the resolution of disputes arising out of their, you know, lease payments or issues pertaining to that. If something over and above – I'm not actually clear right now if the cap is \$50,000. If this is \$50,000, do we have a plan in this bill that addresses the issues to increase the cap so the tenants or the lease owners really have access to use the association, the services of RTDRS, to resolve some of those issues?

I personally think that this is a very, very important aspect of the issues we want to take into consideration that this bill should have been addressing. If this is already in hand, then I will be grateful to hear that from the minister. But if it's not, you know, it's not only important for the tenants or the owners of the mobile homes to have accessible service to be able to access in case of a dispute. Specifically, when we are going through this kind of situation, most Albertans, not only in one or the other communities, are really impacted by the financial restraint or constraint. If we can waive the fees, that was one of the concerns – yes – specifically focusing on the challenge we are facing right now through the COVID-19 pandemic.

Also, looking at it in the long run, I would also like to see if we can take this into consideration. This will not only help mitigate the problems and find resolutions affordably for both the landowner or the owner of the mobile home but it also, you know, I would say, would be very cost-effective for the province. Specifically, since this government took charge, they have been focusing so much on the financial responsibilities, and they're always concerned about the province facing financial constraints.

I think this is very good use of RTDRS. For the members of that community, if we can increase the cap and if we can increase the capability or accessibility of the members so they can use the services of RTDRS. The RTDRS has the capacity – if, in their view, they feel that this is something arising that is not in their capacity or control to come to a resolution of the issue, they can always refer to the code. That would be one of the opportunities I wanted to look into.

The other thing, as I said, is snow removal. The one aspect seemed very normal, but when it comes to the legal point of view, it sometimes becomes a big challenge.

The other thing is the implementation of the bill. What mechanisms and what kinds of tools are we going to have to implement this law when this is passed? It's a very good effort. We are taking a very good issue in hand. But it won't do much if we do not have the proper tools, the proper, you know, staffing, infrastructure to implement this law. Then this might not be really helpful in a way to be able to address our intent to address the issues through this bill.

The other one I would probably ask is: when this bill will be applicable, like, when this will be implemented, when those people affected by this bill will be able to use these services, what are some of the changes that we are going to make and when these changes will be implemented?

Those were some of my concerns as I listened and watched all of my colleagues in this House speaking on this bill. Some of those

things I was learning and I was looking into, and I was clear that I would like to see what we are doing about these. I would be happy to know if I'm missing something or there's something that I'm not clear on. If the minister can explain it, I would be happy to listen.

Thank you, Mr. Chair.

**The Acting Chair:** Thank you.

Any other members wishing to speak to Bill 3? The Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Chair. I want to thank everybody for the constructive debate that we've had on this bill this morning and this afternoon. I want to thank in particular the Minister for Service Alberta for his constructive interjections in the debate. I know that he probably doesn't care a whole lot about the opinion that I hold of him, but it is important to my constituents as well as his constituents to understand everybody's thinking behind the changes that everybody is proposing and why we're going to accept them or not accept them. I really appreciate him engaging in good faith in this debate, providing information that's valuable. I know that he's doing his constituents a service and my constituents a service, and I really appreciate that. We certainly would benefit if all members of the front bench engaged in debate that way. I sincerely appreciate that.

4:40

I also want to clarify that we do have a number of amendments that we intend to bring forward to this legislation. All of us have sat on the opposition benches – well, both parties here in the House have sat on the opposition benches – and we know full well that from time to time amendments can be used as political tools to delay legislation, play silly political games, things that ultimately serve other purposes than what the amendment is actually written to achieve.

I want to clarify for all members of the House that none of the amendments that we're bringing forward today are designed to play those kinds of political games whatsoever. All of these amendments are things that we're bringing forward in good faith with the clear intent of making this legislation better and stronger so that our constituents are served better by the residential tenancy dispute resolution service. So I hope that everybody engages in the debate in that spirit, knowing that we are bringing these forward in good faith, sincerely believing that if these amendments were to be adopted, it would make the legislation better and serve our constituents much better.

I also want to extend a big thank you to the residents of Twin Parks in my constituency. When this bill was first introduced, we hastily assembled a town hall in that community to discuss some of the amendments that needed to come forward to make this legislation better. We had three or four days to get that together and to bring people together to discuss the legislation because we wanted to make sure that we had amendments ready to go whenever this legislation came forward, and the citizens of Twin Parks responded admirably. We were able to successfully flyer the entire community. We had dozens and dozens of people show up on really short notice to give up their time and to contribute their thoughts, and it means a lot to me that the citizens of Twin Parks have been so engaged in this issue and have really helped me do a better job representing them in being able to discuss this legislation.

With that out of the way, I do want to bring forward my first amendment. Mr. Chair, should I read it, or do you need to see it first?

**The Acting Chair:** Once we start to distribute it. We will let you read it once they start to distribute it because I realize that it's going to take some time to get it out. We can definitely go ahead, sir.

**Mr. Schmidt:** Okay. Thank you. I move that Bill 3, Mobile Home Sites Tenancies Amendment Act, 2020, be amended in section 3 in the proposed part 5.1 by adding the following after section 59.5:

Transfer of Application

59.51(1) Despite section 59.3(3), a party to an application made in the Provincial Court under section 55 may, before the hearing commences, apply to transfer the matter by filing with a clerk of the Provincial Court an application made in accordance with the regulations.

(2) On application by a party under section (1), the Provincial Court may order that a matter be transferred to the Dispute Resolution Service

- (a) if it would be more appropriate under the circumstances for the matter to be heard by the Dispute Resolution Service, considering the complexity of the matter and the jurisdiction of the Dispute Resolution Service, or
- (b) with the consent of the other parties.

(3) A matter transferred to the Dispute Resolution Service under subsection (2) continues as if it had been commenced in the Dispute Resolution Service.

and in section 59.8 by adding the following after clause (c):

- (c.1) respecting an application for the transfer of a matter from the Provincial Court to the Dispute Resolution Service for the purpose of section 59.51;

**The Acting Chair:** Thank you. Would you have the original?

**Mr. Schmidt:** Yes, I do have the original here.

**The Acting Chair:** If we could get that.

Folks, we will call this amendment A1 to Bill 3. If you would like to continue, Member.

**Mr. Schmidt:** Great. Thank you, Mr. Chair. To summarize as best as I can, the amendment that we're trying to bring forward would do two things. First of all, it would allow for proceedings that are currently waiting to be heard before the Provincial Court to be moved to the dispute resolution service. Secondly, it would allow for people who are being taken to court to arbitrate these disputes between landlords and tenants to apply to have that hearing moved from the court to the dispute resolution service.

In the first instance, with respect to taking existing hearings that are already waiting to be heard before the Provincial Court, I honestly don't know how many such cases are waiting to be heard before the Provincial Court. I imagine it's some number that's greater than zero. If that's the case, Mr. Chair, I think it's only fair, for people who would otherwise have been covered by this legislation, to grant them access to the residential tenancy dispute resolution service if only because they didn't have the foresight to wait to bring the matter before a quasi-judicial body until after the legislation was passed. That gives people who, you know, would be better served by the dispute resolution service instead of the courts the ability to take those proceedings out of the court and into the dispute resolution service.

I can't see any argument and certainly am willing to hear what members may have to say in opposition to what we're proposing here. Essentially, if it's good enough for people from this point forward, from the time that the legislation is proclaimed going forward, to have access to the dispute resolution service, then it's only fair that those people who were caught in a dispute with their

landlord or tenant also have retroactive access to the dispute resolution service. I think this will serve tenants well; this will serve landlords well. Both have been quite clear that they are supportive of access to the residential tenancy dispute resolution service, so it only makes it fair to have those things be able to be moved to the court.

This amendment would also protect future tenants from, let's say, Provincial Court proceedings that may be designed to intimidate and harass them. The legislation is written so that landlords and tenants have the option, if they choose, to go to the residential tenancy dispute resolution service to have their issues heard.

Now, as I said in my comments with respect to the bill in second reading, there is a widespread problem of landlords intimidating their tenants when they create trouble, using the power that they have to force those tenants out. One of the tools that landlords use is Provincial Court cases that the tenants have no hope of fighting because they don't have the time or the resources to fight a case in court. At the very least, this gives that tenant the ability to challenge a landlord who's using a court proceeding as an intimidation tactic and say: "Hey, if you're actually using this to settle a dispute that we think needs to be settled, then let's move this to the dispute resolution service so that I can at least engage on relatively equal terms. I don't have to hire a lawyer. I don't have to pay those expensive court fees. I don't have to wait around for the court to make a decision."

That's the amendment, in summary, Mr. Chair. We want to be able to grant to people who already are waiting in Provincial Court the ability to have their hearing under the residential tenancy dispute resolution service, and we want to protect future tenants from being harassed or intimidated by their landlords by giving them the access to ask for these nuisance suits, I guess we could call them, to be moved to the dispute resolution service so that they can engage with their landlords on an even footing in that arena.

Saying that, I hope that the minister and the members opposite have given this some careful consideration, and I look forward to hearing their response.

**The Acting Chair:** Thank you, Member.

Any members interested in speaking to A1? The Minister of Service Alberta.

**Mr. Glubish:** Well, thank you, Mr. Chair, and thank you to the Member for Edmonton-Gold Bar for that thoughtful explanation of amendment A1. I would like to just quickly walk through my response to the proposed amendment. First of all, it's important to note that once a matter has been initiated at the courts, so not just filed but actually initiated and is under way, it cannot be moved to another forum such as the RTDRS as that would be seen to interfere with administrative fairness.

4:50

However, under the Residential Tenancies Act, if an application has been made to the court and the matter has not yet been commenced, the court can transfer it to the RTDRS under the existing legislation. Practically speaking, that's what happens today under the RTDRS for all of the disputes brought forward under the Residential Tenancies Act for all of the traditional homes: apartments, condos, and single-family dwellings. This is already practised, and upon the passage of Bill 3, should we get that far, the courts will have the opportunity to transfer mobile-home matters to the RTDRS for resolution. Given their history of doing just that for the RTDRS today, it is my expectation that that will continue for the cases where it makes more sense for the RTDRS to be the venue to hear those cases.

Given that that is the existing method of practice for the courts to transfer cases to the RTDRS and to avoid the appearance of interference with administrative fairness, I encourage all members to vote against this amendment.

**The Acting Chair:** Thank you.

Any other members wishing to speak to amendment A1? The Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Chair. I want to thank the Minister of Service Alberta for that explanation. I'm wondering if the minister or anybody else on the executive benches could explain to us whether or not there are any considerations or criteria that exist for transferring those things to court. Can he go into a little bit more detail around the process for applying to have these matters that are filed with the Provincial Court heard by the RTDRS? Can he let us know what that process is and whether or not it can be streamlined in any way?

**Mr. Glubish:** What I can say is that the courts look at the issue when the application has been made, and they make a judgment call on what would be the most appropriate venue for this to be heard. Practically speaking, what we have seen, you know, is 10,000 disputes handled by the RTDRS last year for traditional dwellings – apartments, condos, and single-family homes – and that is demonstrating that, in fact, if someone makes an application to the courts where it makes more sense for the RTDRS to hear it, the courts are saying: "Go here. This makes more sense."

I think this is one of those cases where we don't need to be too prescriptive. We have seen in practice that this already works exactly the way that you're asking for, which is that if it should be heard by the RTDRS, if that's the better venue for it to be heard, the courts are already demonstrating that that's what they do, because they need to free up capacity to focus on other measures that can only be heard by the courts. Because we don't want to be seen as interfering and micromanaging that process and that process is working today in the current parameters of the RTDRS and court system, should we pass Bill 3, opening up access to the RTDRS for mobile-home residents and landlords, we would expect that process to continue so that the cases can be heard in the most appropriate jurisdiction.

Hopefully, that is helpful as a response.

**The Acting Chair:** Any other members wishing to speak to amendment A1? The Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Mr. Chair. I rise to speak to this amendment brought forward by my colleague. I will be speaking in favour of this amendment, and I will touch briefly on the explanation offered by the hon. Minister of Service Alberta.

I think it's an important amendment for a number of reasons. First and foremost, the changes that this bill intends to bring forward: I think that at the heart of those changes there needs to be a process that is more easy to follow, that is more convenient and, at the same time, is helpful to those who are in mobile homes and other similar tenancies under the Residential Tenancies Act. That's the reason we are supporting this piece of legislation.

As my colleague mentioned, we are going through extraordinary times. These are challenging times, and we are here making changes to this piece of legislation, making changes to this mobile-home regime. I think it's important for us to work more collaboratively and take into consideration each other's viewpoint and amend, if possible, this legislation to make it work better for those in mobile homes.

We have heard from courts that they are operating at a reduced scale. They are only dealing with the most urgent business, conducting only urgent business. I was reading the notice to the profession that they have even closed down some of the locations as well, and they have indicated that matters relating to custody or some other matters are what they are prioritizing. It's understandable that every workplace during these difficult times is dealing with many challenges, how to balance the need to provide a service with the need to make sure that for those who are providing that service, their health and well-being are considered. In view of that, certainly, like every other workplace, courts are also operating at a reduced scale.

The changes that are suggested through this amendment are not making it mandatory that anything that has already started in court will be transferred back to the dispute resolution service. What it's saying is that a party to the dispute who has started some proceedings in Provincial Court be allowed to make an application that their matter be referred back to the dispute resolution service. It can be done through an application, and the court will have the say that if they think it's more appropriate that that matter be heard by a dispute resolution service, only in those circumstances, then the court will transfer that matter back to the dispute resolution service.

The second proviso there is "with the consent of the other parties." What this amendment is doing is that it's making a process available to parties where, if they so choose, they can bring forward an application to the court after the matter has commenced but, it also stipulates, "before the hearing commences." I understand that once the hearing is commenced, there may be other rights, privileges at play, but the amendment is very clear that a party may make an application to the Provincial Court before the hearing commences.

5:00

The second thing is that the court may order that the matter be transferred back to dispute resolution services after considering whether it's appropriate in the circumstances to do so or the parties provide consent to that process. So it's not making it automatic. No procedural fairness or administrative fairness issues are at play. It's just another process, another layer of protection there for individuals and parties that if they choose, they can take those matters from the court and present them before the residential tenancy services, where, I'm hoping that with the proper resources in place, it's likely that they will be able to get a solution faster and in a more timely and efficient manner. It's not that by any means this amendment is interfering with any basic administrative, procedural fairness rights. It is just another way, another mechanism that will be available to the parties if this amendment is passed.

I will urge the Minister of Service Alberta and all my colleagues in the House to consider this amendment. It is not interfering with anyone's rights. It is simply creating a mechanism that parties to the dispute can bring forward an application to the court prior to the commencement of hearings. When they bring forward that application, there will still be an opportunity – if the court wants, they can refuse that transfer, but if it's appropriate in the circumstances, these applications will be sent back to residential service, where they can be dealt with in a more expedient fashion. The second thing is that the parties can agree to bring that matter before the residential dispute resolution service.

One, it's creating that process. I think that the benefit of that is that while – I mentioned earlier that during this pandemic every workplace is facing challenges, and certainly courts are facing challenges, too. That's why they have reduced the scale of their

operations, and they are only focused on conducting urgent business. That's what their website notice to professionals says. I think it will help take the burden off the courts and allow them more room to focus on more urgent business which cannot be dealt with by other administrative tribunals. Second, it will make it convenient for the parties to these disputes to present their matters before this tribunal.

The second thing is that when we move these things before an administrative tribunal, generally speaking, the procedures are less technical, easier to follow for anyone, even without having legal representation or a legal background. They can follow those procedures, while in the courts there are sometimes technical rules that may require legal advice. Again, this will be helpful for the parties to bring their disputes before these resolution services and self-represent them and deal with these disputes in a more informal setting than court.

In terms of costs I think that will also make it less expensive for the parties if they don't have to go through legal representation and all the technical processes and not seek help or representation. That will also help individuals and parties to these disputes in terms of the costs of this process.

In short, I think it's a very reasonable amendment. It makes this bill better. It's not changing anything fundamentally from this piece of legislation. This falls within the intent of this legislation, which is to make this dispute resolution service available to mobile-home tenants, make it easier for them to address and resolve their disputes. This amendment is adding to that protection. This amendment is clearing another way that even if they have started their matter before a court, if there is no hearing yet, they can apply to get that matter transferred and resolve that matter more expeditiously.

I hope that the minister will have a second look at this amendment. It's a pretty reasonable amendment. It strengthens this piece of legislation, and it falls squarely within the intention of this piece of legislation. I urge all my colleagues and everyone in this House to support this amendment.

Thank you.

**The Acting Chair:** Thank you.

Any other members wishing to speak to amendment A1? The Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Mr. Chair. I rise to speak in favour of amendment A1. I know that the minister's intent in bringing Bill 3 forward was clearly to satisfy needs expressed by parties involved in disputes between landowners and tenants of mobile-home parks, the lot renters. The bill itself goes a long way to satisfying many of the long-standing requests to make this dispute resolution mechanism more amenable to quick and affordable resolution, disputes that there always will be in situations where you have parties that are renters versus landowners, and the more that one can make the dispute resolution system more friendly, the better. We're not looking to make the RTDRS something that is more difficult but rather easier to navigate for all parties concerned, and that's what this amendment is about, Mr. Chair.

The fact that we could have changing circumstances during the process of a dispute resolution is well known. I think that whether the application was made to the courts to begin a process, as is required now, or if Bill 3 is passed and the application is made to go before the RTDRS, the possibility that either remedy might be the wrong one might arise once the facts become known in the platform during which the mediation is actually taking place. What this does is add to the minister's desire to create a more level playing field and, in fact, add to the freedom of the parties to change

the mediation platform to one which more correctly meets the needs of both parties to satisfy their grievances with each other.

And it doesn't remove from the courts the discretion to make decisions on whether or not to allow that change of platform. In fact, it specifically grants the courts the right to make the alteration and order a change to either the RTDRS or from RTDRS to the courts upon application of the party. So it's a two-way street which grants both parties the freedom to change the venue, and I think it's a reasonable amendment to have in situations where either party really feels that the platform that they are having the remedy sought in isn't the most appropriate one. They can bring forth that argument and apply to change either to the courts from RTDRS or from the courts to RTDRS given the circumstances that prevail. This applies to both parties, the landlords and the tenants.

**5:10**

I think it adds to the beneficial tendencies of this Bill 3 to make the process easier. It's in the same spirit as the original piece of legislation, the intent of which was to minimize acrimony between parties. Especially in a situation where you're talking about the living accommodations and somebody's home, it really is an important matter in the lives of the tenants. Of course, the landlord, or the owner of the land, has his business interests at stake but is very aware of the fact that the business that he or she is engaged in or the corporation might be engaged in is one which is very germane to the lives and the daily life of the individual tenants that are their customers. It's very important to maintain a very civil and judicious, let's say, application of opportunity to reach agreement.

This amendment, Mr. Chair, in my view, simply furthers what the minister was attempting to do in bringing forward the bill itself, and that is to create a much more level playing field which serves the needs of the participants. I think that having an amendment such as the one proposed to Bill 3, which allows a two-way street, shall we say, of transfer of venue from either the RTDRS to the courts or from the courts to RTDRS upon application by either of the applicants, subject to the approval of the courts, is a reasonable thing to bring forward, knowing that one could enter into a procedure and fairly quickly realize that it could be dealt with or should be dealt with more expeditiously in the alternate venue. Opening up this avenue, this freedom to make the change of the mediation venue I think is a reasonable thing to do to actually add to the act and add to the ability of landlords and tenants to reach agreement more quickly and with less cost over the long haul.

Without having the opportunity, you can end up getting stuck in a venue where you'd rather not be, where perhaps both parties are arguing in court over a dispute and having to follow through with all the court dates and costs and applications and back and forth that you get caught up in when involved in a court fight, knowing full well that realistically they could solve this matter much more quickly and cheaply and in a much friendlier way that will result in less acrimony over the long term in their relationship than they would otherwise have to be forced to battle it out in.

I think the change that's offered by the amendment is one which is following the spirit of the bill itself and granting freedom to the participants to make application to alter the venue to meet needs that become apparent during the deliberations when they first enter into dispute resolution, no matter whether it be in the form of the RTDRS or into a court application. The courts, of course, still have final jurisdiction. It's not a matter of usurping the authority of the courts or looking to reach inside the court proceeding. It's a matter of giving the courts the ability to have this instrument to refer to and to respond to upon application of the participants. It's been expressed by the minister that it's his expectation that the existing practice of the courts granting applications to change venue would

continue. However, I think it's helpful to have this amendment attached to the bill, explicitly making it apparent in the legislation that it's the will of us legislators to give guidance and say that, yes, indeed, that's what the intent is very clearly, to offer a two-way street change of venue if indeed the judge in the case sees fit to allow it upon application from both parties.

Long term what owners of land in mobile-home parks and the tenants want is to just live peacefully together, and disputes are not fun. I've seen many of them over the course of my time as a real estate agent. To avoid dispute in the first place is something you hope to achieve, but once there is a disagreement, one hopes for a resolution mechanism that allows people to maintain a good, friendly relationship after the settlement of the dispute.

The mechanisms that are offered here by this amendment, I think, attempt to achieve that by making sure that the venue that the individuals in the dispute lay out their cases in is the most appropriate one. Sometimes that doesn't become apparent until the case has begun, and it soon becomes apparent that the opposite or alternate venue would be more appropriate. This allows the venue to be changed upon application by either party subject to the court's approval. I think it improves the bill. It stays within the spirit of the existing bill but adds another measure of clarity to it. I believe that it deserves the support of all members of this House.

I know that there may be other members wishing to speak to the amendment, so I won't belabour the point, but it goes to say that the minister's contention that once initiated in court, it cannot be moved to an RTDRS is something that I wonder about. I would like to see a specific reference clarifying that, if indeed the minister believes that to be the case, because I think the intent is certainly not to confound or obfuscate the courts. It's to certainly allow the courts an avenue to add to the natural justice that both parties seek.

With that said, I'll cede further time to other members of my caucus or other members of the Assembly who wish to bring their ideas to the debate on the amendment to Bill 3, and I hope that the members of this Assembly see fit to find value in it and agree that it furthers the intent of the bill in the same vein that the minister intended and that it adds to the natural justice that both parties seek. I look forward to hearing any comments other members of the Assembly might have.

**The Acting Chair:** Thank you, Member.

Any other members wishing to speak to amendment A1? The Member for Calgary-Mountain View.

**Ms Ganley:** Thank you very much, Mr. Chair. I rise to speak in favour of this amendment. I think it's an important change. I think it does an important thing, allowing matters to be transferred, particularly before the hearing commences. Now, I certainly do know that some changes have been made recently to the way that the civil division of the Provincial Court operates in terms of streaming different matters so they can be put on different tracks. I was not aware or I don't recall it having been an issue that was raised when we were doing that, that it would have prevented something being referred out of Provincial Court.

In fact, I guess the example that comes most quickly to mind is the example of family law matters. In some instances there will be jurisdiction in two different courts, the Court of Queen's Bench and Provincial Court, with respect to the same matter. Obviously, the Court of Queen's Bench needs to do property division and marriage dissolution because that's required by the sort of division of powers there, but there can be instances in which the Provincial Court may be able to do an interim order with respect to children. You can wind up with the same sort of parties and the same, arguably, matter kind of in two different places, so there is some capacity to refer

that back and forth. Now, obviously, we continue to hope that unified family courts will be implemented in this province, and that would solve that particular issue. My point is just that this is an instance in which matters can go from one place to another.

5:20

Now, certainly, with the Provincial Court, they're a statutory court. They're not a court of inherent jurisdiction, so that would impact the way in which matters move, but I'm very surprised to hear that an act of the Legislature would not be able to move a matter from Provincial Court to a tribunal. I believe there are instances in which – and, in fact, I can think of several instances. For instance, you can sue on the same thing that goes to the human rights tribunal, and once one place has jurisdiction, they can order others to stand down, or matters can be moved. This isn't the only instance in which that problem of potentially being able to take the same matter to different venues exists, and there are mechanisms to resolve that, so I'm really surprised to hear that in this one instance there wouldn't be such a mechanism to resolve that.

I think it would be helpful to members of this Assembly when voting on this – since this is something that was, you know, obviously just raised a few moments ago, making it difficult for us to reach out and verify that, I think it would be helpful if someone could sort of point to the legal mechanism that prohibits that from happening, that would override this change to the statute. I think that that would be helpful. I'm not saying that it doesn't exist; it may. It's just that it doesn't seem like something that would automatically be the case. It doesn't strike me as something where you would assume that that would be the case, so I would love to know what it is that makes that a problem.

Returning, then, to sort of the substance of the amendment itself, the reason I think that this is important is because there may be, obviously, applications that have been started. Particularly with respect to Provincial Court, civil, I know that there were instances, at least when I was still in a position to have access to that information coming out of the court, where matters could take a year or more to come to trial. That was one of the reasons we had worked so hard in the Provincial Court. Civil division in the Provincial Court generally deserves an enormous amount of praise for coming up with this sort of idea of tracking things into, like, a more complex trial and a simpler trial and a resolution track because things were taking a very long time to reach trial. I'm not sure if people are aware, but there are eight and a half judicial positions in the Provincial Court, civil division, in the province. Now, obviously, in smaller jurisdictions the judges who sit will have jurisdiction to hear from all courts – from the family division, from the criminal division, and from the civil division – so that doesn't make up a hundred per cent of the bodies, but in Calgary and Edmonton, which represent probably almost two-thirds of the population of the province, there are only eight and a half positions, so that's not a lot of judges hearing quite a lot of matters.

I think that in being able to move these matters to the RTDRS, particularly in light of my comments at the previous stage that I made about that, obviously, this movement is going to require an increase in the budget and an increase in resources going to the RTDRS, or it will simply get as backlogged as the courts are currently, and that will solve no problems. I think this is something worth strongly considering. If it is the case that it's impossible to do that, I would be interested to sort of hear further details about the basis for that, because I think that that would be surprising. Again, the reason I think, in substance, that this would be important is because, you know, there will be individuals who are potentially waiting in a fairly lengthy queue, and that queue is likely to get more lengthy because presently the courts are closed to everything

except the most urgent and emergency application. Certainly, applications under this act would be important applications, but they're not going to be urgent in the sense of – when we're talking about urgent, like, they're probably still open.

Bail hearings, obviously, are something. If somebody is potentially needing to be remanded, that's going to be something that's going to need to go forward. Instances of child custody, as I understand it, where access is being completely denied or where there is fear of an abduction: those things are able to go forward. But even regular sort of child custody matters in terms of lesser challenges than that, shall we say, are not able to come forward at this time. There are a lot of matters that are going to be postponed. There are, potentially, criminal matters that are going to be postponed or will have to go by way of resolution. I think the more that we can move things out, especially in light of the sort of delays that existed already and now adding to them the delays that are going to exist as a result of COVID-19 and the court closure, the more people we can refer to the tenancies dispute resolution board, the better.

Again, in addition to this being important right now, it's important generally because it's certainly less expensive for the parties. Certainly, the procedures are less complex. They don't need to hire a lawyer to get that access, but it's also less expensive for the public, right? It's resource intensive and expensive in terms of public resources to put something before the court. It's somewhat less resource intensive to put that before something like a dispute resolution tribunal, which is, I think, the beauty of things like tribunals.

I think that if we're saying, you know, that it's definitely a good thing to put more matters and that, in fact, it's such a good thing that we urgently need to return to the Legislature and do that right now, which I don't dispute, I think we should be saying that matters which have already been filed ought to go as well because, but for the difference of a couple of weeks, these matters might have wound up in a different place, so that makes the distinction somewhat arbitrary. I think that if there's one thing that we don't want when we're making laws, it's for access or a difference in outcome to be the result of arbitrary factors. In my view, having filed three weeks ago as opposed to tomorrow would be a somewhat arbitrary factor.

So those are the reasons that I am in support of this, they're the reasons that I think everyone else should be in support of this, and with that, I will end those comments.

Thank you.

**The Acting Chair:** Thank you.

Any other members wishing to speak to amendment A1? The Member for Edmonton-North West.

**Mr. Eggen:** Thank you, Mr. Chair, and thanks for the chance to speak to amendment A1, moved by the hon. Member for Edmonton-Gold Bar. Certainly, I'm in support of this amendment. I think I made my position clear in my first remarks around Bill 3 here earlier this afternoon. We can certainly see both the utility and the urgency of ensuring some degree of equity between renters, let's say, and people living in mobile-home sites. I think what we are doing with this amendment specifically and the amendments that we have here generally this afternoon is to make sure that during this urgent time and abbreviated time that we have to deal with this bill, we make something that is going to work straightaway, right? As my colleague from Calgary-Mountain View just outlined, we need to make sure that we are not creating a change in the outcome of any given dispute, from either group that might resolve issues in the courts, just by an arbitrary difference in time.

5:30

The issue that I wanted to highlight – and I won't spend a great deal of time on this – again is this amendment allowing the change of venue, to move a dispute from RTDRS to court or vice versa. I think that this is a very reasonable change. As I said before, it's a way by which we can help to look for a more amicable resolution to a dispute between a landlord and a tenant and also a way by which we can ease pressure on our courts. Of course, there is more money and expense associated with taking something to court, and we all know that Alberta courts are very, very busy, save for the present time, of course, with the medical emergency.

I wonder about the minister's assertion that, you know, this is a reason by which this amendment does not pass the test. I think that we see an established procedure, in my experience, that you can have cases move from a court to, let's say, a tribunal or the AER or the human rights tribunal or any other number of quasi-judicial bodies that do exist here in the province of Alberta. This notion that some dispute cannot move from a court to a tribunal: I just want to question that. Indeed, I do believe in the pursuit of best practice here and so forth, that we could very well do that. We are otherwise making laws here in this Chamber, and I don't see any reason why we don't make something that helps both landlords and tenants to resolve their differences in an amicable and reasonable sort of way.

Thank you.

**The Acting Chair:** Thank you, Member.

Any other members wishing to speak to A1? The Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Mr. Chair. A pleasure to be able to speak in support of amendment A1, brought forward by the hon. Member for Edmonton-Gold Bar. I appreciate that. I think what we have here, again, is a bit of an opportunity. It should be said that I do want to thank the minister for bringing Bill 3 forward. It gives us the opportunity to provide some tools for mobile-home owners to access when disputes do arise.

As I'd mentioned earlier in some of my comments, I felt there were a few cracks within the legislation that's proposed that possibly some mobile-home owners might fall through. I think this was probably one of them, so this is our opportunity to seal that and make sure that, you know, we don't get into that situation where we do have that one-off case, where we have a landowner that will take the opportunity to go to court potentially for the cases of intimidation of the individual. The individual mobile-home owners, as I had mentioned earlier, are those individuals who, like residents in my riding, tend to not have the means to buy a significant-sized house. This is their opportunity to be able to move into some kind of ownership that they get to call their own. They don't necessarily have the means with which to take a dispute through the court system. They can't get the time off work. They don't have the funds with which to hire lawyers. The reality is that with the court system, if you want to be able to present a solid case, you need to have those things.

This amendment I think allows us to be able to take some of those cases that maybe are within there, to move them to a resolution board and be able to provide a little bit of balance and fairness for both parties to be heard. I mean, quite honestly, I think that when you're looking at some of these resolution boards, you're going to end up getting the same decisions anyway that you probably would within the court system. You know, I've always said that if the case is that strong, the decision will be pretty obvious in that case. To simply not be able to proceed because you don't have the means: I don't think that is necessarily fair. This will allow us to move these cases to there.

You know, as was already mentioned by the Member for Calgary-Mountain View, with the reduced capacity for hearing court cases within the system right now, I have a feeling that that list is getting longer with cases being added that we can't hear right now. Once we are able to get back to business as usual within that system, there is going to be a tremendous strain on the system to be able to get through all of these cases that have been waiting, that are on the list waiting to be heard. I think this is an opportunity for us – like the Member for Edmonton-Gold Bar said, I'm not familiar or don't have the knowledge as to how many might be within the system right now or waiting to get into the court system – to make that small, little difference to take that pressure off them by moving these into the dispute resolution mechanisms that Bill 3 would provide.

As I'd mentioned earlier in some of my comments, this is one of the ones that I identified as a possible problem that I think we here in the House have the ability to resolve and to make the legislation that the minister has brought forward even stronger and provide that fairness to all parties going forward. I would definitely urge members of the Assembly to really consider this amendment and allow it to pass. Like I said, we've identified some problems, and we have the ability to seal those and make this some really strong legislation going forward.

**The Acting Chair:** Thank you, Member.

Any other members wishing to speak to amendment A1? The Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Mr. Chair. Once again, I'm pleased to rise to speak to the amendment put forward by my colleague. I just wanted to say that I will be speaking for this amendment. The reason that I decided to speak for this amendment is that, as I already stated, this is my very first day back in the House after a long time off, and I'm quite loving the opportunity and what I'm listening to since this morning on TV and also participating in the House. Once again, I wanted to thank the minister for putting forward this bill.

As I said, as to my understanding of the bill and what I'm being able to interpret, looking into the amendment put forward by the hon. member, my colleague from Edmonton-Gold Bar, is that I believe and I think I interpret it like this. Basically, this amendment is trying to supplement the intentions that are put forward by the government in Bill 3. I already raised some questions about some of the information that I was not aware of.

Looking into the language of the amendment, what I'm seeing is that this is really, actually, supplementing the intention of Bill 3, the changes that it is trying to offer to the mobile-home communities. If we accept this amendment – and I assume we will, and we should – basically this is adding another option to the members of these communities. Either they are the tenants of the land, the mobile-home owners, or they are the owners of the land.

By adding this option, basically that's providing more accessibility, affordability. The changes intended in this are not only helpful for the parties that are looking to resolve the disputes, but, looking from the other point of view, for the resources we kind of invest or spend in the court system, that will also be beneficial.

5:40

I'm also seeing that this is just an option by adding that the court still will probably, if I'm not interpreting it wrong, have the authority to look into the application, look into the case, and evaluate and assess and then see if this can be referred back to the RTDRS. If this option is available, I think that should be the case for everyone, not only for the parties involved but also for the province and also for the justice system.



Looking at some of these points that I could, you know, interpret for myself, that was the basic reason why I wanted to stand up and speak in favour of this amendment. I think there seems to be no reason why the House should not accept this amendment because, seemingly, looking at the intent of Bill 3, this amendment is really helpful in making this bill stronger.

That was actually my brief comment on this amendment. I would encourage my colleagues, members on both sides, to please vote for this amendment.

Thank you.

**The Acting Chair:** Thank you, Member.

Any other members wishing to speak to amendment A1?

Seeing none, we'll call the question.

[Motion on amendment A1 lost]

**The Acting Chair:** Moving on to the bill, the Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Chair. Well, hope springs eternal, and in that sense of hope I'm pleased to bring forward a second amendment, that I'd like to submit for the consideration of the members of the House.

**The Acting Chair:** Thank you, Member. While it's being distributed, if you could please start to read it.

**Mr. Schmidt:** All right. I move that Bill 3, Mobile Home Sites Tenancies Amendment Act, 2020, be amended in section 3 as follows. In the proposed section 59.7(3) by striking out "The Dispute Resolution Service may" and substituting "Subject to subsection (3.1), the Dispute Resolution Service may"; by adding the following immediately after section 59.7(3):

(3.1) Each of the following is not to be considered a kind of dispute that the Dispute Resolution Service must, in accordance with the regulations, refer to a court:

- (a) a dispute relating to a landlord's requirement in accordance with section 24 to disclose a fee, charge or assessment payable by a tenant in addition to a rent payable;
- (b) a dispute relating to a landlord's covenant to supply and maintain electric, plumbing, sanitary, heating, fuel and other facilities in a sound and fit manner in accordance with section 18(d)(iii).

and in the proposed section 59.8(c) by striking out "respecting the kinds of applications" and substituting "subject to section 59.7(3.1), respecting the kinds of applications".

**The Acting Chair:** Thank you, Member. Would you like to proceed with your submission?

**Mr. Schmidt:** Thank you, Mr. Chair. The reason that we're bringing forward this amendment is because we've heard loudly and clearly from the members of...

**The Acting Chair:** Member, we'll refer to this as amendment A2. Please proceed.

**Mr. Schmidt:** Okay. Thank you.

We are bringing forward this amendment, as I said, because two of the biggest thorns in the sides of the residents of the Twin Parks neighbourhood in my constituency, at the very least, are issues around fees, charges, and assessments that the landlord levies on tenants as well as disputes relating to utilities. Those are spelled out here: electric, plumbing, sanitary, et cetera. You know, the residents of Twin Parks have brought to me stacks of invoices showing a

whole host of administrative charges, unknown fees. Then when they don't pay those fees or administrative charges, they're charged late fees on top of those fees, and the landlord has not been very forthcoming in explaining why those fees have been assessed or the rules around what it takes to discharge those fees. It only makes sense that tenants be able to dispute these fees when the landlord charges them so that at the very least they could understand what it is exactly they're being charged for and why they have to pay them.

Of course, we want to clarify that when these issues arise and these disputes need to be heard, the dispute resolution service doesn't have to automatically refer these things to a court, that the dispute resolution service has the jurisdiction to hear these. Now, I expect the Minister of Service Alberta will probably tell us that the dispute resolution service already has a jurisdiction to hear these. I hope that's the case, but we also know that the dispute resolution service regulation gives the dispute resolution service quite broad discretion when it comes to whether or not it refers a matter to the provincial courts. We want to set out in the legislation very clearly that the dispute resolution service can in fact hear these issues relating to fees, late charges, and administrative charges just so that there's no question in either the landlords' or the tenants' minds that this is the jurisdiction of the dispute resolution service.

In a similar vein, we are also proposing that issues relating to supply and maintenance of the different utilities that are out there – including electric, plumbing, sanitary, heating fuel, and so forth – can also be heard by the dispute resolution service and not be automatically referred to the provincial courts. The tenants of mobile-home sites are in a very sticky situation, and the landlords are, too. Neither of them wants to be in the situation where the landlords are responsible for administering the charges and running submeters to the individual lots on the mobile-home site. Unfortunately, at least in the case of Twin Parks in my constituency, EPCOR has told the landlord that they are only responsible for running the utilities to the boundary of the mobile-home site and that within the mobile-home site itself it is the landlord's obligation to provide the utilities to the individual owners and to bill them accordingly. The landlord is given this responsibility that they don't want. The tenants are left to just take on faith that the landlord is dealing with the utility submetering properly, that they're being assessed the charges fairly.

There are a whole host of questions around what's going on with respect to the provision of all of these utilities, so there are a number of disputes that arise. We think that it only makes sense that when these disputes do arise, it be explicitly set out in the legislation that the dispute resolution service can hear these. As I said, the situation that landlords and tenants find themselves in is a prime breeding ground for landlord-tenant disputes. These things would be much more easily dealt with by both parties if they had access to the dispute resolution service. So we want to make it clear to anybody who applies to the dispute resolution service that these matters can be heard explicitly by the dispute resolution service.

5:50

For the sake of clarification we're suggesting that these amendments be passed. I know that the constituents in Twin Parks would be put at ease if this amendment were passed as well as the landlord because at least they'd know the rules of the game, if you will, when it comes to dealing with these kinds of disputes.

Saying that, I hope that all members of this Chamber will give this amendment fair consideration and, after giving it that fair consideration, agree to pass this amendment and do a service to both mobile-home site landlords and tenants.

**The Acting Chair:** Thank you, Member.

Any other members wishing to speak to amendment A2? The Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Mr. Chair, and thank you to my colleague from Edmonton-Gold Bar for bringing forward another very important and reasonable amendment, which I'm hoping the colleagues from across the aisle will consider. I think we said it earlier that it's a piece of legislation that was brought forward with good intentions; it's needed. We have heard concerns from mobile-home tenants. Our colleague from Edmonton-West Henday has worked on this file.

However, what we are seeing here is that government has two pages of regulation-making authority. Even though the intention of the bill is really good, there are many things that are of a very substantial nature that are left to regulation, and I will identify some of those. For instance, 59.8(c) says: "respecting the kinds of applications, disputes and issues that are required to be referred to a court by the Dispute Resolution Service." Essentially, the cabinet is reserving the right to themselves on what kind of issues can be referred to the court. I think that's a substantial power. That's a substantial issue that we as opposition want to have a discussion on. We as opposition want to have an ability to contribute to the debate. We as opposition want to have an ability to represent our constituents, to bring forward the views that we are hearing from these mobile-home tenants because these are substantial issues. But here government has reserved that regulation-making power for itself.

What this amendment is doing is just identifying a couple of issues that we think shouldn't be referred to the court, that it should be within the dispute resolution service's purview that they look at it.

I'll talk more in detail on those two provisions, but let me read a couple of other things. Also, cabinet can make regulation "respecting the powers and duties of tenancy dispute officers." Again, that's another substantial question of what those dispute officers can deal with. Again, we as elected representatives, we as opposition want to be part of this discussion. We want to be able to represent what we are hearing from people in mobile homes, and we want to contribute to the making of this piece of legislation that will impact almost 50,000-plus Albertans. It's an important issue.

Similarly, the government is retaining power to make legislation

- (h) respecting the matters that tenancy dispute officers may or must consider when dealing with a dispute;
- (i) respecting the remedies that the Dispute Resolution Service is authorized to order, including orders providing for costs;
- (j) respecting limitations and restrictions on the Dispute Resolution Service's authority to order a remedy.

Again, these are very substantial issues over which the government is retaining full control, and they are not willing to share anything about all these powers, how these things will be dealt with.

Certainly, my colleagues and I have things to say about all these issues. We think that the powers of the tenancy dispute officers are important, and knowing about those powers, knowing about their jurisdiction is important to see whether the changes we are making through this piece of legislation, whether the intention of this piece of legislation will be fulfilled. I think it shouldn't be just left to the cabinet. I think we have every right to discuss and debate those powers as well.

With respect to the remedies, again, we are hearing directly from Albertans who live in mobile homes, and they are presenting us with their issues. They are offering solutions as well. I think the place for those discussions shouldn't be within the cabinet room, that it should be in this House, the people's House, Albertans' House. They should see their elected representatives talk about the issues they are facing, they should see their representatives discuss the issues that are important to them, and they should see their representatives talk about the solutions they are offering, talk about the merits of those solutions they are offering. Although all these things are reserved within the regulations for cabinet's regulation-making power and we are asked to trust that cabinet will do their best, I don't think that that's appropriate.

When we were in opposition, any regulation-making power, I guess, nowhere even close to this – we would hear from that side that we were just trying to govern by regulation, trying to govern by decree, but here we are seeing a pattern from this government that all these substantial issues of substantial importance, issues that need substantial debate are just reserved for the cabinet.

What this amendment is trying to do is create some certainty for mobile-home tenants that if they bring their dispute to this resolution service, at least if their dispute relates to fee charges and assessments payable by a tenant in addition to the rent, that dispute service will have jurisdiction on that one.

The second thing – it's the first one, I might add – is that it's important that this dispute service be able to resolve this because tenants need certainty of how much they will have to pay with respect to their rent, how much they need to budget for their rent fees and all those things. So it's absolutely critical, when any dispute is brought forward by a mobile-home tenant before the residential dispute service, that that service be able to decide on this issue conclusively and give certainty to mobile-home tenants on it. It's a very reasonable amendment that will give those tenants certainty, give them a more efficient way of knowing what their rent and fees, all inclusive, will be and what they need to budget for. That's something that shouldn't be referred to the court. It's something that they deal with under the Residential Tenancies Act.

**The Acting Chair:** Sorry to interrupt, Member, but as per Standing Order 4(4) the Committee of the Whole will recess until 7:30.

[The committee adjourned at 6 p.m.]

## Table of Contents

Members' Statements	
Organ and Tissue Donation      COVID-19 .....	447
Rural Physicians .....	447
COVID-19 Response .....	447
COVID-19 and Agriculture .....	448
COVID-19 Economic Impacts .....	448
Postsecondary Education Funding .....	448
Humboldt Broncos Bus Crash Anniversary .....	449
Keystone XL Pipeline Provincial Equity .....	449
National Caregiver Day .....	449
Oral Question Period	
COVID-19 and Care Facilities .....	449
Emergency Isolation Support Program .....	450
Alberta Energy Regulator .....	451
COVID-19 and Small Business .....	451
COVID-19 and Employment Standards .....	452
Rural Physicians .....	452
Minister of Health .....	453
Keystone XL Pipeline Provincial Equity .....	453
COVID-19 and Seniors' Housing .....	454
COVID-19 and Homeless Shelters .....	454
COVID-19 and Health Care Workers .....	455
Education-sector Layoffs .....	455
COVID-19 and Emergency Preparedness .....	456
Capital Plan .....	457
Bill 10 and Individual Rights .....	457
Tabling Returns and Reports .....	458
Tablings to the Clerk .....	458
Orders of the Day .....	458
Government Bills and Orders	
Second Reading .....	458
Bill 3    Mobile Home Sites Tenancies Amendment Act, 2020 .....	458
Committee of the Whole .....	465
Bill 3    Mobile Home Sites Tenancies Amendment Act, 2020 .....	465

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