

7 Things Alberta Tenants Must Know

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7 Things Alberta Tenants Must Know provides tenants with information about their rights. This publication is not an exact statement of the law. It is not legal advice.

For an exact statement of the law, you must read:

- The *Residential Tenancies Act* and regulations
- *Minimum Housing and Health Standards* by Alberta Health

This book is FREE to Alberta residential tenants, while supplies last.

This publication is not for sale.

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All stories inside this book are true and come from Alberta case files.

Fire Kills 3 Tenants

Faulty smoke detector blamed

By Tara Epp
(Legal Researcher)

A basement fire in Calgary claimed the lives of three young adults and left one survivor with permanent injuries.

This horrifying event resulted in a \$89,000 fine to the landlord for Fire Code violations.

The Alberta Fire Code has strict rules to keep tenants safe.



BARS ON WINDOWS: One of the fire code violations that has prevented escape from the deadly fire

The landlord was charged for failing to ensure the following:

- Bedroom windows meet the size requirements
- Security bars on the windows can be opened from the inside
- Smoke alarms are working, and that all smoke alarms in the house would sound when one was set off

Four victims were pulled from the fire and rushed to the hospital.

Tiffany 19, Colleen 23, and Jonathan 19, later died in the hospital.

The fourth, Tammy 34, was treated for smoke inhalation and released from the hospital.

The fire was caused by a heater placed too close to a couch.



EGRESS WINDOW: Measured by the width and height of the open area

The landlord faced five charges, each carried a fine up to \$15,000 and/or 6 months in jail.

The only smoke detector in the basement was not working. Fire investigators found it had melted and confirmed it was not hard-wired and did not have a battery.



SMOKE ALARM: Must be replaced every 10 years, "replace by" date stickers are usually found on the side

The lone survivor, Tammy, was a guest in the fatal house that morning.

She sued for damages against both the landlord and the families of the dead tenants.

Tammy's life had been forever changed by this tragedy.

The fire caused Tammy serious health problems and impacted her professional career as a holistic therapist and social worker.

The lawsuit claims \$2,000,000 for the loss of the ability to work, \$100,000 for the loss of her housekeeping ability, and \$250,000 for pain and suffering.

The three deceased tenants were very young and were missed dearly by their

families. Tiffany worked as a nanny and loved children. Jonathan had plans to get rich and his girlfriend Colleen worked as a server at a pizza restaurant.

Thing #1: Fire Code

WHAT ALBERTA TENANTS MUST KNOW

Each of these 3 Fire Code rules can save your life in a Basement Suite:

- **Escape Windows Must Be Big.**

You must be able to easily exit through a bedroom window to escape a fire. A window opening of 19 inches wide by 29 inches high is barely legal. The window must be at least 3.77 square feet with no side less than 15 inches.

- **All Alarms Must Be Wired To Sound Together.**

You want to know if there is smoke or fire anywhere in the house. Smoke/Carbon Monoxide alarms must be interconnected to every bedroom including the upstairs suite. Other connected alarms are in the furnace room and in the common areas.

- **The Furnace Room Must Be Smoke-Tight.**

You need time to escape a furnace room fire and having a dry-walled interior gives you the minutes you need to escape. No wood is to be exposed in a furnace room, laundry room or in the under-stair storage area.

Tenant Wins Bedbug Lawsuit

Alberta mother and children forced to leave home for 2 weeks

By Tara Epp
(Legal Researcher)

An Alberta tenant won over \$960 in a lawsuit against their landlord.

Jessica, the tenant, a mother, with young children, endured a nightmare while living in a bedbug-infested rental home.

Jessica's right as a tenant, to peaceful living had been taken away by these unwanted critters.



ELECTRICAL OUTLET: Bedbugs and feces found near an electrical outlet

The bedbugs invaded her home, took up space, and multiplied in every room.

Jessica dug into her own bank account and paid for chemicals to fight off the bedbug army.

The landlord also tried to get rid of the bedbugs, with no success.

The bedbug infestation grew to numbers that made the home unsafe to live in, while the landlord struggled to fix the problem.

The infestation got so bad that Jessica and her children had to leave their home for two weeks.

Jessica had to replace much of the furniture and bedding in her home, which she also paid for out of pocket.

When pests invade a rental property to the point where the tenants are forced



CURTAIN: Bedbug egg sacs found on a curtain



HEAT REGISTER: Thousands of bedbugs and eggs are found behind a heat register. Pest control poisons can't get behind heat registers and flooring or prevent bugs going in pipe holes

to leave, it is against the law because tenants have the right to enjoy their home pest-free.

Even when landlords try to fix the problem, they must still provide the tenant with a pest-free space to sleep.

Jessica has won \$963.03 in her lawsuit against the landlord.

Not only did she get back some of her rent money, but she has also won money to cover the damage caused by the bedbug infestation.

Tenants have rights and landlords must keep their rentals pest-free or they might end up having to pay the tenants compensation.

Thing #2: Pests

WHAT ALBERTA TENANTS MUST KNOW

Tenants have a legal right to live pest free.

- You Must Report Pests To The Landlord Or You Will Lose Out.**

Pests such as mice, cockroaches, and bedbugs must be reported as soon as they are noticed.

- Abatements Are Awarded for Pest Infestations.**

Putting up with pests may entitle the tenant for a rent refund.

- Do It Yourself Doesn't Work.**

Handling these pests on your own doesn't usually work.

Tenant Wins Rent Increase Dispute Against Landlord

Landlord's Attempt to Raise Rent Invalid

by Tara Epp
(Legal Researcher)

A tenant successfully challenged his landlord, who is also a pastor of a local church for a wrongful rent increase.

The tenant, saw his monthly rent skyrocket by 100% going from \$1,500 a month to a staggering \$3,000.

The landlord, issued the outrageous rent increase without complying with the mandatory 3-month notice required by the Residential Tenancies Act (RTA).

In response, the tenant's lawyer sent a letter to the landlord, demanding that they undo the rent increase on the grounds that it violated both the RTA and Alberta Human Rights Act.

Instead of addressing the tenant's concerns, the landlord fought back by serving a new notice to raise rent, to a slightly



RENT INCREASE: Posting a door notice is the least acceptable way to serve a Rent Increase and should have follow-up from the landlord to confirm that it was received

lower amount of \$2,300 a month, a 53% increase.

This new notice followed the RTA provisions, but did not satisfy the tenant.

In defiance of the new rent increase, the tenant chose to continue to pay his usual rent of \$1,500 a month, believing that the rent increase was an attempt to discriminate against him for his religious beliefs.

Refusing to accept this steep hike, the tenant chose to bring his issue before a Tenancy Dispute Officer (TDO) for resolution.

The TDO said the intent to evict the tenant in order to make room for a church member was clear.

The rent increase was nothing more than an attempt to hide these true intentions.

“It was not a good faith and legitimate increase, but rather an attempt to make their true intentions a little less obvious,” said J. Young (Tenancy Dispute Officer).

As a result of the ruling, the tenant will not be required to pay the increased rent, and his monthly rent will remain at \$1,500.

Thing #3: Rent Increases

WHAT ALBERTA TENANTS MUST KNOW

Rent increases have no limit but;

- 3-Months Notice Is Only For Monthly Tenancies**

Fixed-Term tenancies keep the rent rate for a specific period of time.

- Only One Increase Per Year**

Limited to 1 increase in a 12-month period regardless of type of agreement.

- Must Be Served In Writing**

For monthly tenancies, the notice must be in writing and served properly.

- Can't Be Used To Force You To Move.**

A Landlord can't raise rent with the intention to push you to move out.



CHART: In Alberta, there is no limit on how much a landlord can raise rent

Tenant wins \$13,000 in Battle Against Homophobic Landlord!

Landlord made taunts, threats, and even tampered with the tenant's mailbox

By Tara Epp
(Legal Researcher)

A landlord faced a hefty \$13,000 penalty after being found guilty of discriminating against her tenant, Adam just because he is gay.

Adam had lived peacefully in his apartment for three years, but that changed dramatically in 2020 when his mother temporarily moved in.

A casual conversation between Adam's mother and the landlord unintentionally mentioned his sexual orientation.

What followed were disturbing incidents, one of which was captured on video.

The video footage revealed that the landlord invaded Adam's personal space, mocked him, and spoke homophobic slurs.

The situation worsened as the landlord began to threaten Adam, promising to make his life in the building miserable.



BUILDING OF HORRORS: The tenant lived in this apartment for 4 years and faced discrimination for being gay

Determined to seek justice, Adam brought the case before the Alberta Human Rights Commission.

During the Human Rights hearing, Adam's mother provided a consistent and coherent witness testimony, while the landlord's testimony was marked by aggression and rudeness.

The timing of the landlord's behaviour change, shortly after learning that Adam is gay, leaves little doubt about the discrimination.

On top of the verbal abuse, Adam discovered that his mailbox had been tampered with.

The mailbox was broken, and the lock was removed.

Strangely, the lock reappeared the next day after

Adam reported it to the landlord.

Adam recorded his efforts to fix the lock, capturing the landlord's voice in the background calling Adam a "psycho".

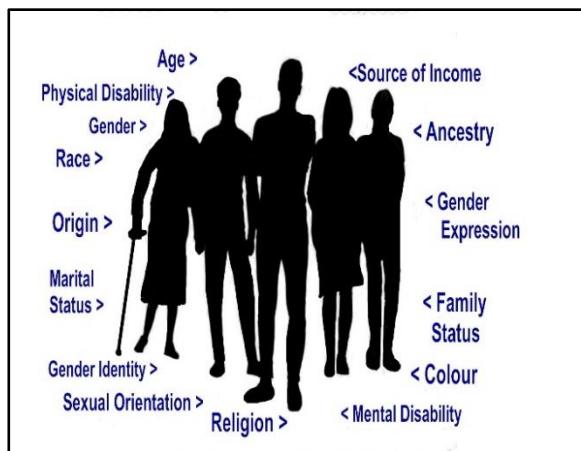
The Alberta Human Rights Commission ruled that the landlord had indeed discriminated against Adam based on his sexual orientation, referring to the use of homophobic language, threats, and tampering with the mailbox as clear evidence.



HUMAN RIGHTS COMMISSION: Behind these doors, discrimination injustices are settled

Thing #4: Human Rights

WHAT ALBERTA TENANTS MUST KNOW



ALBERTA HUMAN RIGHTS ACT: Landlords are required by law to accommodate these protected grounds

▪ Tenants Are Protected From Discrimination.
The Alberta Human Rights Act protects from discrimination for 15 grounds.

▪ Complaints Must Be Made Within 1-Year
Complaints to the Human Rights Commission must be made within 1 year of the discrimination event.

▪ To Learn More About Human Rights Issues And Discrimination See:
albertahumanrights.ab.ca

Tenant Wins over \$7,000 for Wrongful Eviction

New mother returns home after brief time away - shocked to find belongings gone and locks changed

By Tara Epp
(Legal Researcher)

Shelby, a tenant, won over \$7,000 because her Property Manager wrongfully declared her apartment suite abandoned, changed the locks, and threw away her belongings.

Shelby was pregnant with her first child when she moved into the apartment complex in Red Deer along with her roommate.

Three months later her roommate moved out, leaving the financial responsibility on Shelby.

One month later, Shelby faced complications in her pregnancy which forced her to stay at her mother's house for a short time.

Shelby paid her rent on time every month.

On the first day of the 6th month, Shelby did not pay



WHAT A MESS: A messy suite does not mean it's abandoned, landlords must follow specific rules

rent because her assistance cheque was late.

At noon, on that same day, the property manager tried to contact Shelby, without success.

Five days later, due to unpaid rent, the property manager posted an eviction notice on Shelby's apartment door.

The eviction notice ended the tenancy after 13 days, instead of the 14 days legally required under Alberta Law.

As the eviction date neared, another tenant complained about a smell coming from Shelby's suite. In response, the property manager posted a 24-hour entry notice to Shelby's apartment door.

The property manager entered the suite the next day. The smell was just a few rotten potatoes.

The property manager looked around Shelby's suite and decided that suite was abandoned because there were was clutter, insects, and some spoiled food.

The property manager changed the locks and sent a letter to Shelby's apartment mailbox.

The letter accused her of abandoning her suite, her belongings were being stored or thrown out – she was responsible for the cost, and threatened criminal charges if she were to ever return to the building or her suite.

Around this time, completely unaware of the events back at her apartment, Shelby went into labour and had her baby.

It was soon after giving birth, when she had first learned of the 13-day eviction notice.

Shelby returned to her apartment for some baby items for her newborn baby.

She was surprised to find that her locks have been changed blocking access to her home and belongings.

Shelby's wrongful eviction was passed along to the Provincial Court of Alberta and she won her case.

The court awarded Shelby a total of \$7,295 to cover the costs of the items, and compensation for the stress and inconveniences that she has suffered.

Thing #5: Evictions

WHAT ALBERTA TENANTS MUST KNOW

- **An Eviction Notice Must Follow The Rules.**

An Eviction Notice must be in writing, signed by the Landlord, state a legal reason and be served with 14 clear days notice.

- **A Tenant Can Cancel Their Eviction!**

Any 14-day eviction can be cancelled if the tenant objects in writing!

- **If You Accept Conditions, Your Eviction Can Be Cancelled!**

Most 14-day notices can be voided if the tenant accepts conditions.

- **Paying Rent Automatically Cancels Evictions!**

If eviction is for nonpayment of rent, the eviction automatically cancels upon payment of rent within the 14-day period.

Roommates Brave Flooding Chaos, Win Over \$2,000

Slippery floors, loud fans, and sizzling heat pushed tenants to leave their home

By Tara Epp
(Legal Researcher)

Two roommates have found a silver lining amidst a storm of frustration, stress, and chaos, pocketing an award of over \$2,000.

Two days after they first stepped foot into their new condo rental, a surprise visit from their building manager came knocking on their door.

The building manager brought troubling news of a bathroom leak that has flooded the neighbouring units.

The source of the water leak was traced back to the ensuite bathroom.

The landlord was quick to take action and called a 24-hour plumber to fix the water leak.



FLOODED SUITE: Dehumidifiers and fans must run 24 hours a day until the moisture is removed from the air

Later that same day, a restoration company arrived, armed with heavy-duty machines that made a lot of noise and created a lot of heat.

Two giant dehumidifiers roared as they removed moisture, a massive fan louder than a rock concert moved air in the room, and the crew began to tear apart the bathroom cabinets.

The water leak had turned the roommates' daily life into a circus of cleaning up after the crew, water supply shortages,

and unannounced visits from workers. As if the noise and mess weren't enough, the machinery has turned their cozy condo into a boiling sauna.

These inconveniences left the roommates feeling very frustrated.

The stickiness of the heat, along with the extreme humidity in the air, was incredibly uncomfortable for the roommates to live in.

The roommates have decided to leave, because they could no longer live comfortably in these conditions.

One roommate stayed with friends, while the other stayed at a previous rental unit.

Their daily routine turned into a complicated dance, going back and forth to let the workers in.

The repairs felt like an eternity, lasting 27 long, excruciating days.

The roommates took their problems to Alberta's Residential Tenancy Dispute Resolution Services to get the help of a Tenancy Dispute Officer (TDO).

The TDO gave the roommates a 100% refund of

their rent for 27 days – a sum of \$1,952.91.

The TDO recognized the roommates' frustration and they were rewarded a bonus of 10% to cover for the inconveniences.

This additional sum brought the roommates' grand total award to \$2,423.06

Thing #6: Repairs

WHAT ALBERTA TENANTS MUST KNOW

Disrepairs? Email the Landlord and Take Photos.

- **Money Can Be Awarded For Disrepairs**

Landlords must meet "Minimum Standards" by Law or be liable to pay abatements.

- **Guaranteed Rights No Matter What**

Nothing can cancel your tenancy rights including getting prompt repairs.

- **Unusable Areas Are Refundable**

The law awards abatements for any part of premises that is unusable.

- **Landlords Must Provide Safety, Security & Comfort**

The Landlord must accommodate individual differences including cultural, physical and mental differences

Tenants Win \$5,575 Against Intruding Landlords

Landlords illegally entered multiple times without warning, for no good reason, and stayed for hours

by Tara Epp
(Legal Researcher)

Two tenants endured a string of illegal entries and invasions of privacy by their landlord.

The landlords repeatedly entered the tenants' rental without warning, for illegitimate reasons, and often overstayed their welcome.

The written lease included an illegal clause that allowed the landlords to enter without any notice.

Illegal entries were just one complaint of many that the tenants had with their landlord.

The landlords completed the move-in and move-out inspections without the tenants.

Because the tenants were not present at the time of the inspections, the landlord can't use the reports to keep the security deposit for any damages.

The landlords regularly trespassed into the backyard.



ENTRY: Tenants have rights against unwarranted entries by the landlord

One tenant came home to find one of the landlords in the backyard babysitting children!

Neighbours have seen the landlords in the tenants' backyard while the tenants were away. The landlords even entered the house and unplugged electrical cords!

Mailbox keys was another issue. The landlords kept the mailbox key and hand delivered the tenants their mail.

The landlords used the rental property for their own personal business. One time, a mechanic used the driveway to change the landlord's tires without the tenants' consent.

The landlord also had packages delivered to the rental house. The tenants were expected to bring the boxes inside.

The landlords had two surprise mid-lease inspections. After the inspection, the landlord stayed 3 hours to tend to the garden.

For 2.5 months of the lease, the landlords came to the property daily for yard work and gardening.

According to the Lease, the tenants were to have exclusive access to the house and yard.

The landlords have repeatedly breached the Residential

Tenancy Act, by interfering with the tenants' right to privacy and their right to peaceful enjoyment of their rental home.

The tenants took their complaints to Alberta's Residential Tenancies Dispute Resolution Service (RTDRS).

The landlords countersued but, all of their claims against the tenants have failed.

A Tenancy Dispute Officer (TDO) ruled in the tenants' favor, awarding the tenants rent abatement, the return of their security deposit, and the application fee, for a grand total of \$5,575.

Thing #7: Entry & Security Deposit

WHAT ALBERTA TENANTS MUST KNOW

▪ An Emergency Entry Is A Compelled Entry

There has to be a legitimate reason for a landlord to enter without notice or permission.

▪ 24 Hour Written Notice is Required For Other Entries

A written 24-hour notice to enter without your permission for inspections, showings, repairs or pest control. – A Landlord cannot enter on a Sunday or Holiday.

▪ An Abatement For Illegal Entries Can Apply

Everyone must comply with entry rules or risk abatement and criminal charges.

▪ Security Deposits Can't Be Increased

When rent is increased, the landlord cannot increase the security deposit.

▪ Always Take Pictures

A tenant should take photos upon moving in and moving out whether or not an inspection report is used. This will protect the tenant from losing their security deposit.

Legal Resources for Tenants

Calgary

Calgary Housing Company

Phone: 587-390-1200

Email: chccustomerservice@calgary.ca

Visit: calgaryhousingcompany.org

Calgary Legal Guidance

Phone: 403-234-9266

Visit: clg.ab.ca

Student Legal Assistance

Phone: 403-220-6637

Visit: slacalgary.com

Edmonton

Edmonton Community Legal Centre

Phone: 780-702-1725

Visit: eclc.ca

Tenant Support

Phone: 780-496-5959

Visit: edmonton.ca/programs_services/housing/tenant-support

Student Legal Services (Edmonton)

Phone: 780-492-8244

Visit: slesedmonton.com

Lethbridge

Lethbridge Legal Guidance

Phone: 403-234-9266

Visit: lethbridgelegalguidance.ca

Lethbridge Housing Authority

Phone: 403-329-0556

Email: info@lethbridgehousing.ca

Visit: lethbridgehousing.ca

Red Deer

Central Alberta Community Legal Clinic

Phone: 403-314-9129

Red Deer Housing Authority

Phone: 403-343-2177

Visit: rdha.ab.ca

Statutes

Alberta Human Rights Act, RSA 2000, c A-25.5

Visit: canlii.ca/t/81xx

Public Health Act Forms Regulation, Alta Reg 197/2004

Visit: canlii.ca/t/82vw

Residential Tenancies Act, SA 2004, c R-17.1

Visit: canlii.ca/t/56197

Links

Alberta Condo Law

To Understand your Rights as a Condo Renter

Visit: condolawalberta.ca

Alberta Human Rights Commission

For Information on Human Rights Complaints

Visit: albertahumanrights.ab.ca

Canadian Legal Information Institute (CanLII)

To view Statutes, Cases, and Residential Tenancy

Laws and Guidelines

Visit: canlii.org

Centre for Public Legal Education Alberta (CPLEA)

To Understand your Legal Rights

Visit: cplea.ca

Laws for Landlords and Tenants

Visit: landlordandtenant.org

Legal Aid Alberta

For Affordable Legal Advice and Representation

Phone: 1-866-845-3425

Visit: legalaid.ab.ca

Minimum Housing and Health Standards

For the law on housing regulations in Alberta

open.alberta.ca/publications/minimum-housing-and-health-standards

Pro Bono Law Alberta

For a List of Legal Clinics in Alberta

Visit: pbla.ca

Residential Tenancies Dispute Resolution Service (RTDRS)

Alternative to Court

Phone: 310-0000 then 780-644-3000

Email: rtdrs@gov.ab.ca

Visit: servicealberta.ca/rtdrs

Residential Tenancy Act

Visit: youtube.com/watch?v=9wqieflxMRI

Service Alberta

For information on services in Alberta

Phone (Calgary): 1-877-427-4088

Phone (Rest of Alberta): 780-427-4088

Email: service.alberta@gov.ab.ca

Visit: servicealberta.ca

Tenant Aid

Alternative to Court

Phone: 587-227-3442

Email: shirltenantaid@gmail.com

Support Resources for Tenants

Health

Alberta Environmental Public Health

Public Health Inspector

Phone: 1-833-476-4743

Alberta Health Services

HEALTHLINK Alberta

Phone: 1-866-408-5465

Visit: albertahealthservices.ca

Domestic Violence

In the event of an EMERGENCY:

Call 9-1-1, if you are in danger

Call or Text the Family Violence Info Line
at 301-1818 for emergency supports
such as food, shelter, and transportation

Shelters: Homeless

Calgary

Alpha House Shelter

203 15 Avenue SE

Phone: 403-234-7388

Brenda's House (for families)

1921 28 Street SW

Phone: 403-242-8575

Calgary Drop-In & Rehab Centre

1 Dermot Baldwin Way SE

Phone: 403-266-3600

Inn from the Cold (for families)

110 11 Avenue SE

Phone: 403-263-8384

YW Calgary Emergency Shelter (for women)

1715 17 Avenue SE

Phone: 403-705-0315

Mustard Seed Foothills Shelter

7025 44 Street SE

Phone: 403-723-9422

Salvation Army (for Men)

420 9 Avenue SE

Phone: 403-410-1111

Salvation Army (for Women)

Wagner Place, 3013 15 Avenue SW

Phone: 403-930-2711

Edmonton

Women's Emergency Accommodation Centre

9321 Jasper Avenue

Phone: 780-424-7543

Hope Mission Emergency Shelter

9908 106 Avenue

Phone: 780-422-2018

Lethbridge

Lethbridge Shelter and Resource Centre

802 2A Avenue N

Phone: 403-327-1031

Red Deer

Safe Harbour Society

5246 53 Avenue

Phone: 403-347-0181

Shelters: Women's Emergency

Calgary

Awo Taan Emergency Shelter

Phone: 403-531-1972 or 403-531-1976

Calgary Women's Emergency Shelter

Crisis Line: 403-234-7233

YW Sheriff King Home

Crisis Line: 403-266-0707

Information Line: 403.266.4111

Edmonton

WIN House

Phone: 780-479-0058

Lurana Shelter

Phone: 780-424-5875

Lethbridge

Harbour House Women's Emergency Shelter

Phone: 403-320-1881

Red Deer

Central Alberta Women's Emergency Shelter

Phone: 1-888-346-5643

Other

211 Alberta

For Help with Alberta's Services

Phone or Text: 211 or chat Online at ab.211.ca

HELPING YOU GET **CASH** FROM YOUR LANDLORD

Enough!

**Stop being ripped-off
and get compensation and action.**

You want comfortable living without

- Disrepairs
- Bug infestations

You want protection against

- Mould
- Fire code violations
- Water damage

Why put up with it?

Don't miss out...

The law has a 2 year limitation for compensation claims - don't wait!

Paralegal services can help with your time crunch.
Apply our know-how for only \$105 down.



Tara E. - Legal Researcher

"Evidence and research are key to winning cash for your claim. Don't miss out on using our resources."

ACT NOW!

**While case slots last
Time is running out**

587-227-3442

shirltenantaid@gmail.com