



ALBERTA
SERVICE ALBERTA

*Office of the Minister
MLA, Strathcona-Sherwood Park*

MINISTERIAL ORDER NO. SA:006/2020

WHEREAS the Lieutenant Governor in Council made Order in Council 080/2020 under section 52.1(1) of the *Public Health Act* (PHA) on March 17, 2020 declaring a state of public health emergency in Alberta due to pandemic COVID-19 and the significant likelihood of pandemic influenza;

WHEREAS Order in Council 080/2020 has effect for 90 days following March 17, 2020 under section 52.8(1)(a) of the PHA;

WHEREAS section 52.1(3) of the PHA authorizes the Minister of Service Alberta (Minister), to make an order without consultation, to suspend or modify the application or operation of all or part of an enactment, subject to the terms and conditions the Minister prescribes, if the Minister is satisfied that the application or operation of all or part of the enactment is not in the public interest; and

WHEREAS I am satisfied that the application or operation of sections 13 and 14(1) of the *Residential Tenancies Act*, RSA2000, c R-17.1 and sections 15 and 16(1) of the *Mobile Home Site Tenancies Act*, RSA 2000, c M-20 are not in the public interest because tenants face unforeseen financial circumstances wherein they may be unable to afford to pay an increase in rent even though they have received advance notice of such increase unless and until they receive financial assistance, but it may be unsafe for them to leave their places of residence if they are self-isolating or in quarantine;

THEREFORE, I, Nate Glubish, Minister of Service Alberta, pursuant to section 52.1(2) of the *Public Health Act*, do hereby order that:

1. Section 13 of the *Residential Tenancies Act* is hereby modified to read:

"13.1 Notwithstanding section 13, effective immediately, where any fixed-term tenancy has expired or has been terminated, but the same parties have entered into or are entering into a new residential tenancy agreement relating to the same residential premises and such agreement

contains an increased amount of rent payable by the tenant, the rental payment amount stated in the expired or terminated residential tenancy agreement shall be deemed to continue for the duration of this Order and replace the amount of rent payable under the new residential tenancy agreement. All other terms of the new residential tenancy agreement shall remain in full force and effect. Any increased amount of rent will come into effect upon the lapsing of this Order”

2. Section 14 of the *Residential Tenancies Act* is hereby modified to read:

“14.1 Notwithstanding section 14(1), effective immediately, any new rental rate increases or pre-existing rental rate increases scheduled to take effect are suspended for the term of this Order.”

3. Section 15 of the *Mobile Home Sites Tenancies Act* is hereby modified to read:

“15.1 Notwithstanding section 15, effective immediately, where any fixed-term tenancy has expired or has been terminated, but the same parties have entered into or are entering into a new mobile home site residential tenancy agreement relating to the same mobile home site and that such agreement contains an increased amount of rent payable by the tenant, the rental payment amount stated in the expired or terminated mobile home site tenancy agreement shall be deemed to continue for the duration of this Order and replace the amount of rent payable under the new residential tenancy agreement. All other terms of the new mobile home site tenancy agreement shall remain in full force and effect. Any increased amount of rent will come into effect upon the lapsing of this Order”

4. Section 16 of the *Mobile Home Sites Tenancies Act* is hereby modified to read:

“16.1 Notwithstanding section 16(1) and section 2.1 *Mobile Home Sites Tenancies Ministerial Regulation*, effective immediately, any new rental rate increases or pre-existing rental rate increases scheduled to take effect are suspended for the term of this Order.”

This Order lapses, unless it is sooner continued by an order of the Lieutenant Governor in Council under section 52.811(3) of the PHA, at the earliest of the following:

- (a) August 14, 2020;
- (b) 60 days after Order in Council 080/2020 is terminated by the Lieutenant Governor in Council, if Order in Council 080/2020 is terminated before June 15, 2020;
- (c) when this Order is terminated by the Minister under section 52.811(2) of the

PHA because the Minister is satisfied that this Order is no longer in the public interest; or

(d) when this Order is terminated by the Lieutenant Governor in Council under section 52.811(1)(c) of the PHA.

DATED at *Edmonton*, Alberta this *27th* day of *March*, 2020.



Honourable Nate Glubish
Minister of Service Alberta

