

# Bill 3 - Proposed Amendments to the Mobile Home Sites Tenancies Act

February 2020

On February 26, 2020, the Government of Alberta tabled Bill 3: *Mobile Home Sites Tenancies Amendment Act, 2020*. When passed, this Bill will change the current dispute resolution regime for mobile home disputes.

Currently, all disputes relating to mobile home disputes must proceed through the court system. Bill 3 will allow for mobile home disputes to be heard under the Residential Tenancies Dispute Resolution Service (RTDRS) alongside other *Residential Tenancy Act* disputes. Many of the details of Bill 3 are still unknown, but in anticipation of the Bill being passed into law, here is a brief overview of the RTDRS framework:

The RTDRS is an administrative tribunal that allows for both landlords, tenants, former tenants and individuals who have paid a fee but did not take possession of a rental, to apply for the dispute to be heard before a Tenancy Dispute Officer. Landlords and tenants can apply for a variety of things, including the repayment of outstanding rents, utilities or security deposits, termination of the tenancy, orders to vacate the premises, financial damages and compensation for losses.

As the proposed legislation currently stands, not all claims can be brought before the RTDRS, and therefore will still be required to proceed through the court system.

Currently, Bill 3 is proposing that landlords and tenants utilize the RTDRS system instead of going through the court system, with some exceptions. Exceptions include situations where the mobile home is occupied by a surviving spouse or interdependent adult partner according to the *Wills and Succession Act*, and where a tenant is seeking the specific performance of a covenant. In those cases, the applicant must still take the claim to the Alberta Court of Queen's Bench.

Field Law is working on compiling more information on Bill 3 as it becomes available so that you are prepared for the upcoming changes to the *Act*.

If you want to learn more, contact Trina Jackson at [tjackson@fieldlaw.com](mailto:tjackson@fieldlaw.com).

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