

RTA OFFENCES

Alberta is responsible for enforcing the *Residential Tenancies Act* and the regulations under the Act. An enforcement action for a chargeable offence under either the Act or the regulations may be a written warning, violation ticket with a specified penalty (no court appearance required), or mandatory court appearance.

The following charts list the chargeable offences under the *Residential Tenancies Act*, the Residential Tenancies Ministerial Regulation and the Subsidized Public Housing Regulation. Beside each offence is the maximum fine on conviction of the offence as well as the specified penalty for a violation ticket. The Procedures (Residential Tenancies) Amendment Regulation under the *Provincial Offences Procedure Act* specifies the penalties that are payable.

CHARGEABLE OFFENCES UNDER THE RESIDENTIAL TENANCIES ACT

| Section | Description of the Offence | Maximum Fine on Conviction (each offence) | Ticket Specified Penalty |
|------------|--|---|--------------------------|
| 6(2) | Failing to use the premises for the reason set out in the notice to terminate a periodic tenancy within a reasonable time after the tenant moves out. | \$5,000 | \$250 |
| 7 | Failing to give minimum required notice to terminate a periodic weekly tenancy for major renovations | \$10,000 | N/A |
| 8 | Failing to give minimum required notice to terminate a periodic monthly tenancy for major renovations. | \$10,000 | N/A |
| 9 | Failing to give minimum required notice to terminate a periodic yearly tenancy for major renovations. | \$10,000 | N/A |
| 11 | Failing to give minimum required notice to terminate the tenancy of an employee. | \$10,000 | N/A |
| 12 | Failing to provide a periodic tenant with termination notice of 365 days to obtain vacant possession for condominium conversion. | \$10000 | N/A |
| 14 | Failing to give minimum required notice of a rent increase. | \$10,000 | N/A |
| 18 | Failing to provide a "notice of landlord". | \$5,000 | \$150 |
| 19(6) | Failing to retain inspection records for at least three years after the termination of the tenancy or make them available to the Director for purposes of an inspection or investigation. | \$5,000 | \$150 |
| 23 | Failing to give proper notice of entry. | \$5,000 | N/A |
| 24 | Failing to provide a tenant or landlord with a key when the locks have been changed. | \$5,000 | \$400 |
| 25 | Terminating a tenancy because the tenant makes a complaint under the Residential Tenancies Act or the Public Health Act or taking retaliatory action against a tenant including the imposition of a financial penalty. | \$5,000 | N/A |
| 31(13)(14) | Failing to keep records of the disposition of abandoned goods for at least three years. | \$5,000 | \$150 |
| 43 | Taking more than one month's rent as a security deposit or raising the amount. | \$5,000 | \$150 |
| 44(1) | Failing to put security deposits into a trust account within two banking days. | \$5,000 | \$250 |
| 44(3) | Putting money that is not a security deposit into the trust account. | \$5,000 | \$250 |
| 44(5)(6) | Failing to keep records of security deposits and make them available to the Director for purposes of inspection or investigation for at least three years after the termination of a tenancy. | \$5,000 | \$150 |
| 45 | Failing to pay interest on a security deposit. (Refer to the interest chart provided) | \$5,000 | \$250 |
| 46(2) | Failing to return a security deposit or provide a statement of account within 10 days; or, failing to provide an estimated statement of account and any refund within 10 days. | \$5,000 | \$250 |

| Section | Description of the Offence | Maximum Fine on Conviction (each offence) | Ticket Specified Penalty |
|---------|---|---|--------------------------|
| 46(6) | Making deductions for damages to the rental unit from the security deposit without a compliant inspection report. | \$5,000 | \$250 |
| 47.7 | Failing to keep confidential the information received about a tenant who is a victim of domestic violence. | \$5,000 | N/A |

CHARGEABLE OFFENCES UNDER THE RESIDENTIAL TENANCIES MINISTERIAL REGULATION

| Section | Description of the Offence | Maximum Fine on Conviction (each offence) | Violation Ticket Specified Penalty |
|---------|--|---|------------------------------------|
| 2 | Terminating a periodic tenancy for any reason other than those set out in the regulation. | \$5,000 | \$250 |
| 3(1) | Increasing rent for a periodic tenant unless at least 365 days have passed since the last rent increase or since the start of the periodic tenancy, whichever is later. | \$10,000 | \$150 |
| 3(2) | Serving a rental increase notice after providing notice to terminate the tenancy for condominium conversion or major renovations. | \$10,000 | \$150 |
| 3(3) | Increasing rent or recovering additional rent during a fixed term tenancy of one year or more. | \$10,000 | \$150 |
| 3(4) | Increasing rent or recovering additional rent when the same tenant has multiple fixed term tenancies of less than one year, unless 365 days have passed since the tenant first occupied the premises, or since the last rent increase, whichever is later. | \$10,000 | \$150 |
| 3(5) | Increasing rent before the end of a fixed term tenancy when the tenancy exceeds 365 days. | \$10,000 | \$150 |
| 4 | Failing to include in an inspection report, all the required statements as set out in the regulation. | \$5,000 | \$150 |
| 5 | Failing to keep abandoned goods valued at \$2000 or more for 30 days. | \$5,000 | \$150 |
| 6 | Failing to provide the tenant with an affidavit setting out the amount owing for rent, damages, or repairs to establish the tenant's liabilities. | \$5,000 | N/A |
| 7 | Non-owner landlord who is sole trustee of security deposit money failing to deposit, hold and administer the security deposit money as required in the regulation. | \$5,000 | \$250 |
| 8 | Failing to invest security deposit money in prescribed investment vehicles. | \$5,000 | \$250 |
| 9 | Failing to retain the security deposit in a trust account until the end of the tenancy. | \$5,000 | \$250 |

CHARGEABLE OFFENCES UNDER THE SUBSIDIZED PUBLIC HOUSING REGULATION

| Section | Description of the Offence | Maximum Fine on Conviction (each offence) | Violation Ticket Specified Penalty |
|---------|---|---|------------------------------------|
| 4(1) | Taking a security deposit greater than what the tenant would be required to pay for the first month's rent under the residential tenancy agreement. | \$5,000 | \$150 |