

IPOANS letter regarding RTA Bill 110..(6 Dec 2011)

Bill 119, passed back in December 2010, introduced a number of amendments to the Residential Tenancies' Act. IPOANS was consulted by the Department along with other stakeholders with the result that amendments were proposed that, for the most part, were agreeable to all. Included was an amendment that provided for the landlord to give a tenant, who was 15 days past due, a notice to vacate unless the rent was paid in 15 days. The tenant could pay the outstanding rent, vacate the apartment or apply to the Director to mediate the situation. The Director would initiate an accelerated hearing within five days.

On November 25, 2011, the Government introduced an amendment, under Bill 110, that limited the amount collectable to the amount outstanding in the month in which the demand for payment was made. It would exclude any previous months rent outstanding or any other charges incurred in a previous period. To recover these charges, an additional hearing would be required.

The position of IPOANS is that that was not our understanding throughout the consultation process and would, in effect, increase the time required to expedite the matter. It was our understanding that the amendment was introduced to reduce the amount of time required to get a decision and to reduce the number of cases processed by the Department that is already facing a large backlog of cases.