

RENTAL GAZETTE

THE VOICE OF THE RESIDENTIAL RENTAL INDUSTRY

ARLA


**Alberta Residential Landlord
ASSOCIATION**

The Voice of the Residential Rental Industry

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2023 ARLA Golf Tournament

Come golf with us on September 15, 2023 in ARLA's Golf Classic Tournament. The event will be held at Sturgeon Golf & Country Club again this year and we are hoping for a beautiful day!

Thank you to all the Tournament Sponsors for their support.

The day will start with a breakfast sandwich and a shot of baileys and then it's on to a fun filled day!

Details on page 4.

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RENTING RED FLAGS

BY BRAD LONGEWAY, TENANT DEFAULT SERVICES MGR, SERV-IT BAILIFF SERVICES

As an agent for landlords at the RTDRS and a Civil Enforcement Bailiff, I have had the unique opportunity to observe the varied practices of all types of landlords from the accidental landlord to the large REITs. The costliest mistakes we typically see relate to inadequate screening, or no screening at all! Far too often I am told by a landlord that they abandoned their screening practices because they "trusted" the tenant.

In my experience the foundation of a successful tenancy begins with education, a quality lease and solid screening practices. We see far too many landlords overlook developing and implementing solid screening skills and practices. There are far too many professional tenants looking to defraud you to just go with your gut. I have often dealt with the same tenants over and over. It is disturbing how we see their techniques and strategies evolve and improve with each landlord they scam. In 2021 we obtained three different orders to vacate against the same individual. A Court of King's Bench search I conducted shows this tenant has been ordered to vacate over thirty residential properties since 2013! I will cover later how to complete the searches.

I am however confident that the majority of landlords have solid screening practices. Hopefully, I can provide some insight and tips to supplement those practices and help see the process from a different angle; perhaps from the angle of a prospective tenant who is intending on defrauding you. If you are a landlord that does not have solid screening knowledge and practices I implore you to seek education in these matters. The vast majority of tenants have no intention of causing you any problems. I unfortunately make my living dealing with the minority of tenants who cause the majority of the problems. And these tenants can be very costly to your bottom line and be a source of significant stress and anxiety. I am not going to talk about credit scores and the like, but rather try to give some insight from a different perspective; that of an Eviction Specialist and Bailiff.

Red Flags

While assisting landlords at the RTDRS or as a Bailiff enforcing an Order, there are many common red flags that we see. One of these may not mean anything but in many cases landlord will look back and see that many of these flags were present. These are not your

CONTINUED PAGE 2



FEATURE ARTICLE: CONTINUED FROM COVER

BY BRAD LONGEWAY, TENANT DEFAULT SERVICES MGR, SERV-IT BAILIFF SERVICES

normal red flags such as poor credit or no rental history but rather a list of behaviors that I see time and time again.

Too Friendly! I find many professional tenants can get a landlord's guard down by being overly friendly. It tends to build a false sense of trust in the tenant. Everyone wants a tenant that is easy to get along with. Is the person naturally friendly or do they have another agenda?

Flattering your property (and ego). Many landlords tell me that they chose a tenant because they were so complementary of the rental premises and in the end had to be evicted. This is most common when a landlord is renting out a property that was their home. If the wrong tenant knows this, they may try to connect to you emotionally by being so complementary of your family home or by making you feel warm and fuzzy by giving them the opportunity to raise their family in the home where you raised yours. I can honestly say this is something we see very commonly. Many landlords have told me they selected the tenant that was so complementary to them and the property because it gave them the belief they would take extra good care of the property. And too many landlords have had to tell me that while we are evicting the tenant for significantly damaging the property.

Overly elaborate. One of the most common red flags related to tenants that I am evicting are tenants who are very detailed about their circumstances. They are looking to gain sympathy. Other times landlords tell me that the tenant told such detailed stories of their situation that they did not bother to screen the tenant on the feeling that if a tenant went into such detail, it must be true! Or, in my experience, it often is a script that has evolved over many tenancies. If you take enough shots, some will likely go in.

Pushing for fast possession. This is probably the most obvious red flag. It is a rare circumstance that a reasonable tenant needs fast possession. On many occasions when initiating an action to remove a tenant, the landlord has told me the tenants reason for needing fast possession. And far too often when I find out the tenants name I have to tell the landlord they were told a lie because the real reason they needed fast possession is because we had recently evicted the tenant.

Are You a Target?

It is my experience that large corporate land-

lords and REITs are the least at risk of professional tenants. The worst of the worst tenants tend to target the individual landlords who are less educated, have weaker screening practices, or can be tricked into making mistakes. It reminds me of a landlord that came to me with a tenant who had lived in a property for 13 months yet was 12 months behind on rent. He and his family had allegedly had family emergencies, surgeries and as much other bad luck as you could imagine. This caused the landlord to feel guilty taking action against them. A tenant like this knows that a large landlord would not allow this which is why they target small to medium sized landlords. It turned out that I had not only evicted this tenant twice in the past, but also served him two lawsuits alleging fraud. While it is important for all landlords to have solid screening practices, it is essential for small landlords to put extra effort into screening. You are at the highest risk of being defrauded and need to work extra hard to minimize your risk.

Are You Being Profiled?

We refer to selecting a tenant as screening. A responsible tenant also screens you to make sure you are a landlord they would like to rent from. The professional tenants take this further to the point of profiling a landlord in the same way a con artist profiles prospective victim. Scam artists are incredible at profiling their "mark." They then adapt their strategy to your weaknesses. Can you be made feel warm and fuzzy by being able to help a tenant? Suddenly they need help. Are you sympathetic? If so I bet they have a hard luck story. Can they connect to you emotionally by having common interests? Common background? Common past challenges you have overcome? The more you tell the tenant about yourself, the more they conveniently find how similar they are to you! This is also where an overly friendly tenant can find out lots about you. Just remember, you should be the one asking the questions.

Another common goal of professional tenants is to target a landlord who owns the rental premises rather than a property manager. It is easier for an owner to direct the property manager to take eviction actions if they do not know the tenant. It is common for a landlord to tell us how guilty they feel evicting a tenant. Professional tenants will target a landlord they feel can manipulate, guilt or bully. And when one approach does not work, they often switch their strategy. If they know you own the property, they know you make all the decisions. Some of my clients tell me they pretend they do not own the property for this reason; they can simply tell the tenant the owners say no. It reminds

me of a tenant I was enforcing an order against who suggested that the system in Alberta was "garbage." When I asked why, he said it was because he had been evicted six times in 18 months. I of course asked why does that make it "garbage"? He proudly said because in the province he came from it took over 6 months each time to evict which allowed him to extend his scams longer. His scam was to rent a house, move in immigrants and refugees brand new to the country with him. He would collect their rent and bully them into staying in their rooms. He would pocket their money and not pay the rent. The stack of empty pizza boxes beside his couch was four feet high.

Do You Conduct Court of King's Bench Searches?

You are able to conduct a search at the Court of King's Bench to see if an individual has ever been sued. If you have ever obtained an Order, including RTDRS Orders, against a tenant, it will show on these searches. The results are not limited to landlord tenant orders, but they do indicate if that is what they are.

Traditionally these searches had to be conducted in person at the courthouse but they can now be done online at <https://eservices.alberta.ca/court-of-kb-civil-search-request.html>. The cost is \$10. The main flaw of these searches is that they take several days to get back. I conducted one in December which took a week to come back and one in February that took four days to come back. I do recognize this is not ideal but it is a tool worth considering. Twenty-nine landlords missed the opportunity to not rent to the tenant that I referenced had been court ordered to vacate 30 times had they conducted this search! If you are a small landlord it is extra important to consider utilizing these searches to avoid placing a repeat offender in your rental unit.

An Ounce of Prevention

There are many resources available for support and education on screening tenants. Invest in your process and stick to your procedures. My feeling is that if your gut says no to a prospective tenant, trust your gut and do not question it. If your gut says yes, do the work and hopefully prove your gut correct by completing your screening. Being educated, using a quality lease and having strong screening practices will help you build a stronger foundation to minimize your risk and protect your investment.

Being a landlord is a profession, not a hobby.

Contact Brad at TDS@serv-it.ca or contact him at 780-499-3264.





EDITOR'S MESSAGE SUMMER 2023

BY RAPHAEL YAU, CHAIR RENTAL GAZETTE

Market Update Summer 2023

Summer is upon us, and the wildfires and provincial election

have dominated the headlines for the past few months. While the election is over and the UCP government has been given the mandate to govern, we must focus on what the future holds for those of us who participate in the multi residential housing sector. The wildfires are still ongoing, albeit at a smaller scale than in previous weeks. It's difficult to deny that our climate and seasonal extremes are not changing on a year-by-year basis. It will be a difficult balance for the Provincial government to encourage investment into our resources and ensure that systems are in place to mitigate risk from climate catastrophes. In commercial real estate, sectors like multifamily and industrial have been steady while the retail and office sectors are slowly showing signs of recovery with increased activity on both fronts. Interest rates and inflation have been the topics of conversation for the past 12 months.

In 2023, Alberta's oil and gas industry is projected to assume a prominent role. Favorable energy prices and robust cash flows from the previous year will bolster drilling operations, production, and investments within the sector. Additionally, an increase in population growth is anticipated to alleviate the strain on Alberta's labor market and contribute to job creation. Nevertheless, escalating borrowing expenses and elevated prices will persistently hinder consumer spending and non-energy business investments. Looking ahead, economic growth is expected to gather momentum and become more comprehensive in the medium term. The forecast indicates that real GDP will reach a growth rate of 3.0% in 2024.

Canada's economy surpassed expectations, expanding at an annualized rate of 3.1% in Q1 2023, according to Statistics Canada's report on Wednesday. This growth outperformed the agency's forecast of 2.5% for the quarter. Preliminary estimates also indicate a 0.2% growth in April, following a stagnant performance in March.

Household spending in the first quarter of the year showed an increase in both goods and services, following minimal growth in

the previous two quarters. However, the report highlights a decline in disposable income, the first since Q4 2021. The federal agency attributes the one percent drop to the expiration of government measures designed to assist people in coping with inflation.

On June 7, 2023, the Bank of Canada made the decision to elevate its benchmark interest rate to 4.75 percent. This marks a significant development as it is the first instance of the country's central bank increasing its trend-setting interest rate since January. At that time, the bank had indicated that it would temporarily halt its aggressive series of rate hikes. By raising the rate from 4.5 percent to 4.75 percent, the bank has reached its highest level since 2001. Consequently, there is a notable possibility that the Bank will implement an additional 25 basis point hike during the upcoming meeting before the summer break. Despite the Bank of Canada's expectations of a significant pull-back in consumer and business activity due to high interest rates, the Canadian economy continues to outperform predictions.

Looking specifically at the apartment market in Edmonton and Alberta, the outlook appears positive. Despite initial concerns about a potential recession, the strong economic indicators suggest a buoyant rental market in the region. As the economy continues to perform well, demand for apartments is likely to remain steady or even increase.

Given the elevated underlying inflation and a hot economy, it is expected that rental prices in Edmonton and Alberta will experience upward pressure. Landlords may have more leverage in negotiations, potentially leading to higher rental rates. However, it is important to note that other factors such as housing supply, government policies, and external economic influences can also impact the apartment market.

I hope you all can get outside and enjoy our beautiful summers.

Sincerely,
Raphael M.H. Yau
Cushman & Wakefield Edmonton

Source: Cushman & Wakefield Edmonton
Research, CBC News, Province of Alberta, RBC
Economics

ARLA

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ARLA GOLF CLASSIC TOURNAMENT

SOLD OUT

September 15, 2023
Sturgeon Valley Golf & Country Club \$185
9:00 am shotgun

Registration open!

Email kelsy@albertalandlord.org

\$185.00

Golf Package Includes:

- 18 holes
- Green Fees & Power Cart
- Free Driving Range Privileges
- Bunwich Start Breakfast with Coffee & Baileys
- Free Hot Dog
- Prime Rib Banquet
- 50/50 Draw
- Mulligan Draw
- Proximity Prizes
- Hole-In-One
- Door Prizes





PRESIDENT'S MESSAGE SPRING 2023

BY KATE BRISSON, ARLA PRESIDENT 2023

Welcome Everyone to the 2023 Summer Rental Gazette!

Trade Show and Achievement Awards

I would like to thank the hard work of the ARLA staff and board members who volunteered their time to run a great Landlord Resource Trade Show and ARLA Achievement Awards event. Congratulations to the award recipients and nominees, your hard work is inspiring, and we all look forward to next year's Trade Show & ARLA Achievement Awards. Also thank you to the Trade Show vendors, the energy within the Trade Show was positive and the feedback was great!!

Election

As you may have heard, a Provincial election took place recently. The ARLA staff and Board will be watching closely to see how this affects Landlords and the rental industry.

We wish Premier Smith and the MLA's all the best and look forward to working with them on these ongoing issues.

The Alberta Residential Landlord Association members have been there for the City of Edmonton and the Province of Alberta when needed. And ARLA will always be there for its members. If you have any questions, comments, concerns please do not hesitate to reach out to Donna Monkhouse, or any ARLA Board member.

Fires in Alberta

We are seeing many displaced families in lieu of the recent wildfires in Alberta, we want to take this time to thank all the volunteers and hardworking fire crews for tirelessly keeping our Province safe. We appreciate each one of you.

Upcoming

The ARLA team is always working hard, even

during the summer months, we look forward to sharing upcoming events with you for the remainder of 2023. Keep an eye on your emails!

We wish all of you a safe and happy summer.

**Be a member,
use a member.**



ARLA GOLF CLASSIC SPONSORS THANK YOU!

TITLE SPONSOR - HOME DEPOT

BREAKFAST SPONSOR - CHRISTENSEN & MCLEAN ROOFING

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GOLF BALL SPONSOR - ICM GROUP

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HOLE SPONSORS:

OFF THE LEDGE, AYRE & OXFORD, PURE RESTORATION, ECOPEST, RENTOKIL, WADE CONSULTING, DELNOR RESTORATION, DSC CONSTRUCTION, WORLD FLOORCOVERINGS, SERVICE MASTER, TRUSTY TREE, BFL, 4-WAY INSPECTION, AVENUE LIVING

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EXECUTIVE DIRECTOR REPORT SUMMER 2023

BY DONNA MONKHOUSE, EXECUTIVE DIRECTOR

We would like to thank all those members that continue to support ARLA! We will continue to grow our association to benefit all members!

We will continue to advocate for the Industry! We will continue to provide education and topics of interest! We will continue to support our Member Community!

SAVE THE DATE AND MARK YOUR CALENDARS!

APPRECIATION BBQ
July 14, 2023

ARLA GOLF TOURNAMENT
September 15, 2023

Golf Tournament Sponsors sold out quickly and we thank all our sponsors for their support! Golfer Registration also sold out and thank you again to everyone for their support of this event. We look forward to a great day.

Summer months are here, and we had some amazing weather in June – let's hope that continues into July. I especially love summer because of all the great outdoor ice cream shops and festivals in Edmonton.

With our office in full swing and keeping very busy, we continue to welcome new members and reconnect with existing!

We had our 2nd Landlord Resource Trade Show & ARLA Achievement Awards, and the event was full of energy and excitement. It was great to see everyone and thank you to all our exhibitors and sponsors. Congratulations to our award winners and nominees – you are all an incredible asset to the Rental Housing Industry! We saw well over 500 people attend the event and couldn't be more pleased with this outcome. The Bingo Card game had 5 winners of \$500 each and congratulations to them. We look forward to this event again in 2024 and please save May 17, 2024 for the 3rd Trade show & Achievement Awards Luncheon.

We continue to look at different ways to engage our members and continue to grow our community. Keep those referrals coming! It would be great to have several names in our draw jar every 4 months for a \$100 gift card for referring a member that joins!

EDUCATION

We continue to offer a variety of Webinars and Seminars throughout the year, and we are also adding variety to our General Meetings by having a few breakfast meetings instead of lunch – who doesn't like breakfast right!

WHAT ELSE IS HAPPENING

We are now getting ready for our Appreciation BBQ – it's our way of saying THANK YOU to our

membership! The BBQ will be held at Victoria Park – July 14, 2023 between 11:30 and 1:00. Join us for burgers and fun! Come out and connect with other members!

We continue to be involved on committees for the Safety Codes Council; ARTAC and issues involving our Municipal and Provincial Governments.

We continue to make ourselves aware of upcoming issues both municipally and provincially.

We are monitoring and writing letters with respect to the safety and security in our City, the licensing of property Owners and Landlords and the Bad Landlord Registry. We are working with the City of Edmonton Waste Management to ensure our members have a smooth transition to organics processing as well as watching what comes next for our Industry! Rent Controls are always a topic of concern, and we are ensuring we stay on top of this one!

We may call on you to help us action the above issues with our City & Provincial initiatives – we appreciate your support!

We sent a paper to Service Alberta on Red Tape Reductions for the RTA and now that the election is over we will bring it up again to their attention.

We are always looking for ways we can assist the members and be heard to improve the Residential Rental Industry. If you have any issues that you want to share or would like help with, please let us know and we will do our best to help resolve them.

We would love to hear from you if a member (Service or Professional) did something you want to acknowledge – Just let us know; if someone did a great job for you let us know; if you

want to say something about ARLA let us know (nice of course) we will publish these on our website and ensure they get the recognition they deserve.

FACEBOOK GROUP

Do you need a contractor for a specific Job? Are you looking for a referral for work to be done? Do you have a new product to tell us about? Are you running a "Special" on anything? Did a member do something for you that should be recognized? Please post these in the ARLA Facebook Group. Join our group today by going on Facebook – ARLA Edmonton Group and Join Today!

We continued to bring in new members to benefit everyone – please make sure you take a look at all our members – there are some new ARLA exclusive offers! We have also updated the website to not only allow you to search for a Service Member alphabetically but now by category!

We added new information and resources to our website as well. Please visit:
www.albertalandlord.org

Thanks go out to all the members for their continued support of ARLA.

2023 Monthly Event & Website Sponsors



Edmonton Eviction Services Inc.



Engineers



THANK YOU!

HIGHLIGHTS OF OUR 2ND ANNUAL LANDLORD RESOURCE TRADE SHOW & ARLA ACHIEVEMENT AWARDS LUNCHEON

We started planning our Trade Show and Achievement Awards right after our first one. We were so pleased with the great turnout for the event and the nominations were outstanding!

The Landlord Resource Trade Show & ARLA Achievement Awards Luncheon took place on May 12, 2023 at the Chateau Louis Conference Centre.

Thank you to our Main Event Sponsors - Home Depot & SingleKey!



THANK YOU TO ALL OF OUR EXHIBITORS

What great energy you brought to the room! At 9:00 am our Trade Show doors opened and more than 500 people made their way through the 36 Exhibitors & Resources!



TRADE SHOW & AWARDS LUNCHEON HIGHLIGHTS



At 11:30 the doors opened for our ARLA Achievement Awards Presentation and Luncheon.



At 9:00 am two seminar presentations commenced. Don Gray from Edmonton Eviction Services presented on Evictions and what you need to know and Taylor Thiesen from



Thank you to our Keynote Speaker for the event - Avenue Living! What a great presentation!



MRMF presented on RTDRS - How to prepare and present your case! **Thank you to you both for your fabulous presentations!**



The Luncheon was a full house as we honored those nominated for Awards!



AND NOW FOR THE ARLA ACHIEVEMENT AWARDS!



Property Manager of the Year - Paul Jones - Ayre & Oxford Inc.! Thank you, Garland Canada Inc., for being the Award Sponsor!



Site Employee of the Year - Prika Dutt from Boardwalk! Thank you, Tru North Restoration, for being the Award Sponsor!



Small Rental Housing Provider of the Year - Oakpoint Developments! Thank you, Elements Roof Management for being the Award Sponsor!

ARLA ACHIEVEMENT AWARDS CONTINUED



Preferred Service Member of the Year -
Yardi! Thank you Boardwalk for being the Award Sponsor!



Rental Industry Rookie of the Year -
Joseph Rubay - Ayre & Oxford Inc.!
Thank you Skyline Living for being the Award Sponsor!



Rental Renovation Project of the Year under \$100,000 - West Haven Terrace -
Broadway Properties! Thank you Yardi for being the Award Sponsor!



Rental Housing Provider of the Year - Weidner Apartment Homes!
Thank you Wade Consulting for being the Award Sponsor!



Rental Development / Renovation Project of the Year -
Londonderry - CIVIDA! Thank you MHA Properties for being the Award Sponsor!

CONGRATULATIONS TO ALL THE WINNERS OF THE ARLA ACHIEVEMENT AWARDS FOR OUTSTANDING SERVICE IN THE RENTAL INDUSTRY! CONGRATULATIONS TO ALL THE NOMINEES!

The room was filled with energy!



ARLA ACHIEVEMENT AWARDS CONTINUED

On Tuesday May 16, 2023 we did a Facebook live draw for the 5 x \$500 cash prize give aways! **And the lucky winners were:**



Michael Leady



Shelby Strei



Brian Phillips



Donna Zeller



David Hopkyns

THANK YOU SPONSORS!

Lastly, a huge thank you to all the volunteers for the day for helping make this event a successful one and a MUST attend each year for ARLA members!

**Landlord Resource Trade Show
& ARLA Achievement Awards**

Thank you Main Event Sponsors

Thank you Cash Prize Sponsors

Thank you Award Sponsors

PLEASE FOLLOW, LIKE & SHARE ARLA'S SOCIAL MEDIA PLATFORMS!



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MEMBER REFERRAL PROGRAM

Refer a member who joins, and
your name will be entered in a
draw for a \$100 GIFTCARD!

Refer a Member Today!

www.albertal landlord.org

UPCOMING EVENTS

JUL 14 MEMBER APPRECIATION BBQ

AUG 24 SUMMER PATIO NETWORKING PARTY

SEPT 15 GOLF CLASSIC TOURNAMENT

SEPT 21 EDUCATIONAL WEBINAR

OCT 13 RTA FUNDAMENTALS WORKSHOP

OCT 18 EDUCATIONAL SEMINAR &
GENERAL MEETING LUNCHEON

SAVE THE DATE NOV 24 AGM & CHRISTMAS LUNCHEON
DEC 07 ARLA'S 5TH ANNUAL JINGLE & MINGLE

ALBERTA RESIDENTIAL LANDLORD ASSOCIATION MISSION, VISION AND VALUE STATEMENT 2023

OUR MISSION

To represent member interests and provide education for
the betterment of the Residential Rental Industry.

OUR VISION

To be the collective voice of the Residential Rental
Community for our members.

OUR VALUES

To promote the positive contributions of our Association
and be the go-to for every Landlord and Service Provider.

WHO WE ARE

The Alberta Residential Landlord Association (ARLA) founded in 1994, is a membership based, not for profit Association, that is dedicated to strengthening the Residential Rental Industry by educating, uniting and advocating for professional members and preferred service members. ARLA represents approximately 95,000 + primary and secondary units in Edmonton and surrounding areas. Together our members employ thousands of people and spend in excess of \$230 million annually on the operational side. Our Association is governed by a Board of Directors and committed staff members who together provide a united voice for the rental housing community in Edmonton and across Alberta.

ARLA offers tremendous benefits and ensures its members are well informed with respect to government legislation, market trends, education and networking opportunities. We have an array of professional landlord forms and notices available for purchase, to help streamline and standardize rental housing business practices for all landlords in Alberta.

The Voice of the Residential Rental Industry



ALL ABOUT RENTAL FEES: REFUNDABLE VS NON-REFUNDABLE

BY JUDY FENG, STAFF LAWYER, CPLEA

CPLEA has been hearing lately about confusion over fees that landlords are charging tenants.

There also seems to be confusion about whether increasing fees triggers rent increase notice rules under the Residential Tenancies Act (RTA) in Alberta. While we may not have answers as to why there is such confusion, we hope to at least clarify the general law about fees through our two-part article series. The first part of this series will cover the law as it relates to refundable fees and non-refundable fees. Part two of this series will cover parking fees as well as fees for late payment of rent and breaking a lease.

To understand this area of the law, let's go back to basics. Forget about the different types of possible fees such as pet fees, key fees, re-rental fees, lake fees (yes, we saw this one in the caselaw) or fill-in-the-blank of whatever fee you can think of. The very first question to consider is whether a fee is refundable or non-refundable.

Refundable Fees: Subject to Security Deposit Restrictions

If a fee is refundable, then it forms part of the security deposit. The security deposit restrictions under the RTA apply – meaning that the total security deposit including refundable fees cannot be more than one month's rent. Key fees and pet fees are sometimes refundable fees or charges. For example, if a landlord charges \$1800 a month for rent, then the total security deposit including any refundable fees cannot exceed that amount.

Since we are talking about pet fees, what about pet rent? Sometimes we hear rumors about landlords charging pet rent. The RTA is not clear about whether it allows pet rent, and a judge has not clarified the issue. Depending on what the lease says though, it may be possible that a tenant renting with a pet will pay more rent than one renting without a pet.

Non-Refundable Fees: Likely Enforceable if Agreed To but Must be Reasonable

Unlike refundable fees, the security deposit restrictions under the RTA do not apply to

non-refundable fees. The case law suggests that if parties agree to a non-refundable fee (such as a re-rental fee) in a rental agreement and it does not go against the RTA, then it is likely enforceable.

For example, in a case before Alberta's Residential Tenancies Dispute Resolution Service (RTDRS), one of the issues was whether the landlord was entitled to an unpaid non-refundable pet fee. The dispute resolution officer recognized that the RTA is silent when it comes to non-refundable fees. The officer decided that if the parties agree to pay a non-refundable fee for bringing another pet into the premises, then the agreement does not go against the RTA and is therefore enforceable.

Does this mean landlords can be a little creative and charge non-refundable fees at will? Not necessarily. Just because a landlord can charge a non-refundable fee does not protect them from a court or RTDRS reviewing the fee for reasonableness. Any fees should reasonably reflect an actual cost recovery. The courts or RTDRS may not enforce a fee if it does not reflect actual cost recovery or if it exceeds cost recovery.

Practical Tips for Refundable and Non-Refundable Fees

What are some best practices for refundable and non-refundable fees? As mentioned in the RTA handbook, if a tenant feels a fee or charge is unreason-

able, they can apply to the court or RTDRS for a remedy. As such, during the tenant application process and taking of the security deposit, landlords should clearly state:

- any additional fees or charges
- circumstances that will give rise to fees/charges, and
- whether the fees/charges are refundable or non-refundable.

For more on residential tenancies law in Alberta, go to: www.landlordandtenant.org. Funding for CPLEA's Housing Law Information Project is made possible through a grant from the Alberta Real Estate Foundation (www.aref.ab.ca).



THE ALBERTA RESIDENTIAL LANDLORD ASSOCIATION

RENTAL GAZETTE

THE VOICE OF THE RESIDENTIAL RENTAL INDUSTRY

Business Card Ad
1 Issue \$120 / 4 Issues \$400
(Save \$80)

1/4 Page Ad
1 Issue \$220 / 4 Issues \$700
(save \$180)

1/2 Page Ad
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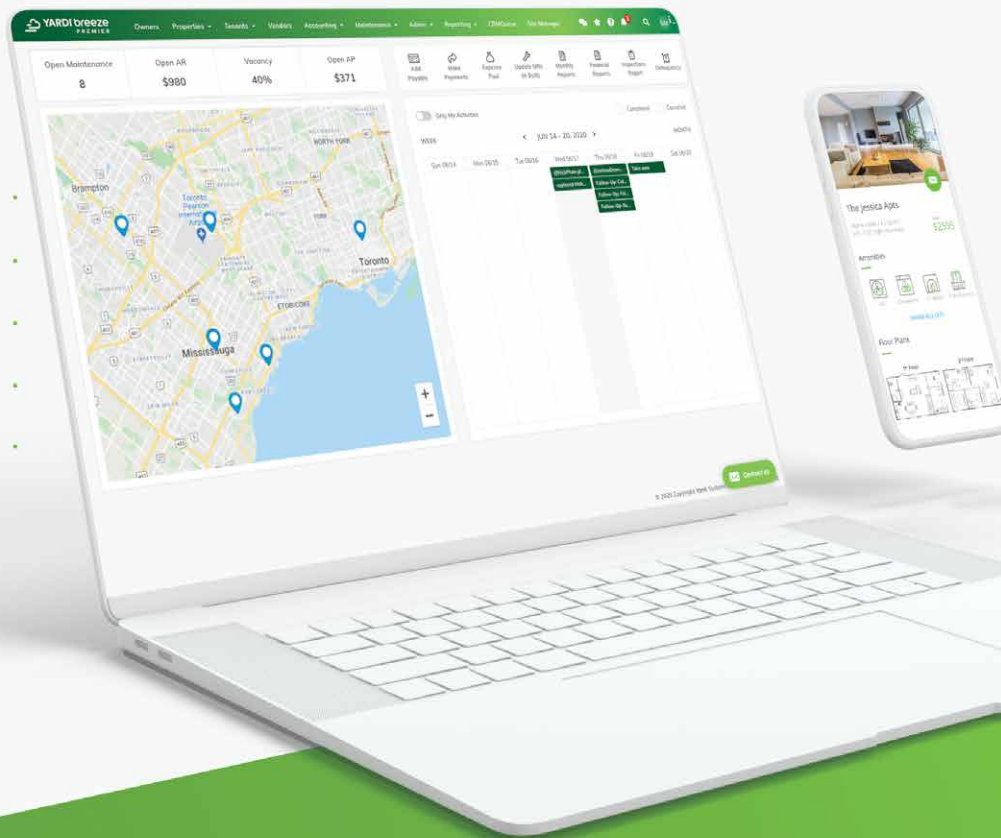
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INCREASING YOUR NOI 101: A HOUSING PROVIDER'S COMPLETE GUIDE

BY PETER ALTOBELLI, VP AND GENERAL MANAGER, YARDI CANADA LTD.

Lack of home supply and robust growth in renter households has Canada's apartment market sizzling hot. According to the Q1 2023 Yardi Canada Multifamily Report, the Alberta provincial average year-over-year in-place rent growth increased to 4.6% in the last quarter. The provincial vacancy rates increased to 3.5% in Q1 2023, and the quarterly tenant move-outs have fallen below 7.5% for the first time in years, showing renters are sticking in place.

Given Canada's population growth trajectory and the limited amount of new housing units, the apartment market is likely to remain tight. With constrictions like this, it's crucial that housing providers identify opportunities to increase NOI and ensure tenant satisfaction. Here's how:

How to Simplify Your Operations

It's time to embrace automation. A recent Yardi study showed that our clients with 900-1,000 units process over 2,300 invoices/month, totaling 28,000 invoices/year. Processing one invoice is a 5-minute task and equates to over 2,300 hours annually. For additional perspective on this time-consuming process, it is equivalent to one full time staff member. A full-service invoice processing solution can save you real money and valuable time.

A modern property management platform will allow you to minimize cost and effort by automating reporting and other operations. One Alberta-based company stated, "Automatic reporting has turned 30 to 40 minutes of work into the click of a button." By reducing the amount of work required for reporting, you have more time to focus on growing your business.

How to Get in Front of More Prospects

Tenant growth is essential to business growth. The best property management software platforms feature tools to help you successfully market and lease your properties with ease.

By establishing a strong online presence

with corporate and property websites, you can extend your reach and engage with your target audience. About 70% of renters visit a property website when searching for an apartment, which shows how important it is to market your properties online.

Use dedicated landing pages on your website to market newly renovated units, highlight your best amenities and showcase your brand and reputation to stand out from the competition. Additionally, with some technology platforms, every time you make an update your latest changes will syndicate across every internet listing service (ILS).

How to Increase Customer Accessibility

You can have an immensely positive impact on tenants when you make yourself easy to contact. While you can't always be there in person or even over the phone, the right technology ensures you never miss a beat.

Begin by using tools that minimize the space between you and your tenants. Given the choice, 73% of renters prefer to pay their rent online – a perfect opportunity for you to leverage tenant portals. Tenants can easily access property details and important paperwork and conveniently pay rent online. Tenant portals and apps also allow renters to quickly submit maintenance requests and communicate with their housing provider at any time. They also make it easy for your office to track requests in one place, ensuring you never miss a request.

In the event of an after-hours maintenance emergency, a portal may not be enough. With a 24-hour maintenance call centre, you alleviate most of the stress that comes with having to manage calls from tenants on your own. The call centre will be able to respond anytime your tenants have an emergency, saving your property from potentially catastrophic damage and showing renters that you have their best interests in mind.

How to Stand Out to Your Investors

Let's look at ways to attract new investors and deepen relationships with your current partnerships. In many ways, investors want the same 24-hour, self-service options that your renters have. Transparency builds trust,

and a few basic tools will provide investors the access and transparency they desire.

Investor portals work much like tenant portals. They conveniently allow you to export reports and provide instant access to information. Getting signatures and capturing information become less time-consuming when these details are housed on a secure, cloud-based and mobile-friendly platform.

Automated workflows simplify reporting and communication, making property information more accessible to your investors. Best of all, the right investment portals can seamlessly integrate with your property management software, so you never have to switch platforms and data is automatically shared between them.

How to Find the Best All-in-One Software For You

By embracing an all-in-one platform with corporate and property websites, automated workflows, advanced reporting, maintenance call centre, tenant and investor portals and more, you can streamline your entire business and make your tenants, staff and investors happy. And you can eliminate the stress of maintaining several third party integrations and third party vendor relationships by making sure all these capabilities are offered by a single software provider.

For more information on tech options that can support you in achieving these goals, please visit YardiBreeze.ca.





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ALBERTA RESIDENTIAL LANDLORD ASSOCIATION CODE OF ETHICS

PROFESSIONAL MEMBER 2023 & PREFERRED SERVICE MEMBER 2023

**The following Code of Ethics has been adopted by
Alberta Residential Landlord Association's (ARLA) Board
of Directors. Any breach of the Code of Ethics may result
in the suspension or termination of membership.**

It is the mandate that all ARLA Members be informed as to the developments and trends within the industry and render their services and opinions using their full training, qualifications, and experience. Part of our Associations duty is to always protect the public against fraud, misrepresentation, and unethical practices. ALRA Members withstand from seeking unfair advantages over and publicly criticizing the reputation of other industry members or the industry as a whole.

Public confidence in the professionalism and integrity of our Members is of the upmost importance which is necessary for the future credibility and success of the Alberta Residential Landlord Association. This Code of Ethics is not intended to describe the minimum expectation of permissible performance; rather, it describes the optimum performance the public has a right to expect and makes that performance the "norm" for Members of the Alberta Residential Landlord Association. The demand for high standards of professional conduct protects the interests and the rights of the Members within the Association, its clients, and customers. As such, the Code is and will continue to be a demanding document; a plan for professionalism, capable of including and accommodating every change, challenge and controversy which arises.

1. Members shall, at all times, conduct their business and personal activities with the knowledge of and in compliance with applicable Federal, Provincial and Municipal laws and regulations and shall maintain the highest moral and ethical standards.
2. Members shall act in a professional manner and treat all stakeholders with respect, fairness and in kind.
3. Members shall, strive to maintain and continually improve the professional standards of the industry through education, training, and refinement of their unique skills.
4. Members shall, seek to maintain an equitable, honourable, and cooperative relationship with fellow Members.
5. Members must use moral and ethical judgment in all decisions and act honestly and in good faith.

Screen Tenants Like A Pro: A Landlord's Checklist



1 Pre-screen applicants to make sure they meet your basic criteria

- ☐ Define your baseline requirements for an ideal tenant (e.g., budget, move-in date, etc.).
- ☐ Ask the potential tenant to complete a rental application.
- ☐ Request written consent to perform a credit check and criminal check if needed. Don't reinvent the wheel: use the written content provided by your local law enforcement.

Pro Tip: Become familiar with tenant screening laws prohibiting landlords from asking tenants certain questions.

2 Conduct a thorough background and criminal record check

- ☐ Collect a photocopy of the applicant's government-issued photo ID.
- ☐ Consider using a third-party service like SingleKey to get a comprehensive background report.
- ☐ Obtain a formal criminal record check if it's necessary to protect your residents' and/or your personal safety.

Pro Tip: Many landlords overlook this step, but it's critical to verify the identity of your potential tenant!

3 Run a detailed credit check

- ☐ Ensure you've collected the necessary information from your applicant to run the credit check (e.g., written consent, full name, date of birth, current address, etc.).
- ☐ Use a trusted credit reporting agency like Equifax or a credible third-party service.
- ☐ Cross-reference information found on the credit check, such as home address and previous employer, with the information provided on the tenant's application form.

Pro Tip: It's essential to check this information from a valid source so that you're confident you have an accurate profile of your potential tenant.

4 Verify income and employment

- ☐ Conduct an online search to find the applicant's employer's contact information.
- ☐ Use this contact information to confirm the person's:
 - Role/title
 - Income (specific amount if provided)
 - Length of employment
 - If they are in good standing with their employer

Pro Tip: Use the contact that you find online, rather than the information supplied by the applicant, to verify employer and income details.

5 Review their rental history

- ☐ Complete a landlord reference check by contacting the applicant's current landlord and at least two of their previous landlords.
- ☐ Ask the applicant about the current method they use to pay their rent (e.g., cheque, e-transfer, etc.).
- ☐ Request rental payment receipts, and in cases of e-transfers, review:
 - Who the e-transfer was sent to
 - The amount of each payment
 - Frequency of payments
 - If the payment was made on time
 - Which bank was used

Pro Tip: Whenever possible, contact multiple landlords to assess a tenant's character objectively.

NOTES:

In all communications with the prospective tenant, collect as much information as you can to fact check. Our pro tip: "trust but verify."





FIRE SAFETY FOR APARTMENT OWNERS AND OPERATORS

BY CHRISTINA STOCKDALE

Whether your building is a four storey walk-up or a high rise tower, there are some important things to remember to keep your tenants and building safe in the event of a fire. One of the first things is to ensure your building has a fire safety plan. The National Fire Code - Alberta Edition states that any building with a fire alarm system is required to have one. This plan needs to be reviewed annually by supervisory staff. Email fireprevention@edmonton.ca for more information on how to create your own.

Maintenance of fire safety systems is the responsibility of the building owner/operator and must be completed as per the National Fire Code - Alberta Edition. Fire alarm systems, sprinkler systems, fire extinguishers, fire hydrants, exit lights, etc. must be maintained in operating condition. Records of this maintenance must be kept for at least two years and must be made available to the authority having jurisdiction, or the Fire Inspector, upon request.

Maintenance of corridors, doors, and stairwells are all part of the egress path, or ways out of the building, for tenants and visitors. Corridors and stairwells must be kept clear of obstructions and debris. Doors in the egress path must be easily opened and cannot be locked. Any fire or separation doors must automatically swing shut and latch. These doors must never be propped open, unless with an approved hold open device that releases upon activation of the fire alarm system. Examples of this type of door are stairwell, laundry room, or hallway doors. Boiler, electrical, and utility room doors should remain closed at all times. Egress paths must also be clear of snow and ice accumulation. All exit doors must be tested monthly.

Emergency information must be posted throughout the building. A floor plan showing exit routes must be posted on each floor as well as the procedures to follow. Signs indicating that elevators cannot be used in the event of fire must also be posted. In addition, signs are required near pull stations if the fire alarm system does not automatically notify the fire department. These signs should include the phone number to call

- i.e., 9-1-1. A map of the building should be posted near the front entry to identify the location of the fire alarm panel, sprinkler room, electrical room, exits, etc. for firefighter use.

Combustibles, or things that can burn, should not be allowed to accumulate, especially in electrical rooms or under stairs. Only designated storage rooms should be used. Laundry room dryer vents and piping should be cleaned regularly to prevent the build-up of combustible lint. Furniture, plants, and other items that can burn should not be used to decorate hallways or stair landings. If smoking is allowed in the building, ensure tenants and visitors are instructed on the proper disposal of smoking materials. It is recommended to provide deep, noncombustible ashtrays on balconies and any other areas where smoking is permitted. Many preventable fires are started by the inappropriate disposal of smoking materials, for example, in planter pots. Planter pots are usually filled with organic materials that can smoulder for days before igniting.

Only propane barbecues are permitted to be used on apartment balconies. Charcoal or other solid fuel barbecues are not allowed as per the National Fire Code - Alberta Edition. Propane tanks can be carried through the building to be taken immediately outdoors where they are to be stored. No propane, propane-powered equipment, gasoline, or gasoline-powered equipment may be stored inside. Gasoline and equipment is permitted to be stored in parkades. Propane should never be stored inside a building.

Fire department access to the building must be maintained. Emergency access routes should be identified and parking not allowed in those areas. Access to fire hydrants and fire department connections on the property must be maintained as well. Ensure the address is visible at the primary

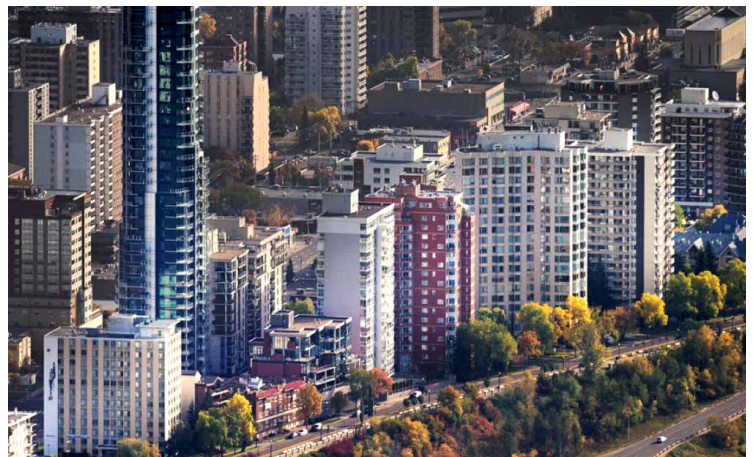
entrance of the building.

A fire department key box must be provided with keys for the main door, fire alarm panel, sprinkler room, and any other space housing firefighting equipment. For high rise buildings, a second key box is required to be mounted either in the elevator lobby or CACF (central alarm and control facility) room and contain two sets of interior keys.

Fire drills should be conducted regularly to ensure the safe evacuation of all residents in the event of an emergency. The procedure for conducting fire drills is determined by the person in charge of the building, taking into account things like the desirable degree of participation of occupants other than staff, and the specific safety features of the building (particularly for high rise buildings). High rise buildings are required to conduct a fire drill or table top discussion with supervisory staff every two months. The discussions are intended to discuss emergency procedures and any changes to these. In other words, a drill doesn't mean that every occupant of a building needs to evacuate.

In addition, high rise buildings have some unique features such as generators, ventilation, smoke control, crossover floors, fuel tanks, containment, and placarding. Please contact the Fire Prevention office for more information or assistance.

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780-421-4200 cvg@canadianvaluation.com

Davey Tree Expert Company of Canada

780-433-8733 kevin.cassells@davey.com

Delnor Restoration Services Ltd.

780-929-4004 leannes@delnorrestoration.ca

Done Rite Fire Protection Inc.

780-455-0255 info@doneritefireprotection.com

Dryer Vent Scrubbing Summit Fireplaces

780-819-4527 dryerventscrubbing@gmail.com

DSC Construction Inc.

780-459-0931 nishal@dsc-construction.ca

Ecopest Inc.

780-448-2661 sameer@ecopest.ca

Edmonton Eviction Services

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Elements Roof Management Consulting

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Encor by EPCOR

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Enercare Home and Commercial Services

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Entrata Inc.

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Entuitive

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First General Edmonton

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First Onsite Restoration

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Garland Canada Inc.

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GlobalTech Group Ltd.

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HKS Security Group

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Home Depot Pro

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Hydro-Flo Plumbing and Heating Ltd.

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Infinite Plumbing Heating & Drain

780-782-4441 infiniteplumbing@live.com

Island Cleaning Co

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IVIS Inc.

780-476-2626 ap@ivisinc.com

Jayson Global Roofing Inc.

780-438-0331 ap@jaysonglobal.com

Karlen-Kada Integration Inc.

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Kone Elevators

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Lydale Construction (Edmonton) Ltd.

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Major Pest Control

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Maysfield Appliance Repair Ltd.

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Mi Property Portal

416-206-2240 jahangir@mipropertyportal.com

Mid-City Construction Management Inc.

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Mosaic Home Services Ltd.

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Nationwide Restorations

587-377-0266 diane@nationwiderestorations.ca

NB Benny's Contracting Ltd.

780-660-2888 rebekah@nbbennys.com

Off The Ledge Inc.

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On Side Restoration

604-293-1596 nbigger@onside.ca

Orkin/PCO Services Corp.

780-483-3070 tbarracough@orkincanada.com

OSCO Mudjacking & Shotcreting Ltd.

780-469-1234 accounts@oscomudjacking.com

Paneless Property Services

780-707-8385 contact@panelesswindow.com

Paul Davis Restoration

780-454-4047 Ryan.Bubenko@pauldavis.com

Peak Sewer & Underground Services Ltd.

780-918-6696 brad@peaksewer.ca

Pop-A-Lock

587-672-5625 info@frontlinedefense.com

PPS Building Services

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Propra

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PURE Restoration

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Rahall Electric Ltd.

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Ram Mechanical Inc

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Rapid Response Industrial Group Ltd.

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Soncur Contracting Ltd.

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Strata Electrical Contracting Inc.

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Treasures Insurance & Risk Management Inc.

780-452-4405 Terry.funk@excelrisk.ca

Tree of Knowledge (TOK) Engineering Ltd.

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Tru North Restoration

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Trusty Tree Services

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W.E. Greer Ltd.

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Waste Connections of Canada

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Wisteria Homes Inc.

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World Floorcoverings

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Yardi Canada Ltd.

1-800-866-1144 Jasmin.rodas@yardi.com

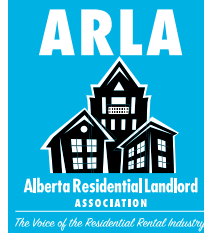
Yegtweetup Inc.

780-722-7654 info@yegtweetup.ca

Z Williams Electric

780-686-2226 zwilliamselectric@gmail.com

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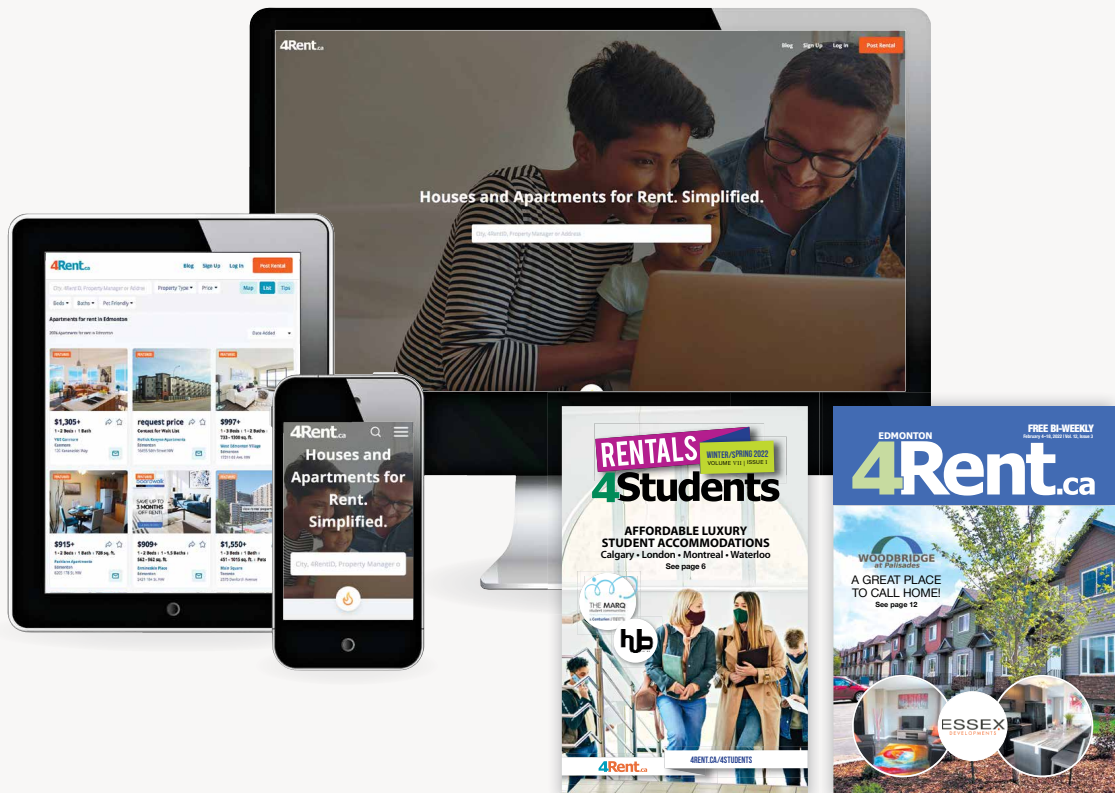


The Alberta Residential Landlord Association (ARLA) carries all the necessary Residential Landlord Forms that Rental Housing providers need for conducting their business.

Documents can be purchased online through ARLA's website or directly from the office during regular business hours.

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