



Province of Alberta

## ALBERTA HOUSING ACT

# RENT SUPPLEMENT REGULATION

### **Alberta Regulation 75/1995**

With amendments up to and including Alberta Regulation 84/2021

Current as of May 1, 2021

### Office Consolidation

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(Consolidated up to 84/2021)

**ALBERTA REGULATION 75/95**  
**Alberta Housing Act**  
**RENT SUPPLEMENT REGULATION**

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**Interpretation and application**

**1(1)** In this Regulation,

(a) "Act" means the *Alberta Housing Act*;

- (b) repealed AR 84/2021 s2;
- (c) “household” means a household within the meaning of the *Social Housing Accommodation Regulation* (AR 244/94);
- (d) “management body” means a management body that is established under the Act and whose purposes include providing rent supplement housing accommodation;
- (e) “operating agreement” means an operating agreement referred to in section 5;
- (f) “rent supplement housing accommodation” means rent supplement housing accommodation applied for or provided under this Regulation;
- (g) “suitable and adequate” with respect to rent supplement housing accommodation means suitable and adequate as determined under the *Social Housing Accommodation Regulation* (AR 244/94).

(2) The Minister may exempt persons and housing accommodation from the application of any of the provisions of this Regulation, subject to any terms and conditions the Minister considers appropriate.

AR 75/95 s1;84/2021

## **Part 1 Rent Supplement Housing Accommodation**

**2, 3** Repealed AR 84/2021 s3.

### **Landlord’s application**

**4(1)** A person who owns housing accommodation, or that person’s authorized agent, may apply to a management body in a form acceptable to the Minister to become a landlord for the purposes of this Regulation.

**(2)** A management body and a corporation or other organization that is owned or controlled by a management body are not eligible to be landlords for the purposes of this Regulation in respect of housing accommodation that is operated or administered by the management body.

**(3)** A management body that receives an application under subsection (1) and has available funding that could be assigned to the type of housing accommodation for which application is made shall

- (a) inspect the housing accommodation described in the application to determine its suitability to be used as rent supplement housing accommodation in accordance with the guidelines established by the Minister, and
- (b) complete an evaluation of the housing accommodation in a form acceptable to the Minister.

**(4)** If the management body determines that the housing accommodation is suitable under subsection (3), it may approve the housing accommodation for use as rent supplement housing accommodation.

### **Operating agreement**

#### **5(1)** Where

- (a) a management body has approved housing accommodation under section 4,
- (b) a household has made application to the management body for social housing accommodation under the *Social Housing Accommodation Regulation* (AR 244/94),
- (c) the management body has determined that the housing accommodation is suitable and adequate for the household referred to in clause (b), and
- (d) the management body has funding that may be assigned to that housing accommodation,

the management body and the landlord of the housing accommodation may enter into an operating agreement respecting the use of that housing accommodation to provide rent supplement housing accommodation.

**(2)** The form and content of the operating agreement shall be determined by the Minister.

**(3)** No term of the operating agreement may be changed or omitted in any way by either of the parties to the agreement unless agreed to in writing by the Minister.

AR 75/95 s5;114/96

### **Management body's obligations**

**6** During the term of an operating agreement the management body shall

- (a) periodically inspect and evaluate the housing accommodation in the manner described in section 4(3),

- (b) ensure that the landlord is made aware of his duties and obligations relative to the provision of housing accommodation under the Act, and
- (c) evaluate and be satisfied as to the landlord's ability to meet his obligations under the operating agreement and this Regulation before renewing the operating agreement with the landlord.

#### **Application to landlord**

**7(1)** In addition to the application for housing accommodation made by a household to a management body under the *Social Housing Accommodation Regulation* (AR 244/94), a landlord may require a household to submit to the landlord an application for rent supplement housing accommodation under this Regulation.

**(2)** A landlord must provide a household that makes application with a reasonable opportunity to inspect the rent supplement housing accommodation prior to entering into any form of tenancy agreement.

**(3)** A landlord may not impose eligibility requirements for tenancy in rent supplement housing accommodation owned by the landlord that are inconsistent with the selection criteria of the management body.

AR 75/94 s7;144/2017

## **Part 2 Direct Rent Supplements**

#### **Rent supplement**

**8** A management body shall pay to a landlord with whom it has entered into an operating agreement rent supplements in the manner, at the times and in the amounts set out in the operating agreement if the management body is satisfied that the landlord is in compliance with the Act, the operating agreement, this Regulation and the *Social Housing Accommodation Regulation* (AR 244/94).

AR 75/95 s8;84/2021

**Assistance to management bodies**

**8.1(1)** The Minister may determine and allocate financial assistance to management bodies to be used to pay direct rent supplements to households under this Part.

**(2)** The Minister may determine how management bodies must allocate the financial assistance allocated to them under subsection (1) to categories of households.

AR 157/2007 s3;84/2021

**Application and eligibility for direct rent supplements**

**8.2(1)** A household may apply to a management body for direct rent supplements by making an application under section 2 of the *Social Housing Accommodation Regulation* (AR 244/94) for social housing accommodation.

**(2)** A household is eligible for direct rent supplements if the household meets

(a) the eligibility requirements for community housing accommodation under section 9(2) of the *Social Housing Accommodation Regulation* (AR 244/94), and

(b) any additional requirements that the Minister may set.

AR 157/2007 s3;84/2021

**Priority of need**

**8.3(1)** After determining a household's eligibility for direct rent supplements, a management body must determine the priority of need of the household for direct rent supplements in accordance with a method approved by the Minister.

**(2)** The management body may require a household to provide any information necessary to determine the priority of need for the household.

AR 157/2007 s3;84/2021

**Allocation of direct rent supplements**

**8.4** A management body must allocate direct rent supplements to households on the basis of

(a) the priority of need determined in accordance with section 8.3, and

(b) any allocation of financial assistance to categories of households under section 8.1(2).

AR 157/2007 s3;84/2021

**Income verification**

**8.5** A management body must verify the total annual income of a household in accordance with the *Social Housing Accommodation Regulation* (AR 244/94)

- (a) before the management body allocates direct rent supplements to the household, and
- (b) at least once each year while the management body is paying direct rent supplements to the household.

AR 157/2007 s3;84/2021

**Method for determining quantity and duration of rent supplements**

**8.51** The Minister may set the method for determining the quantity and duration of direct rent supplements.

AR 84/2021 s11

**Direct rent supplement agreement**

**8.6(1)** Where

- (a) a household has made an application under section 8.2 to a management body,
- (b) the management body has determined that the household is eligible for and should be allocated direct rent supplements, and
- (c) the management body has sufficient funds allocated to it by the Minister to allocate direct rent supplements to the household,

the management body and the household may enter into a direct rent supplement agreement under which the management body will pay direct rent supplements to the household.

**(2)** The form and content of the direct rent supplement agreement shall be determined by the management body and approved by the Minister.

**(3)** No term of the direct rent supplement agreement may be changed or omitted in any way by either of the parties to the agreement unless agreed to in writing by the Minister.

**(4)** If the Minister has set a method for determining the quantity and duration of direct rent supplements under section 8.51 that is applicable to the household entering into a direct rent supplement agreement under this section, the direct rent supplement agreement

must set out the quantity and duration of direct rent supplements as determined in accordance with that method.

AR 157/2007 s3;84/2021

#### **Direct rent supplements**

**8.7** A management body shall pay to a household with whom it has entered into a direct rent supplement agreement direct rent supplements in the manner, at the times and in the amounts set out in the agreement if the management body is satisfied that the household is in compliance with the agreement.

AR 157/2007 s3

**9** Repealed AR 114/96 s5.

### **Part 3 General**

**10** Repealed AR 144/2017 s3.

#### **Expiry**

**10.1** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 1, 2033.

AR 84/2021 s13

#### **Coming into force**

**11** This Regulation comes into force on May 1, 1995.

**12** Repealed AR 144/2017 s4.







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