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3rd SESSION, 67th GENERAL ASSEMBLY
Province of Prince Edward Island
5 CHARLES III, 2026

(Bill No. 55)

An Act to Amend the Residential Tenancy Act

Hon. Robin Croucher
Minister of Education and Early Years

GOVERNMENT BILL

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Acting King's Printer
Charlottetown, Prince Edward Island

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Prince Edward Island
Legislative Assembly

AMENDMENTS

ASSEMBLY / SESSION / YEAR
67th General Assembly / 3rd / 2026

BILL NUMBER: **55**

TITLE: **An Act to Amend the Residential Tenancy Act**

#	SECTION	AMENDMENT	DATE

NOTED:

_____
COMMITTEE CLERK

CERTIFIED CORRECT:

_____
CHAIR, IN COMMITTEE

AN ACT TO AMEND THE RESIDENTIAL TENANCY ACT

BILL NO. 55 **2026**

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. Section 1 of the *Residential Tenancy Act* R.S.P.E.I. 1988, Cap. R-13.11, is amended

(a) in clause (e), by the deletion of the words "and, in relation to a power, duty or function of the Director given to a person referred to in subsection 7(3) or delegated to a person retained under that section, includes that person**";**

(b) by the addition of the following after clause (h):

(h.1) "**Minister**" means the member of the Executive Council designated by the Lieutenant Governor in Council as the Minister responsible for this Act;

2. (1) Subsection 7(1) of the Act is repealed and the following substituted:

7. Ministerial authority

(1) The Minister is responsible for the administration of this Act.

Appointment of Director

(1.1) The Minister may appoint a person who is a member in good standing of the Law Society of Prince Edward Island as the Director of Residential Tenancy.

(2) Clause 7(2)(a) of the Act is amended by the deletion of the words "and persons retained**".**

(3) Section 7 of the Act is amended by the addition of the following after subsection (2):

Annual report

(2.1) The Director shall, within six months after the end of the fiscal year, prepare and submit to the Minister an annual report respecting the work of the Director's office during that fiscal year.

Tabling

(2.2) The Minister shall lay a copy of the annual report before the Legislative Assembly within 15 days after receiving it or, if the Legislative Assembly is not then sitting, within 15 days after the start of the next sitting.

(4) Subsection 7(3) of the Act is repealed.

3. Subsection 8(1) of the Act is amended by the deletion of the words "and persons employed, engaged or retained under subsection 7(3)**" and substitution of the words "**and staff**".**

4. Subsection 40(1) of the Act is amended by the deletion of the words "within 15 days**" and substitution of the words "**within 15 days after the later of the date the tenancy ends or is assigned and the date the landlord receives a forwarding address**".**

5. (1) Subsection 43(3) of the Act is repealed and the following substituted:

Exception

(3) This section does not apply

(a) where a landlord and tenant have made an agreement in writing with respect to storage of the tenant's personal property;

(b) to unsanitary items, garbage or waste; or

(c) to compostable materials or recyclable materials that have a monetary value of less than $100.

(2) Clause 43(5)(a) of the Act is amended by the addition of the words "on request**" after the word "**Director**".**

(3) Subsection 43(6) of the Act is amended by the addition of the words "sell or otherwise**" before the word "**dispose**".**

(4) Subsection 43(7) of the Act is amended by the addition of the words "and without notice to the tenant,**" after the words "**under section 75**".**

(5) Section 43 of the Act is amended by the addition of the following after subsection (7):

Effective date of authorization

(7.1) The authorization of the Director referred to in subsection (7) takes effect as specified in it.

Authorization not subject to appeal

(7.2) The authorization of the Director under subsection (7) is not subject to appeal under section 89.

(6) Subsection 43(9) of the Act is amended by the deletion of the words "personal property**" and substitution of the words "**personal property that has been inventoried under clause 43(5)(a) and**".**

(7) Subsection 43(11) of the Act is amended by the addition of the words "or otherwise dispose of**" after the words "**may sell**".**

6. Clause 49(2)(b) of the Act is amended by the deletion of the words "by the Commission**".**

7. Subsection 50(7) of the Act is amended by the deletion of the word "Where**" and the substitution of the words "**Other than an increase approved by the Director pursuant to subsection (5), where**".**

8. Subsection 69(3) of the Act is amended by the deletion of the words "section 70**" and the substitution of the words "**sections 70, 71 and 72**".**

9. Subsection 70(3) of the Act is amended by the deletion of the words "the lesser of**" and substitution of the words "**the greater of**".**

10. (1) Section 71 of the Act is amended by renumbering it as subsection 71(1).

(2) Section 71 of the Act is amended by the addition of the following after subsection (1):

Mobile home

(2) Where a notice of termination of a tenancy is given under section 64 with respect to a tenancy agreement between the landlord and a tenant who owns a mobile home and the tenant is entitled to compensation under subsection (1), the amount of the compensation shall be equal to the greater of

(a) one year's rent; and

(b) the amount specified in the regulations.

11. (1) Subsection 89(1) of the Act is repealed and the following substituted:

89. Appeals

(1) Subject to subsection (2), a party may make an appeal to the Commission in the form required by the Commission where the party's appeal is in respect of

(a) an order of the Director under section 86; or

(b) where the party has appeared or been represented at a hearing before the Director, the decision or order of the Director on that hearing.

(2) Subsection 89(8) of the Act is repealed and the following substituted:

Grounds of appeal

(8) A decision or order of the Director may be reviewed only on one or more of the following grounds:

(a) a party has new and relevant evidence that was not available at the time the Director made the decision or order;

(b) a member of the Director's staff made a procedural error that materially affected the Director's decision or order;

(c) a technical irregularity or error occurred that materially affected the Director's decision or order;

(d) a party has evidence that the Director's decision or order was obtained by fraud;

(e) in deciding the matter, the Director did not determine an issue that the Director was required to determine;

(f) in deciding the matter, the Director determined an issue that the Director did not have jurisdiction to determine;

(g) where the Director has issued an order without a hearing, under section 86 or 95.

12. Clause 95(d) of the Act is amended by the deletion of the words "Director reconsider**" and substitution of the words "**Commission review**".**

13. This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

EXPLANATORY NOTES

SECTION 1 amends section 1 of the *Residential Tenancy Act* R.S.P.E.I. 1988, Cap. R-13.11, to add a new definition of "Minister" and to update the definition of "Director".

SECTION 2 repeals subsection 7(1) of the Act and substitutes new subsections 7(1) and (1.1) that provide that the Minister is responsible for the administration of the Act and that the Minister may appoint a person who is a member in good standing of the Law Society of Prince Edward Island as the Director of Residential Tenancy. The section also adds a new subsection 7(2.1) to the Act that provides that the Director shall prepare and submit an annual report to the Minister for tabling in the Legislative Assembly. The section also repeals subsection 7(3).

SECTION 3 amends subsection 8(1) of the Act to remove a reference to persons retained under subsection 7(3), which has been repealed.

SECTION 4 amends subsection 40(1) of the Act to increase the time within which a landlord is required either to return a security deposit or apply to the Director from within 15 days to within 30 days.

SECTION 5 repeals subsection 43(3) of the Act and substitutes a new subsection (3) that sets out additional exceptions to the requirement for a landlord to store personal property that has been abandoned by a tenant. The section also amends clause 43(5)(a) of the Act to provide that the landlord shall provide a copy of the inventory of the personal property to the Director only on request. The section amends subsection 43(7) of the Act to clarify that the Director may make an authorization under that subsection without notice to the tenant who has abandoned the personal property, and adds a new subsection (7.1) to the Act, to provide that the authorization takes effect as specified in it, and a new subsection (7.2) to the Act to clarify that the Director's authorization is not subject to appeal under section 89 of the Act. Finally, the section amends subsection 43(11) of the Act to clarify that "sell" includes otherwise disposing of the personal property.

SECTION 6 amends clause 49(2)(b) of the Act to clarify that it is the Director who calculates the average percentage change from year to year in the All-Items Consumer Price Index for Prince Edward Island under that clause.

SECTION 7 amends subsection 50(7) of the Act to clarify that where the Director has approved a rent increase under subsection 50(5) of the Act, that increase is not subject to the 3 per cent maximum for the calendar year.

SECTION 8 amends subsection 69(3) of the Act to clarify that a notice of termination under subsection 69(3) does not affect a tenant's right to compensation under sections 71 and 72 as well as section 70 of the Act.

SECTION 9 amends subsection 70(3) of the Act to change the words "the lesser of" to "the greater of", for consistency with section 71 of the Act.

SECTION 10 amends section 71 of the Act by renumbering it as subsection 71(1) and adding a new subsection 71(2) to the Act to clarify the compensation available to a tenant who owns a mobile home and is entitled to compensation for a notice of termination received pursuant to section 64 of the Act.

SECTION 11 repeals section 89(1) of the Act and substitutes a new subsection 89(1) of the Act to provide that only a party who has appeared or been represented at a hearing before the Director is permitted to appeal the decision or order of the Director to the Commission. The section also repeals subsection 89(8) of the Act and substitutes a new subsection 89(8) that sets out the grounds for an appeal.

SECTION 12 amends clause 95(d) of the Act to provide the person a right to have the Commission review the imposition of an administrative monetary penalty, rather than a reconsideration by the Director.

SECTION 13 provides for the commencement of this Act.

(Bill No. 55)

An Act to Amend the Residential Tenancy Act

STAGE:	***DATE:***
1st Reading:	November 17, 2026
2nd Reading:	
To Committee:	
Reported:	
3rd Reading and Pass:	
Assent:	

SIGNATURES:

Honourable Dr. Wassim Salamoun, Lieutenant Governor

Honourable Brad Trivers, Speaker

Joseph Jeffrey, Clerk

Hon. Robin Croucher
Minister of Education and Early Years

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