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CONSULTATION DRAFT

**AN ACT TO AMEND THE RENTAL OF RESIDENTIAL PROPERTY ACT**

**BILL NO.**

**2022**

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

**1. The *Rental of Residential Property Act* R.S.P.E.I. 1988, Cap. R-13.1 is amended by the addition of the following after section 22:**

**22.1 Second notice of rent increase, 2023**

If a lessor has

- (a) before the coming into force of this section, given notice under section 22 for a rent increase with an effective date on or after January 1, 2023 and before January 1, 2024, and
- (b) included in the notice a rent increase in an amount calculated in accordance with the order of the Commission dated September 20, 2022, and published in the Gazette before the coming into force of this section,

the lessor shall give a second notice, before the effective date of the rent increase in the notice described in clause (a), of the rent increase in the applicable amount calculated in accordance with subsection 23(1.1).

**2. (1) Subsection 23(1) of the Act is amended by the deletion of the word “Except” and the substitution of the words “Subject to subsection (1.1), except”.**

**(2) Section 23 of the Act is amended by the addition of the following after subsection (1):**

**Increase for 2023**

**(1.1)** Notwithstanding the order of the Commission establishing the annual prescribed percentage rent increase for 2023 published in the Gazette, the amount of any rent increase between January 1, 2023 and December 31, 2023 shall not exceed:

- (a) 0% for all unheated premises, premises heated by sources other than furnace oil, and mobile home sites located in a mobile home park; and

- (b) 1% for all premises heated with furnace oil.
- (2) **Subsections 23(3) and (4) of the Act are amended by the deletion of the words “subsection (1)” and the substitution of the words “subsection (1) or (1.1)”.**

## EXPLANATORY NOTES

**SECTION 1** provides that if a lessor has already given notice for a rent increase with an effective date on or after January 1, 2023 and before January 1, 2024, and included in the notice a rent increase in an amount calculated in accordance with the existing order of the Island Regulatory and Appeals Commission, the lessor must give a second notice, before the effective date of the rent increase in the first notice, of the rent increase in the applicable amount calculated in accordance with new subsection 23(1.1).

**SECTION 2** provides that notwithstanding the existing order of the Commission establishing the annual prescribed percentage rent increase for 2023 the amount of any rent increase between January 1, 2023 and December 31, 2023 shall not exceed:

- (a) 0% for all unheated premises, premises heated by sources other than furnace oil, and mobile home sites located in a mobile home park; and
- (b) 1% for all premises heated with furnace oil.