PEI Rental Registry

FINAL REPORT

PREPARED FOR: PROVINCE OF PEI | PREPARED BY: STANTEC CONSULTING LTD.
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November 22, 2024

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1.0 Introduction

The establishment of a rental registry has been a political issue in PEI since at least the beginning of 2020. In March 2022, the Provincial Government committed to fund a study to assess requirements to implement a registry. The Province engaged Stantec in July 2021, to study the issue of establishing a registry for the Island.

The *Rental of Residential Property Act* was repealed and replaced by the *Residential Tenancy Act* in April 2023 as work on this project concluded. Among the specifications for a tenancy agreement under the new Act is the requirement that it must include “the amount of rent that was charged, and the services and facilities that were provided, to the previous tenant of the rental unit, unless there was no previous tenant.”

2.0 Registry Background

The Provincial government can create a database to record residential rents in PEI easily enough. It can also create a website for posting the data online and allowing some degree of manipulation by the public. Information compiled, used, and disseminated by government must, however, meet a high standard. In addition to making sure data is secure, government must ensure that it is accurate and current. Decisions, furthermore, must be made concerning the range of rental property relationships that should be recorded, the data items that need to be collected and maintained, the means for data collection, and the access that should be provided to data for interested organizations and the public.

3.0 Comparable Platforms

An immediate consideration in assessing potential models for PEI’s Rental Registry is the purpose of the proposed database. The key reason for pressure to create a rental registry for the Island is to monitor adherence to rent controls. Rent controls are administered by the Province and the current expectation is that the Province will implement and manage a rental registry if it is deemed desirable. Only a few provincial or state governments in North America maintain registries related to rental properties. They are more often implemented at the municipal level, where the purpose is normally to monitor compliance with building and occupancy standards rather than rent control.

4.0 Consultation

The views of stakeholders are very important to the decision to implement a rental registry or not. The issue impacts landlords and tenants, who share some common ground but also have clear differences on the issue. Stantec interviewed a variety of landlords from a small landlord renting a single unit in the house he also occupies to the Island’s largest residential landholder. On the tenant side, we interviewed individuals advocating on behalf of tenants and working to locate tenants with special challenges. We have not been able, however, to identify representative current tenants for interviewing, notwithstanding they are numerous.

5.0 Summary and Conclusions

The recently adopted *Residential Tenancy Act* includes a provision not in the preceding Act requiring landlords to document on a new lease the rent paid and services received by the preceding tenant. The measure is a simple means to address the belief that some landlords have obscured or falsified this information in the past, which is the main concern that has given rise to the demand for a government-operated rental registry.

A rental registry can supplement the new measure by creating a public record against which this information can be verified. It can also be used to monitor rental increases relative to annually prescribed IRAC guidelines and provide detailed and specific data for assessing the PEI housing market. How far it should be developed for such secondary purposes is an open question. Decisions with respect to the role or roles of the registry will have critical implications for the data to be collected and the access that should be allowed to that data. It will also influence the cost of creating and maintaining the registry.

1.0 Introduction

The establishment of a rental registry has been a political issue in PEI since at least the beginning of 2020. In March 2021, the Provincial Government committed to fund a study to assess requirements to implement a registry.[1] The Province engaged Stantec in July 2021 to study the issue of establishing a registry for the Island.

1.1 Housing Issues in PEI

Prince Edward Island's housing market has been subject to considerable pressure for some time. Under the influence of accelerating population growth and growing interest from outside the province in the Island's traditionally low-priced housing market, home prices have escalated. While the rise in national home prices in recent years has been dramatic, the Island has seen even more pronounced increases.

According to the Canadian Real Estate Association, from January 2016 to October 2022, as Canadian house prices rose by 60.1%, prices in PEI increased by 122.4%. While the rise in PEI was less than in the national market from the beginning of 2020 when Canadian housing price increases accelerated to March 2022 when the national market hit its all-time high (46.4% increase in PEI v. 59.2% nation-wide), PEI prices have continued to rise. Since March 2022, the PEI market has risen another 7.5% as Canada-wide prices fell by 15.3%. Whereas the value of a house on the Island was just 35.5% of the national average at the beginning of 2016, it now stands at 49.3%. Furthermore, while the difference between PEI and the rest of Canada has been reduced considerably, the continuing gap is more than sufficient to sustain outside interest and encourage further home price increases on the Island.

As home prices have risen in PEI, rental accommodation has been under stress. Since 2016, the vacancy rate in the Charlottetown CA, which accounted for 62.2% of renter households in PEI according to the 2021 Census, has never exceeded 2.5%. Among similar urban centres in Canada with populations over 50,000 that, like Charlottetown, are not designated as census metropolitan areas, Charlottetown has generally ranked among the top five lowest vacancy rates. During the period, it usually had vacancy rates lower than most Census Metropolitan Areas (CMAs) including the country's three largest urban centres (Toronto, Montreal, and Vancouver) and the Atlantic Canadian CMAs listed in **Table 1-1**.

1 Stu Neatby, "P.E.I. social development minister announces plans for rental registry, apologizes for remarks about youth," *SaltWire*, March 3, 2021, https://www.saltwire.com/nova-scotia/news/pei-social-development-minister-announces-plans-for-rental-registry-apologizes-for-remarks-about-youth-559322/

Table 1-1 Vacancy Rates and Rents, Two-bedroom Apartments, Canada, Provinces and Select Urban Centres, 2019-2021

	October 2019			October 2020			October 2021		
Province*/ Urban Centre	**Vacancy Rate**	**Average 2-bdrm Rent**	**% of Canadian Average**	**Vacancy Rate**	**Average 2-bdrm Rent**	**% of Canadian Average**	**Vacancy Rate**	**Average 2-bdrm Rent**	**% of Canadian Average**
NL	7.0%	$880	81.7%	7.2%	$891	79.2%	3.4%	$926	79.3%
- St. John's CMA	6.9%	$966	89.7%	7.5%	$974	86.6%	3.1%	$1,026	87.9%
PE	**1.2%**	**$921**	**85.5%**	**2.6%**	**$959**	**85.2%**	**1.5%**	**$1,055**	**90.4%**
- Charlottetown CA	**1.2%**	**$937**	**87.0%**	**2.7%**	**$978**	**86.9%**	**1.6%**	**$1,088**	**93.2%**
NS	1.4%	$1,133	105.2%	2.1%	$1,183	105.2%	1.2%	$1,255	107.5%
- Halifax CMA	1.0%	$1,202	111.6%	1.9%	$1,255	111.6%	1.0%	$1,335	114.4%
NB	2.6%	$842	78.2%	3.1%	$892	79.3%	1.7%	$969	83.0%
- Moncton CMA	2.2%	$870	80.8%	2.8%	$949	84.4%	1.5%	$1,043	89.4%
- Saint John CMA	3.3%	$797	74.0%	3.1%	$825	73.3%	2.1%	$888	76.1%
QU	1.8%	$815	75.7%	2.5%	$856	76.1%	2.5%	$892	76.4%
- Montréal CMA	1.5%	$855	79.4%	2.7%	$903	80.3%	3.0%	$932	79.9%
ON	2.0%	$1,339	124.3%	3.2%	$1,408	125.2%	3.4%	$1,465	125.5%
- Toronto CMA	1.5%	$1,562	145.0%	3.4%	$1,635	145.3%	4.6%	$1,679	143.9%
MB	3.1%	$1,177	109.3%	3.8%	$1,215	108.0%	5.0%	$1,266	108.5%
SK	8.4%	$1,080	100.3%	7.1%	$1,104	98.1%	6.3%	$1,116	95.6%
AB	5.3%	$1,235	114.7%	7.2%	$1,249	111.0%	6.8%	$1,256	107.6%
BC	1.5%	$1,468	136.3%	2.4%	$1,515	134.7%	1.4%	$1,566	134.2%
- Vancouver CMA	1.1%	$1,748	162.3%	2.6%	$1,792	159.3%	1.2%	$1,824	156.3%
Canada, 10,000+	2.2%	$1,077	100.0%	3.2%	$1,125	100.0%	3.1%	$1,167	100.0%
Canada CMAs	2.0%	$1,113	103.3%	3.2%	$1,165	103.6%	3.2%	$1,206	103.3%

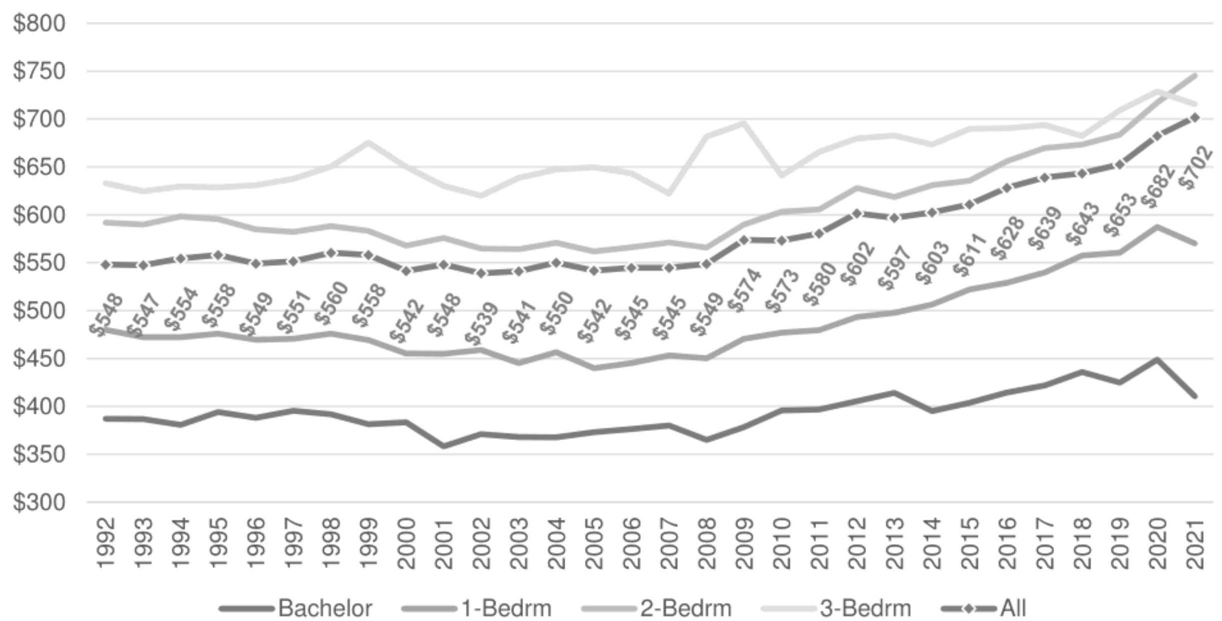
* Provincial communities with 10,000 or more population only

Source CMHC

In 2018, the Charlottetown CA had the lowest vacancy rate of any urban centre in Canada. In the three years since, vacancy rates in the region have remained significantly below national norms for CMAs, which are significantly larger centres, and communities with populations of more than 10,000 people. although the latest vacancy rate of 2.4% places the region 13th among the 25 non-CMA urban centres tracked by CMHC.

Apart from the difficulty of finding accommodation when vacancy rates are low, the constrained supply of units usually drives up rents. Although tenants in PEI are ostensibly protected by rent controls, which have been in place since 1992, rents on the Island have increased significantly. Despite a period of stability to 2008, 2021 rents in constant 2002 dollars, were 28.0% higher than in 1992 (**Figure 1-1**).

Figure 1-1 Average Rents, Constant 2002$, PEI, 1992-2021



Source Census of Canada

Although available data suggests that rents have not escalated to the degree that house prices have gone up, they have increased beyond the prescribed annual maximums because new units can be priced at market levels and rents can be raised for renovated or remodeled accommodations. The average of rents in all categories has increased steadily over the past decade. Rents in all categories have risen in real terms (i.e., constant dollars) every year except 2013 when they fell by 0.8%. In 2020, rents increased by 4.6% in real terms, which was the largest year-to-year increase in the thirty years since 1991. The increase of 2.9% in 2021 was the fifth highest in the period. The nominal increase in rents (i.e., including inflation) was 4.6% in 2020 but 8.1% in 2021. By comparison, the IRAC approved increases for heated premises, which are also in nominal terms, were 1.3% in 2020 and 1.0% for 2021.

Raising rents through renovation or remodeling has been particularly distressing for renters, because it has led to what many refer to as “renoviction,” through which landlords evict tenants and upgrade their units sufficiently to allow them to increase rents beyond the IRAC limits. Another source of concern has been the conversion of rental units for long-term residency into short-term rentals for visitors and tourists to which rent controls do not apply, which often displaces long-term tenants. The final factor that has given the strongest push to demand for a registry of rental property, though, is the belief that some landlords misreport or distort past rents in order to claim higher rent levels than they are entitled to. A key role of a rental registry would be to discourage this practice by creating an official record of year-to-year increases as they occur for each rented unit on the Island.

1.2 Rent Increases

The legislation governing residential property rental in PEI changed as work on this project concluded. The *Rental of Residential Property Act* was repealed and replaced by the *Residential Tenancy Act* in April 2023. The new legislation prescribes the content more tightly than before. An important change in the new Act is that all tenancy agreements must be in writing. A standard form of lease is available, although landlords have the latitude to prepare an alternative form that meets all the legislated requirements.

Among the specifications for an agreement under the new Act is the requirement that it must include “the amount of rent that was charged, and the services and facilities that were provided, to the previous tenant of the rental unit, unless there was no previous tenant,” which directly addresses the leading concern that gave rise to the desire of many to see the Province create a Rental Registry.

Like the previous Act, the new Act permits rents to be increased annually (i.e., no sooner than 12 months following any previous increase). Under the Act, a landlord must inform their tenant of an intended increase in writing three weeks in advance for weekly rentals and three months in advance for monthly rentals. The Province provides a Notice of Rent Increase form landlords must use to notify tenants of increases (**Appendix B**). Under the Section 50 of the new Act, the Director of Residential Tenancy (formerly the Director of Residential Rental Property) sets the allowable increase annually based on “written representations from landlords and tenants,” change in the All-Items Consumer Price Index in the preceding 12 months, and other factors specified in the regulations related to the Act. A landlord wishing to increase rent more than the approved limit must apply to the Director of Residential Tenancy and must notify the tenant within 10 days of filing the application. The application must include a record of the rents charged for the unit in the preceding three years and the Director is required by the Act to consider “the expectation of the tenant that rent increases will remain within the annual guideline.” Any increase beyond the guideline is limited to 3% in addition to the amount permitted by the guideline. An increase more than the 3% cap can be spread over multiple years. An exception is if the unit has become voluntarily vacant and the previous permitted increases had not been applied to the rent, the landlord can make an application to catch up.

If a landlord applies a rent that is not within the annual guideline or exceeds an increase beyond the guideline approved as described, the tenant may apply to recover the excess charge. Either party may appeal a decision of the Director to IRAC within 20 days. IRAC is obliged to hear any such appeal within 30 days of its filing. A decision of IRAC can be appealed to the PEI Supreme Court but only on matters of law. In addition to illustrating allowable rent increases approved by IRAC since 2006, **Figure 1-2** compares them with increases recorded for average rented units in PEI by CMHC over the same period.[2] From 2006 to 2020, IRAC has approved increases compounding to 41.2%, while rents for average apartments in PEI increased by 72.1%. Increases in average rents can be expected to exceed IRAC guidelines as new units added to the market are permitted to be rented at whatever price the market commands. Since 2016, average rents recorded by CMHC have risen much more rapidly than rates approved by IRAC, rising by 14.5%, while the Commission has approved an overall increase of just 6.7%.

For context, average annual renter household income recorded in PEI by Statistics Canada from 2006 to 2020, rose from $43,000 to $58,100 in constant 2020$ or by just 35.1%. The increase is, furthermore, exaggerated by a sudden 11.9% jump in 2020. From 2006 to 2019, average renter income grew by only 20.7%. Tenants, in short, are dealing with a tight market in which there is considerable upward pressure on rents with which their typical incomes have not kept pace.

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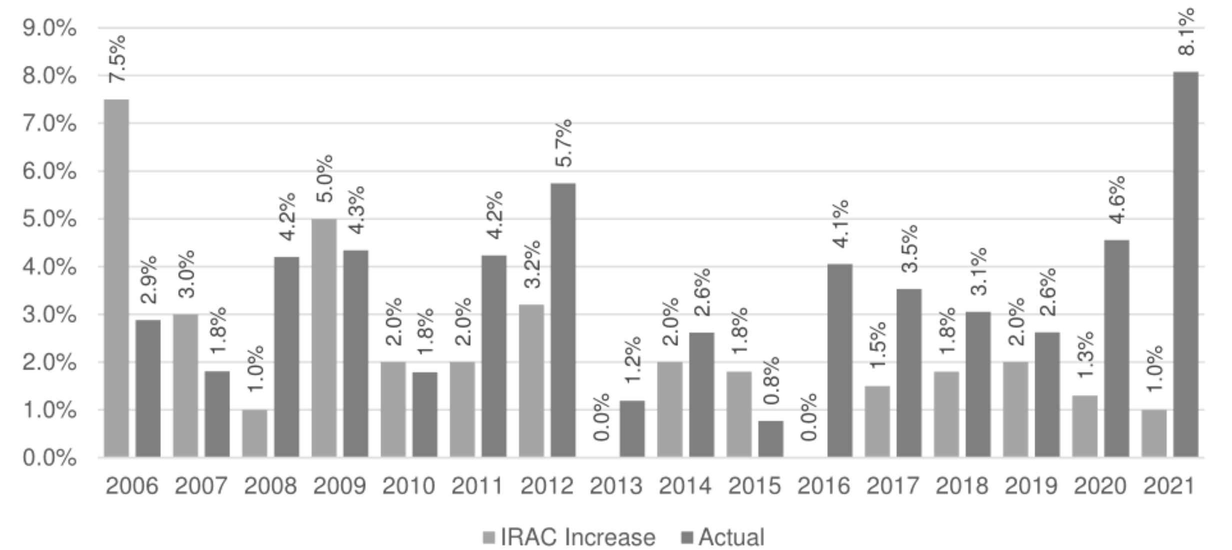
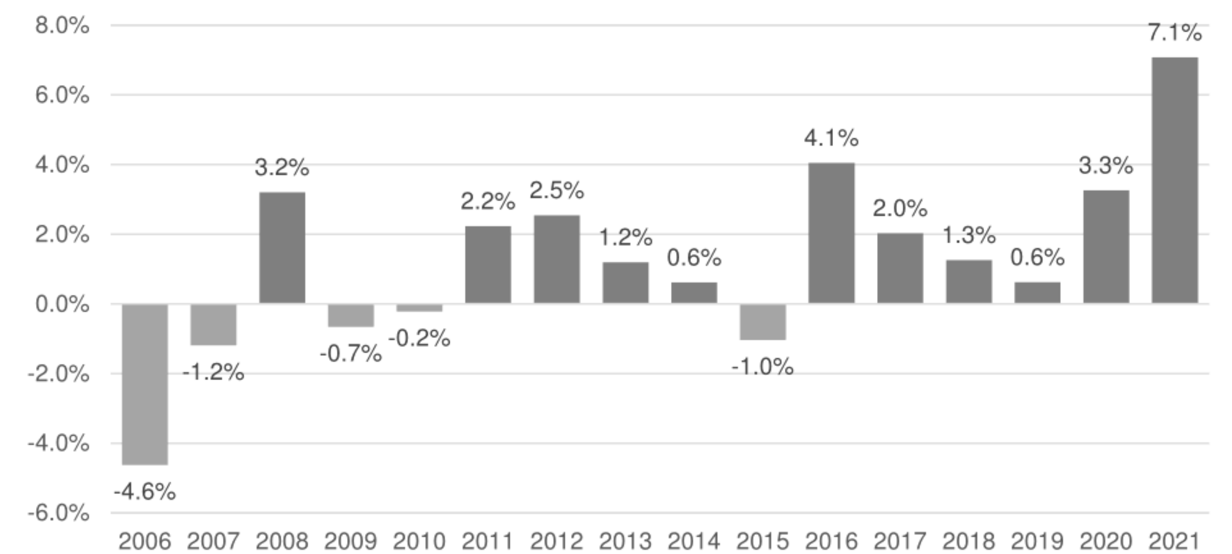
[2] Approved increases for 2006 through 2015, were sourced from IRAC, "Summary Report and Analysis: Allowable Percentage Rent Increase for 2016," September 18, 2015, p. 4. Increases permitted for 2017 through 2020 were obtained from IRAC,"2021 Maximum Allowable Rent Increase Summary," NOTICE - September 1, 2020, p.2. The average is the weighted average of rent bachelor, one-bedroom, two-bedroom, and three-bedroom units sampled on the Island.

Figure 1-2 IRAC Approved Rent Increases and Average Actual Rent Increases, PEI, 2006-2021



Differences Between IRAC Approved Increase and Actual Rent Increases



Source IRAC and CMHC

1.3 Benefits of a Rental Registry

Although, the desire for a rental registry has come from a belief among tenants and their advocates that some landlords deceive tenants concerning past rents, the creation of a rental database can serve other purposes. The basic requirements to establish a registry, whether it is a private or publicly accessible database, are straightforward. Some PEI tenant advocates anxious to see a registry formed an organization called My Old Apartment and have created a crowd-sourced registry through which current and former tenants can post the rents they paid or currently pay for dwelling units on the Island. While the site has been in place for at least four years, it currently has compiled information for only a small portion of rented dwelling units in the province. The basic structure of its database is however appropriate and contacts with My Old Apartment have told us that it has identified landlords who have overcharged tenants.

While the new *Residential Tenancy Act* requires landlords to provide the rent paid by the immediately preceding tenant of a rented unit, a Rental Registry would further limit the potential for landlords to deceive renters. A fully developed registry that recorded rents charged annually along with services provided for all residential rental units in PEI should also improve the data available to the Island Regulatory and Appeals Commission (IRAC) for setting annual allowable increases.

An ongoing, sensitive record of rental accommodations, furthermore, should facilitate monitoring of the rental market by the Province and its municipalities. While extensive housing data is collected by the Census of Canada and through regular surveys conducted by Canada Mortgage and Housing (CMHC), Census data is only available every five years no sooner than a year after the data is collected and CMHC data, while often issued monthly, is only broken down to the Charlottetown and Summerside Census Agglomeration level. Even for those two areas, data is limited in comparison to larger centres in other provinces. For other smaller centres on the Island, like Souris, Three Rivers, or Alberton, a provincial rental registry would provide data at a level that is not currently available for small town housing markets anywhere in Canada.

Better data could certainly enhance the understanding of government policy makers and, depending on its circulation, the public. Our own experience preparing the Charlottetown Region Growth Study and Housing Needs Assessment in 2021 to 2022 revealed considerable difficulty finding data on the municipalities of the Capital Region (i.e., the City of Charlottetown, and Towns of Cornwall and Stratford) and the challenge is unquestionably greater for smaller Island communities. Rental Registry data will, at the minimum, provide detailed data on rental properties, rents, and services. Expanding the scope of rental data recorded to include items such as building age and condition or expanding the database beyond rental property to cover all residential property would give the Province and the public finer grained data for monitoring and analyzing housing.

Data could also be useful to other Provincial agencies not directly concerned with housing affordability. Data on rents could enhance the ability of Provincial assessors to evaluate rental property for taxation. It could also be helpful to fire and emergency service providers at the provincial and local levels by providing statistical measures of rental units by type in communities and neighbourhoods, as well as useful profile information for individual units on emergency calls (e.g., the number of bedrooms, type of heating).

Depending on confidentiality issues and the willingness of the Province to allow access to the registry, data could meet important needs for the public. The Province could produce regular profiles of Island rental markets similar to CMHC but at a finer grain and, possibly, more frequently. An open database available to all interested parties could be a valuable resource to all participants in the rental market. Registry data would allow landlords to assess rents for properties similar to theirs and set their own rents at competitive levels. It would also allow prospective tenants to compare rents to determine if an available dwelling unit is in line with prevailing rents for the unit type or neighbourhood they may be considering or to find accommodations suited to their budget. It would, ideally, also show all vacant units giving apartment seekers an overview of the entire market and available opportunities to rent.

2.0 Registry Background

The creators of the online registry site My Old Apartment developed their platform quickly with a modest effort and suggested the government could do the same. Certainly, the Provincial government can create a database to record residential rents in PEI easily enough. Information compiled, used, and disseminated by government must, however, meet a high standard. In addition to making sure data is secure, government must ensure it is comprehensive, accurate, and current. Decisions, furthermore, must be made concerning the range of rental property relationships that should be recorded, the data items that need to be collected and maintained, the means for data collection, and the access that should be provided to data for interested organizations and the public. They are also interrelated and, with respect to the last factor, must be considered in the context of competing interests of privacy and the public's right to know.

Stantec visited the My Old Apartment Rentals Map on several occasions in the course of conducting this study. On our last check in November 2024 the downloadable database available from showed 1,135 units, which represents just 5.7% of 19,990 renter households in PEI recorded by the 2021 Census of Canada, although the number of units recorded on the site has increased moderately over time based on several checks of the site by Stantec. We were unable to access the site on one check we did on June 25, 2024. A later posting on the My Old Apartment Facebook page stated the "website was attacked by malware [and a]ll the content was erased."[3]

2.1 Rental Accommodation

PEI's *Residential Tenancy Act* covers all "tenancies of rental units." The Act exempts only tourist accommodations contracted for less than two months and various types of institutional accommodations such as prisons; hospitals and nursing homes; residences associated with educational institutions; temporary shelters and similar facilities provided for those in need by government, religious, and non-profit organizations; as well as accommodation of members or shareholders in co-operative housing.

While residential premises can presumably include houseboats, sailing vessels, RVs and other accommodations that are not necessarily fixed to land nearly all residential premises rented in PEI are fixed to the ground and constitute all or part of a residential structure or, less frequently, a mixed use-structure containing residential premises with other land uses, most often commercial space. Generally, residential premises of this common type qualify as what the Census of Canada defines as "dwelling units." Statistics Canada, which compiles dwelling unit counts as part of each census, applies the following definition:

[3] My Old Apartment, https://www.facebook.com/ApartmentOld/, accessed September 2024.

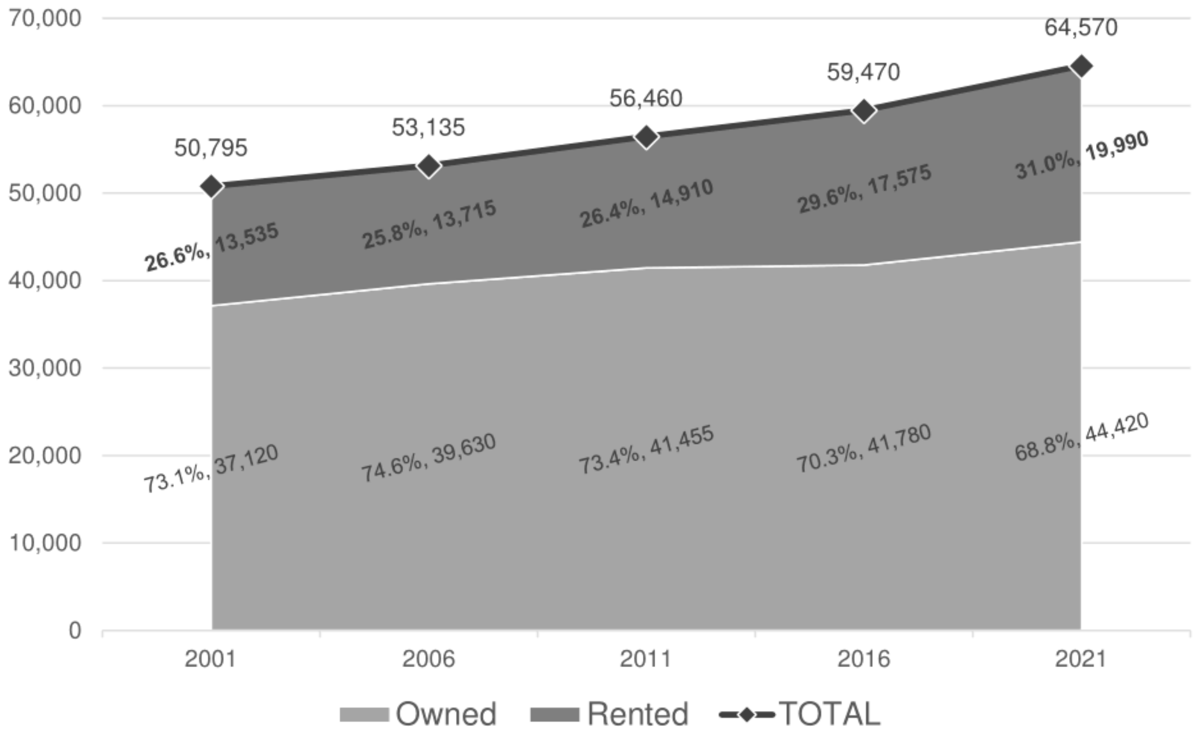
> … a dwelling is defined as a set of **living quarters**. Two types of dwelling are identified in the Census, **collective dwellings** and **private dwellings**. The former pertains to dwellings which are institutional, communal or commercial in nature. The latter, Private dwelling refers to a separate set of living quarters with a private entrance either from outside the building or from a common hall, lobby, vestibule or stairway inside the building. The entrance to the dwelling must be one that can be used without passing through the living quarters of some other person or group of persons [emphasis added].[4]

According to the 2021 Census of Canada, Prince Edward Island had 64,570 occupied dwelling units of which 19,990 (31.0%) were rented (**Figure 2-1**) to provide accommodation for 38,840 people or 25.2% of all Islanders. The proportion of dwelling units occupied by renters has increased since 2001 when just 26.6% of dwelling units on the Island were rented. The majority of remaining units are owned, although the Census also recognizes Band Housing or dwelling units provided for First Nations members. Band dwelling units are not shown in the figure, as the Census recorded only 165 in PEI occupied by 485 people in 2021 or just 0.3% of the Island's population, and they are outside the standard rental market that is subject to Provincial oversight and rent control.

Collective dwellings, mentioned in the definition of dwelling units, above, are another classification of housing for which individuals may pay rent but usually do not. They include accommodations that may be provided as a feature of a job or role (e.g., a monastery or barracks), as a punishment (e.g., a prison), or in relation to physical or mental health care (e.g., group homes, homes for special care, and hospitals). They are, again, a minor component of housing, providing accommodation for just 0.5% of Islanders and are generally exempted from the *Residential Tenancy Act*, as noted above, The only type of collective dwelling where occupants would typically be expected to be renters are lodging houses. While lodging or rooming houses were once a common residential type, the 2021 Census recorded just ten in PEI occupied by 55 people.

4 Statistics Canada, "Dwelling, Definition," https://www23.statcan.gc.ca/imdb/p3Var.pl?Function=Unit&Id=100236

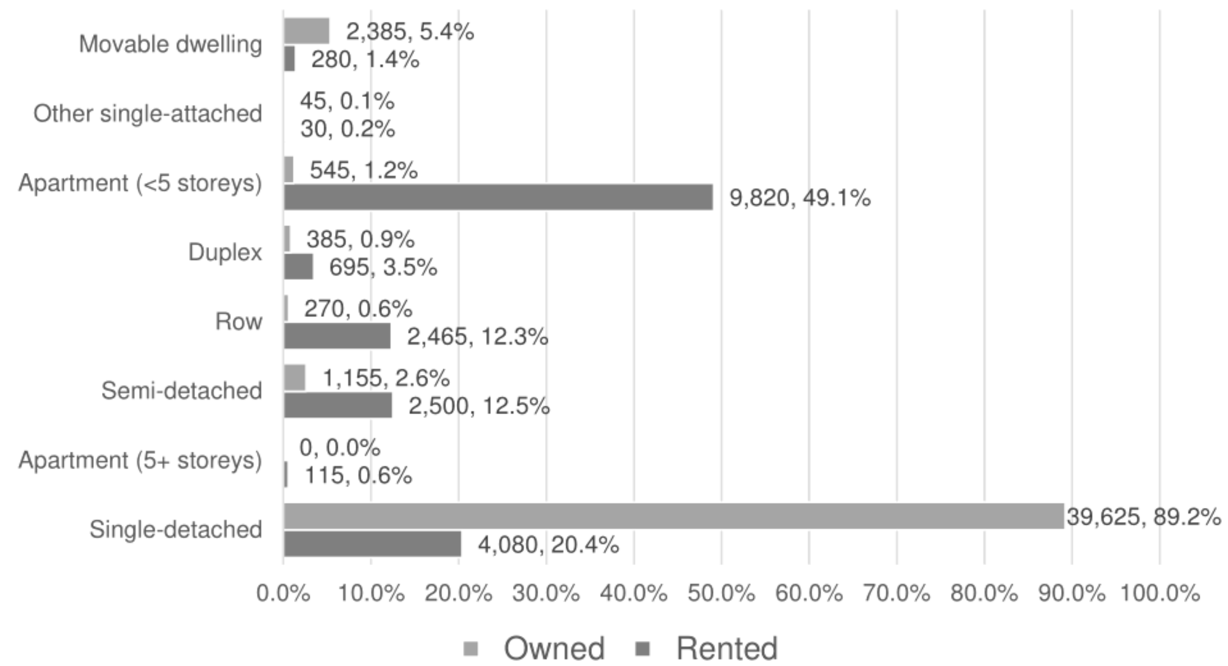
Figure 2-1 Private Dwellings, Proportions and Number of Units by Tenure, PEI, 2001-2021



Source Census of Canada, 2001 and 2016

In other words, more than 99% of dwelling units in PEI fit the second part of the Statistics Canada definition of a dwelling unit, which is a separately accessible room or collection of rooms. Rented units are most often found in multiple unit buildings, although attached dwellings (i.e., semi-detached and rowhouse units) are also an important option (**Figure 2-2**). About one in five rental units in PEI is a single-detached house (20.4%) and another 1.4% are movable dwellings, which are also detached structures, whereas more than 90% of owned accommodation is detached (i.e., single-detached or moveable dwelling). Most rented units (10,630 or 53.2% of all rented units) are apartments in duplexes or multiple unit buildings. The largest single category of rental accommodation is low-rise apartments in buildings less than five storeys, which account for nearly half (49.1%) of all rented units. Semis and rowhousing comprise another quarter (24.8% combined). Duplexes make up 3.5% of rental units, and high-rise apartments, which are currently rare in PEI, comprise just 0.6%.

Figure 2-2 Dwelling Units by Structural Type and Tenure, PEI, 2021



Source Census of Canada 2016

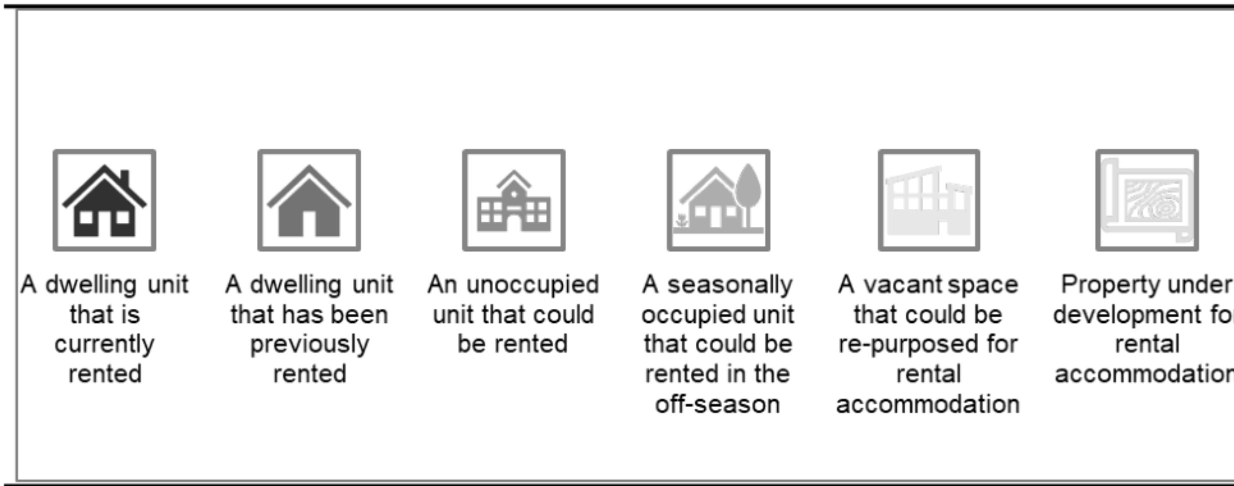
2.2 Registry Scope

An effective rental registry for PEI should include all dwelling units currently rented in the province. If the sole objective of the registry is to monitor adherence to rent controls, it may be sufficient for the registry to include only rents and directly related information (i.e., accommodation type, and amenities and services covered by rent) for accommodations to which a lease legally applies. Rent controls apply to all rented units except those types noted at the beginning of **Section 2.1**, above. Inclusion of other units in the registry – particularly those provided by government, religious, and non-profit organizations for the needy – would however have value if the database is expected to facilitate monitoring of supply and affordability.

To be an effective tool to monitor and regulate rent increases, as well, the registry should also include all units that have been rented in the past. It should also, ideally, incorporate units with the potential to be rented to ensure the creation of a record when they enter the market and to help with the monitoring of vacancies. Both requirements create challenges. To monitor compliance with rent control as well as to monitor broader trends in the rental market, historic records of rents will have to be compiled over time after establishing an initial baseline. To ensure sensitivity to ongoing market changes, the addition of new units should also be monitored as they are built or are converted from ownership or non-residential use to create additions to the province's rental stock.

Given that just about any structure and most land can be converted to residential use for rental, spaces to be included in a rental registry need to be strictly defined. **Figure 2-3** illustrates a hierarchy of types that clearly are or could be rental accommodation. Units that are currently rented or have been rented in the past must definitely be included. Records for these properties are essential to proper administration of rent controls. Realistically, if the Province wishes to monitor market activity (e.g., vacancy, turnover, and available units) other potential rental units need to be captured as they are developed to enter the rental market.

Figure 2-3 Potential Dwelling Unit Types for Tracking



Source Census of Canada 2016

The system of planning and development control typically overseen by municipalities but administered by the Province in unorganized areas of the Island, offers a means to identify additions to the rental market before they are formally rented. Applications for subdivision of land or to convert or construct buildings document expected unit additions at the planning stage. Effectively tying records of applications for approval and permitting kept by municipal governments and the Province to the rental registry will be beneficial to maintaining a reliable inventory and monitoring vacancy. Units may however enter and leave the rental market without requiring approvals or permits, particularly single-detached and seasonal residences, and rooms in a variety of structures, which can readily shift from owner occupancy to short or long-term rental arrangements without requiring physical modifications.

2.3 Data Requirements

The most important data item for an effective registry will be the rent charged for each unit. It is also critical to identify the location of the land or premises to be rented accurately and unequivocally. In addition, registry records should include features of the land or premises rented that may qualify the rent. A unit with heat and lights included at $1,000 per month is considerably different from the same type of unit at $1,000 per month with utilities charged separately. If services are not recorded with the rent, landlords can manipulate those offerings to increase their yield from a unit beyond the adjustments permitted under the rent control regime. Data on rents, furthermore, will be of questionable value.

The location identifier most familiar to the public is the civic address. Traditional addresses have several components and can easily be misinterpreted; however, PEI has adopted civic addressing standards province-wide.[5] Under the system, all PEI communities are named. Community names are municipality names for incorporated areas and their boundaries correspond to the legal limits of the specific municipality. Names and boundaries for unincorporated areas are taken from applicable school districts.

The recommended road naming standards for roads within communities include:

- All roads will be named and signed (a Route Number is an acceptable name). A road will be continuous from end to end and will have a well-defined start and end point; such as an intersection
- Each road will have only one official name for civic address purposes
- Road Names will not be repeated within an individual community
- Similar sounding road names will be avoided (e.g., First Street and First Avenue).[6]

Roads are numbered in a designated direction based on their classification within a roadway hierarchy comprised of arterial routes, collector routes, local routes, and private roads. A road is deemed to begin where it joins with a higher order road (e.g., a collector road begins at its intersection with an arterial road) and numbers increase from the beginning point based on a prescribed spacing of address numbers. Numbers will be odd on the left-hand side of the road proceeding from its starting point and even on the right.

The recommended standard for recording civic addresses based on Canada Post practice is as follows:[7]

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5 See: GeoPlan Consultants, *Prince Edward Island Civic Address Standards and Guidelines*, Version 1.1, June 2001.

6 *Ibid.*, p. 6.

7 *Ibid.*, p. 8.

Address	civic number 37	street name Murray Harbour	name suffix Road	street direction North
Unit	unit type Apt 12	unit number		
Place	community/area Caledonia			

The numbering of dwelling units within buildings depends on the unit type. For civic addressing purposes a duplex is "defined as a building that has been divided into two dwelling units with separate entrances and exits." Duplexes, therefore, encompass semi-detached structures as well as most buildings containing two flats as the two types are defined by Statistics Canada. Under the Statistics Canada definition, a building is defined as a duplex if it has two units divided horizontally (distinguishing it from a semi, which is divided vertically) regardless of whether the units are entered through separate exterior doors. Under PEI's civic addressing system, any building in which units are accessed from a shared entrance (i.e., a common foyer or hallway) is regarded as an apartment structure.

Duplex units as defined for civic addressing each receive a separate civic address meaning the structure will have two addresses that uniquely identify its component units. Apartment buildings have a single civic address that applies to all units. Semi-detached and rowhouse buildings generally have unique civic addresses and PIDs if they are freehold units. If they are condominiums, which is often the case for rowhouses, they will usually have unique civic addresses but a shared PID, which will cover the area owned by the condominium corporation in question. Over/under duplexes as well as triplexes and quads with exterior entrances for each unit will also usually have unique civic addresses for each unit but a single PID for the property on which they are located, whether they are in freehold or condominium ownership. If the entrance to one or more units in any building is from an interior hallway, it will likely share its civic address with other units as well as its PID. In these cases, a number or letter will normally differentiate individual units, as discussed.

Under the Province's addressing system, the owner of an apartment building must assign a unique identifier to each unit[8]; however, there is no civic addressing protocol for internal units. Owners may assign numbers or letters, combinations of the two, or even names. The convention is that lower floor units will receive lower numbers or letters than upper floor units. Multi-unit apartments, typically have units on the first floor numbered within the series 100 to 199, with second floor units numbered 200 to 299, and so on. There are however many exceptions as owners may label units 1A, 1B, 1C on the first floor, with 2A, 2B, and 2C on the

[8] *Ibid.*, p. 26.

second floor, or may use more complex systems to identify the side of the building each unit faces, and many other variations. A database recording individual units such as a rental registry will have to accommodate these variations unless the Province is willing to prescribe a standard for apartment numbering.

The Province provides a variety of online tools to locate and correctly identify property addresses (http://www.gov.pe.ca/civicaddress/index.php3) and search tools in Google maps and similar services are also very helpful to guide users to correct civic addresses; however, the most unequivocal property identifier is the property identification or PID number assigned to each property by the Province. Each six or seven-digit PID is unique. PIDs are available through the Province's GeoLinc Plus online mapping system.[9] The system is accessible by members of the public who must register with an email address and pay a $25 fee.

The GeoLinc system was created approximately 15 years ago to provide access to property mapping, assessment, and tax information including:

- Real property parcel number
- Real property location
- Real property owner's name
- Real property owner's mailing address
- Sale price of real property
- Mapping information including location, size and shape of parcels of land
- Assessed value of real property
- Names and addresses of neighbouring real property owners.

The system is accessible by approved PEI government employees. Government staff interviewed by Stantec suggested there are about 1,500 accounts and approximately 1,000 active users, including users such as banks and title search companies located outside PEI.[10] The GeoLinc database provides access to information in the Registry of Deeds that is otherwise only obtainable in person and is used heavily by law firms, real estate agents, title searchers, and surveyors, all of whom would otherwise have to do in person searches.

In addition to civic addresses and PIDs, data includes mapping of property lines and boundaries, roads with names, topographic contours, forest outlines, and survey monuments, as well as orthophotos and assessment information. Assessment data includes the owner's

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9 See: PEI Department of Finance Taxation and Property Records, *Getting Started with GeoLinc Plus*, First Edition, December 2002.

10 *Pers comm.*, Ryan Pineau, Provincial Tax Commissioner, Department of Finance - Taxation and Property Records, September 23, 2021.

name, property land area and use, municipality and school district, and value of assessments by applicable categories.

In 2022, while the current project was underway, the Province upgraded the GeoLinc Plus system. In addition to upgrades in the searching and mapping functions, the new system moved from a pay per click approach where users paid charges for use ranging from $0.25 to search for one property to $2.00 to view a property map[11] to a subscription model through which users are charged $18 every 30 days using automatic renewal through a credit card.[12] The minimum charge, which would apply to most public users who want "one-time" access is $18 for a 30-day subscription

While costs are modest, the overhead of registration and payment is likely sufficient to discourage many members of the public who might want to access the system occasionally, such as tenants researching a rental option.

The Province's Land OnLine system also provides access to the same land use information as GeoLinc Plus but does not require fee payment. It, on the other hand, only provides access for property owners to records for property they own. Property owners can also grant access to lessees renting their property. Users do not have access to records for properties owned by others, although property registries in the other Atlantic Provinces give this ability to subscribers.[13]

Our experience accessing the original GeoLinc system early in conduct of this project was frustrating. Registration was unduly complex and required that the initial payment to be made in person in Charlottetown. When we were able to access the system through an existing Stantec account, we encountered problems with the search function and found map searching was not supported. Onscreen map viewing was also not available at the time because of the need to update Java, the programming language in which it was developed.

The recent upgrade to GeoLinc Plus has alleviated the challenges we originally encountered. Registration has been simplified and access by subscription is a clear improvement over charging for detailed actions within the system. The mapping component has been upgraded to the widely-used ESRI platform, which is similar to Google maps.[14] It is intuitive and users can check properties adjacent to a property of interest by clicking with each property polygon on the

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11 PEI Finance, "Registering for a GeoLinc Plus Account," undated, Appendix B, https://www.princeedwardisland.ca/sites/default/files/forms/regist_geolinc_account.pdf.

12 *Ibid.*, p. 2. The "per click charges" contained in the same document were effective to October 31, 2022, following which they were replaced by subscription charges.

13 Province of New Brunswick "Personal Property Search, Service New Brunswick, Overview," https://www2.gnb.ca/content/gnb/en/services/services_renderer.3115.Personal_Property_Search.html#serviceDescription

14 *Pers comm.*, Ryan Pineau, September 23, 2021.

map (**Figure 2-4**). A table of “neighbouring properties” (i.e., abuttors) can be generated with a button option.

In addition to identifying properties, the system provides assessment, registry of deeds, and taxation information. Registry information includes historical records of deeds and mortgages. Assessment information includes the area of the property and classifies residential property separately from other types, but it does not indicate the structural type of dwelling or the number of dwelling units on a property.

The system could still benefit from improved error trapping and a more transparent interface, but most users should be able to use it effectively on their first attempt. The Province aspires to move to a system similar to SNB Property Assessment Online (https://paol.snb.ca/), through which the Province of New Brunswick offers an intuitive and user-friendly platform. While an interface similar to New Brunswick’s would be better than PEI’s, we believe GeoLinc Plus could provide an appropriate foundation for a rental registry intended for widespread public use providing the necessary land use information, mapping, and user interface.

Figure 2-4 GeoLinc Plus Property Mapping

Source PEI Department of Finance Taxation and Property Records Division

2.4 Standard Form of Rental Agreement

The standard form of rental agreement is prescribed under the PEI *Residential Tenancy Act* (see **Appendix A**). The standard form is a simple document. A fillable PDF version of the form can be downloaded from the Residential Tenancy Office website (https://peirentaloffice.ca/forms/). It requires identification of the landlord (i.e., the lessor) and tenant (i.e., the lessee), the civic address of the land or residential premises to be rented, and the following items:

- The type of land or premises to be rented (i.e., Apartment, Single Family Home, Room, Mobile Home, Portion of Duplex or Row Housing, Mobile Home Site)
- The rent to be paid weekly or monthly
- The deposit amount provided
- Services to be included in the rent (Heat, Water, Hot Water, Electricity, Cooking Stove, Refrigerator, Washer & Dryer (without charge), Washer & Dryer (coin operated), Cable TV Hook-up Apparatus, Cable TV Service, Janitorial Service for Common Areas, Parking, Snow Removal for Parking Lot & Walkways, Grass Cutting, and Other
- Services specifically excluded.

The current form has been revised from the form in place under the previous *Rental of Residential Property Act* to include a place where the landlord is required to enter the rent charged and services provided to the preceding tenant, as the new legislation requires.

Landlords and tenants are not required to use the standard form to establish rental relationships. They may use an alternative written agreement. Verbal agreements permitted under the previous Act are no longer allowed. The Act deems that the terms and conditions of the standard form apply regardless.

The standard form documents the key information that would be required by a rental registry: location, rent, and services provided. It will not normally include the PID, although it should be feasible to find or autofill the PID electronically for a rented property with a reasonably accurate civic address. Leases, regardless of the manner in which they are created, are not registered with any level of government.

A requirement to file Notices of Rental Increase would be as valuable to the maintenance of a rental registry as the Standard Form of Rental Agreement. The notices would document all legal increases as they occur. If they were required to be recorded at the same time as they must be presented to the tenant, they would ensure the profile of rents provided by the registry would be constantly up to date.

2.5 Registry Access

At several points above we have alluded to variation in the accessibility of property records. For the most part, property information is available to the public in all four Atlantic Provinces, although registration and payment of fees are generally required. These services provide access to many legal documents pertinent to properties such as plot plans and deeds. The commercially operated ViewPoint service in Nova Scotia provides substantial information to anonymous users and more to users who register. In the United States, Zillow and other services provide even more information and data with similar arrangements (i.e., access graded to registration). ViewPoint and Zillow do not however provide access to legal documents.

While the public generally has limited awareness of government provided services like PEI's GeoLinc Plus and Land OnLine, Nova Scotia Property Online, and SNB Property Assessment Online, individuals can access the services. While entry portals can be located reasonably easily on government websites or through online searches, registration, subscription requirements, and fees tend to discourage regular access by casual users. SNB Property Assessment Online contrasts with the systems provided through the governments of PEI and Nova Scotia by requiring no registration and being considerably more user friendly but we do not believe it is widely used by the public. Commercial platforms like ViewPoint and Zillow, as well as Google's Streetview, on the other hand, have amply demonstrated the interest of lay users in property information for assessing real estate and for many other purposes ranging from finding friends and services to viewing streets and properties.

Private providers like ViewPoint and Zillow place more emphasis on the user interface and experience than government platforms. Our contacts with ViewPoint have told us that Nova Scotia government employees actively use their platform as a more accessible alternative to the Province's Property Online system. They noted Federal Government agencies also access their system. Public sector creations like SNB Property Assessment Online and the similar Land Use Atlas provided by the Province of Newfoundland and Labrador, as well as many municipal platforms, demonstrate that governments can provide accessible and user-friendly systems without registration or other significant barriers to use by the public.

Many governments worldwide are pursuing so called "open data policies" and providing downloadable files for public use through open data portals. With increasing computer power in public hands, many individuals now have the computational power to handle and process large data sets produced by government bodies such as Statistics Canada and provincial assessment offices. Both Canada and PEI have open data portals offering access to myriads of material relating to most of their functions.[15] The Government of Canada's website states that "Canada

15 See: Government of Canada, "Open Data," https://open.canada.ca/en/open-data/

is ranked first alongside the United Kingdom on the World Wide Web Foundation's 2018 Open Data Barometer."[16]

Many available databases relate to housing or mappable features relevant to housing. The national portal produced 880 hits in response to a "housing" search undertaken for this project, notably including the data files for many CMHC Housing Surveys. The Province of PEI Open Data Portal yielded seven databases on public housing for families and seniors across the province that include civic addresses in both cases.[17] PEI also provides geographic information system (GIS) files for many features relevant to housing and a potential housing registry including civic address data, which is free, and property information for a cost.[18]

The availability of these files without registration through government websites suggests most land use information is not considered confidential. Civic addresses indicating property locations and assessment file data providing units on each property are both available for use without restriction. The Province's GIS Policy Statement makes it clear that the government's intention is to make data available for public and commercial purposes:

> Geographic information systems (GIS) technology can be used for scientific investigations, land use, and development planning. For example, a GIS might allow emergency planners to easily calculate emergency response times in the event of a natural disaster, to find wetlands that need protection, to conduct precision farming, to optimize snowplow routes, or to conduct market analysis for business development.[19]

Files, notably, do not include property owner names, but names of owners and tenants do not need to be included in a rental registry, or at least, in the public facing presentation of registry records.

The Province of PEI's Privacy Commissioner addressed a complaint concerning the disclosure of GeoLinc Plus information in 2016. In her decision, the Commissioner listed four "examples of fair information practices which may be relevant to the GeoLinc system":

- Public bodies are accountable for the protection of personal information under their control.

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16 Government of Canada, "Open Data in Canada: A look at the Numbers…," March 1, 2019, https://open.canada.ca/en/blog/open-data-canada-look-numbers

17 Prince Edward Island Government, "Open Data Portal," https://data.princeedwardisland.ca/

18 Prince Edward Island, "GIS Data Layers," http://www.gov.pe.ca/gis/index.php3?number=77543. The Property Data file includes property lines and assessment information for the entire province at $12,500 each.

19 Province of Prince Edward Island, "Section 4 -Geographic Information Systems (GIS) Data, 4.01 Policy Statement," p. 1, http://www.gov.pe.ca/photos/original/gis_policy.pdf

- Personal information must only be used and disclosed for the purposes for which it was collected, or for a consistent purpose, except with consent or as required by legislation. It can be retained only as long as it is necessary to fulfill those purposes.
- Public bodies must make reasonable efforts to ensure personal information is accurate and complete.
- Personal information must be protected by adequate safeguards.[20]

The Commissioner acknowledged that some GeoLinc Plus data is personal information[21]; however, in rejecting the complaint, she observed that the same data is available through manual searching of paper records in the Registry of Deeds[22] and that access to GeoLinc Plus is limited by the requirements to register and pay fees to use the system.[23] These, she noted, have had the effect of restricting the number of GeoLinc Plus users and generally limiting users to professionals involved in the real estate industry.[24] One of the reasons suggested for the restriction of access to Land OnLine to property owners and lessees is that such limitations are required because access to the system, which contains the same data as GeoLinc Plus, is free.[25]

The Commissioner's past ruling may influence the ability of the Province to provide an open rental registry database in the manner of My Old Apartment, although circumstances may have changed in the years since her decision. If open access to land use information is deemed to infringe on privacy, a rental registry could be implemented following the GeoLinc Plus registration and subscription model and/or the Land OnLine policy of free access for individuals with a documented interest in the record (e.g., the landlord and any tenant who has signed the lease).

For the rental registry to achieve the role for which it is intended, many advocates will not be satisfied with limited access. The primary target of the registry is tenants and prospective tenants, who are acting as private citizens in their own interest. As noted on **Figure 2-1**, above, this group constitutes the members of roughly 30% of all Island households. As they are likely to be irregular users of the registry, furthermore, they require a system that is readily accessed and easily comprehended.

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20 Office of the Information and Privacy Commissioner for Prince Edward Island, "Investigation Report IR-16-003 (To be referenced in conjunction with Order PP-08-002) Re: Department of Finance," October 3, 2016, pp. 9-10.

21 *Ibid.*, pp. 9-12.

22 *Ibid.*, p. 21.

23 *Ibid.*, pp. 20-21.

24 *Ibid.*, p. 16.

25 *Pers comm.*, Ryan Pineau, September 23, 2021.

On the other hand, the second bullet summarizing the Privacy Commissioner's decision, above, suggests to us that if rental information is collected for the purposes of a registry and is only used in the registry, access need not be restricted to those items of potentially personal information. It would also be possible, in our opinion, to accumulate and retain that information provided the data is pertinent to registry objectives, as historical rents would be.

Many jurisdictions that have implemented rental or housing registries are not subject to rent controls. Even among those provinces that regulate rents, PEI, to our knowledge, is currently alone in carrying controls through turnover (i.e., from a departing tenant to a new occupant, which is usually referred to as "vacancy control").[26] While proponents of rent control generally advocate for vacancy control, some contacts opposed to the implementation of a rental registry for PEI pointed out the motive for its creation is tied to this feature of the Province's legislation and would not exist if the Island followed the more typical approach of allowing landlord's to negotiate a new rent on turnover.

Landlords contend that costs are incurred at turnover through required cleaning and painting, and, often, upgrading, especially on departure of a long-term tenant. In any case, they argue further, new occupants have the opportunity to select among options and can look at alternatives if they cannot afford a particular unit. Tenants and their advocates respond that individuals seeking rental accommodation are vulnerable in a tight market and may be faced with homelessness if rents escalate to levels they cannot afford.

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[26] Based on Internet review. The Ontario *Rent Regulation Act,* Part 4, 1986 (https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1475&context=ontario_statutes) and the Ontario *Rent Control Act*, 1992, (https://www.ontario.ca/laws/statute/92r11) both had similar provisions. The 1992 Act supplanted the 1986 legislation and later legislation eliminated vacancy control. Vacancy controls were also a feature of BC's rent control legislation in the 1970s. The approach is favoured by rent control advocates because it eliminates tenant turnover as a tactic by which landlords can increase rents.

3.0 Comparable Platforms

An immediate consideration in assessing potential models for PEI's Rental Registry is the purpose of the proposed database. The key reason for pressure to create a rental registry for the Island is to monitor adherence to rent controls. Rent controls are administered by the Province and the current expectation is that the Province will implement and manage the Rental Registry if it is deemed desirable. Only a few provincial or state governments in North America maintain registries related to rental properties. They are more often implemented at the municipal level, where the purpose is normally to monitor compliance with building and occupancy standards rather than rent control.

3.1 Provincial/State-wide Rental Registration

Province or state-wide landlord registration is rare in North America. No provincial or territorial government in Canada we are aware of requires registration of long-term residential rentals in any form. Nova Scotia has instituted a registry for short-term rentals and other provinces seem to be giving consideration to similar measures to deal with the rise of short-term rentals because of impacts on tourism as well as their influence on the housing market. The pricing of short-term accommodation does not however appear to be an issue.

A Quebec non-profit has created a province-wide registry similar to PEI's My Old Apartment to record past rents to ensure that landlords accurately report the lowest rent in the preceding year as required under Quebec's residential tenancies legislation.[27] BC's association of landlords, LandlordBC has also set up a landlord registry to complement their "I Rent it Right" program, which provides training and certification to landlords. Their apparent objective is to professionalize landlord practices in the province.[28] The Investment Property Owners Association of Nova Scotia (IPOANS) is offering a similar "I Rent it Right" program with the same apparent intention of professionalizing and certifying landlords.

Tennessee appears to be the only US state that requires all landlords to register their names and contact information and the locations of any units they own. Other states register specific groups of landlords for a variety of reasons:

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27 Ilana Belfer, "This Interactive Map Lets Quebecers Register Their Rent To Stop Unfair Increases," MTL Blog, July 30, 2021, https://www.mtlblog.com/montreal/a-montrealer-has-created-a-civilian-rent-registry. When we tried to access the Registre Des Loyers through the cited article, the site was deemed to be insecure.

28 LandlordBC, "We're starting a registry for landlords in BC and here's why….," January 12, 2017, https://landlordbc.ca/were-starting-a-registry-for-landlords-in-bc-and-heres-why/.

> … in Arizona and Ohio, state law requires registration of rental property to allow for assessing real estate taxes. In Maryland, residential rental properties constructed before 1950 must be registered with the Department of the Environment to help track properties with lead paint.[29]

Rhode Island requires out-of-state landlords to register, and New Jersey requires registration of owners of one- and two-bedroom units to register with their municipality if they do not occupy a unit. Owners of larger rental buildings must register with the state.[30]

According to the Avail website, which lists landlord-tenant requirements for 41 states and the District of Columbia, the following require landlord registration in some form or have major local jurisdictions that require landlord registration:

- Maryland (depends on location, some cities such as Baltimore)
- District of Columbia
- Michigan (Detroit only)
- Illinois
- Idaho
- California (depends on location)
- Oregon (some cities and counties)
- Hawaii.

Avail provides limited information on specific registration requirements, and information appears to be questionable in some cases.[31] Follow-up online investigation of Hawaii and Idaho requirements found no description of landlord registration requirements. No registration regime for which we could find a description appears to require registration of rents.

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29 Joe Stone, "Are Landlords Required to Register Rental Property?," SFGate, https://homeguides.sfgate.com/landlords-required-register-rental-property-82552.html.

30 See: Avail, "Landlord-Tenant Laws of the US," https://www.avail.co/education/laws. The site provides summaries of landlord requirements in 50 states. Whether landlords and/or rents are recorded in a manner that allows unit rents to be tracked is difficult to discern. It does not appear to be part of Tennessee's legislation. Georgia, for another example, deems rental property management to be a "real estate activity" and requires individuals engaged in property management activities to hold a real estate license.

31 *Loc cit.* Stantec accessed and reviewed documentation on the Avail website for each state recorded as well as the District of Columbia, and investigated provisions applied in those for which the website stated registration was in place. Information from the various sources consulted did not often correlate. Despite its shortcomings, the Avail directory appears to be the only site that attempts to comprehensively summarize landlord registration requirements by state.

3.2 Municipal Registration

Municipal registries are more common than state or provincial registries, but they also do not typically manage rent controls, which are rarely a local government initiative. The usual purposes of municipal registries are to identify landlords in order to charge them a registration fee and/or taxes, as well as to enforce regulations and quality standards.[32] Halifax Regional Municipality (HRM), for example, recently approved the creation of a mandatory registry of rental property to monitor complaints against landlords and collect data on rental properties to ensure regulatory compliance and support fire and emergency service delivery. With the exception of major bylaw violations, most of the information in this registry will not be made public.[33]

Stantec conducted a study on behalf of HRM when the Municipality initially considered licensing landlords. As part of the project, we reviewed information collected by HRM staff on the Ontario cities of London, Oshawa, Waterloo, and Hamilton, which implemented or considered landlord registration or licensing. None applied licensing to all rental units and Oshawa only required licensing in an area favoured for student housing. Hamilton, at the time of our study, had considered licensing but rejected the idea. In each case, the bylaws adopted or considered required inspection of units to identify code violations and similar issues.[34] No landlord register that we have found in Canada records rents and tracking of rents does not appear to be part of the mandate for HRM's registry.

3.3 Other Platforms

Many private organizations provide information on rental properties. ViewPoint Realty is expanding its real estate database, which is very popular in Nova Scotia, to display available rental properties along with the buy/sell real estate information that has been their traditional focus. Zillow, which provides a similar service across most of the United States and has recently entered Canada, is well-established in both the real estate and rental market sectors.

Zillow provides considerable supporting information of interest to both homebuyers and prospective tenants. This includes many neighbourhood characteristics such as available schools and walk scores (a measure of the ability to walk to community and commercial features calculated by a third-party entity). A wide array of similar sites that promote rental properties provide similar contextual information to allow users to evaluate opportunities. Most sites of this type are businesses that advertise rental property but, in the interest of drawing traffic, provide useful information that is beneficial to prospective renters. In nearly all cases,

32 Terri Williams, "What Is a Rental Registry and What Does It Mean for Landlords?" avail, Last updated April 20, 2021, https://www.avail.co/education/articles/what-is-a-rental-registry-and-what-does-it-mean-for-landlords.

33 Megan King, "HRM passes bylaw to enforce registry for rental properties," *Global News*, April 4, 2023, https://globalnews.ca/news/9602025/hrm-bylaw-enforce-registry-rental-properties/

34 Stantec Consulting Limited, *Residential Building Licensing Model for Halifax: Stakeholder Consultation Report*, February 12, 2017, pp. 3.1-3.2.

databases allow or require the posting of photographs as a component of rental lists. In many cases, sites also include mapping of rental properties, which is very valuable to apartment seekers evaluating rental options.

Sites also provide information of interest to landlords. Advertised rents are obviously valuable for landlords seeking to determine the rents that they can set, allowing them to determine both the minimum required to make a unit sufficiently inexpensive to attract a tenant and the rent level the “market will bear.” While classified ads of the past allowed landlords to gauge their price, the large databases of current and historical rents that can be built on real estate platforms provide much more nuanced information on trends in rents.

In recent years when supply shortages have stimulated rent escalation, the availability of this data has raised concerns that landlords can more readily maximize rents. Some platforms have developed algorithms to mine rich rental databases using AI tools to advise landlords on the best rent they can obtain. In August 2024, the US Department of Justice filed an antitrust lawsuit against RealPage, the largest property management software provider in the country, alleging the company’s … pricing algorithm enables landlords to share confidential, competitively sensitive information and align their rents.”[35] While the company has responded that the setting of rents is ultimately the landlords decision and the information they provide can be equally applied to reduce rents, the challenge of equitably applying information is real and will be even more significant for a government expected to act in the public interest.

The scope of typical commercial sites is, in any case, well beyond the requirements of the proposed rental registry for PEI. Review of these sites will however provide many ideas relevant to the organization and presentation of a Provincial registry for PEI, particularly if it is to be made available to a wider audience than government authorities and if the Province determines that the registry should play a larger role for tenants than preventing illegal rent increases.

[35] Megan Cerullo, "U.S. Justice Department sues RealPage, alleging it enabled price-fixing on rents, CBS News, MoneyWatch, August 23, 2024, https://www.cbsnews.com/news/realpage-lawsuit-price-fixing/

4.0 Consultation

In the creation of this report, interviews were conducted in Fall 2021, which was before the replacement of the former *Rental of Residential Property Act* by the *Residential Tenancy Act* on April 8, 2023. The issue impacts landlords and tenants, who share some common ground but also have clear differences on the issue. Stantec interviewed a variety of landlords from a small landlord renting a single unit in the house he also occupies to the Island's largest residential landholder. On the tenant side, we interviewed individuals advocating on behalf of tenants and working with tenants to find and maintain accommodation.

4.1 Landlords and Related Groups

Our primary source of landlord views on a rental registry was a group interview with five members of the Residential Rental Association of PEI (RRAP). All members of the group stated they were opposed to a registry. They contend that a registry will not address the real challenges in the PEI rental market, which they believe are supply of rental units and provision of accommodation for low income and special needs tenants. They called into question the contention that some landlords are distorting or misreporting rents, although they tacitly acknowledged that local media have raised the concern.

Further discussion was strongly influenced by the expressed view that a registry will be an unnecessary response to what the group considers a non-problem. They noted that it would not influence the supply of dwelling units and additional information on the market would do little for disadvantaged tenants whose primary issue is their ability to pay. RRAP members also asked Stantec's interviewer if we had looked at other jurisdictions in North America that had rental registries. When we responded that, while we had found many that licensed landlords, we had identified none that registered rents, RRAP members suggested that it was because it is not feasible. They then raised concerns about confidentiality noting that public availability of rental information would allow third parties to estimate a landlord's income and provide insight into tenant finances as well. They were resistant to ideas that access could be restricted in a manner similar to the Land OnLine system, which we noted above provides property owners with passworded access to records of properties they own and to lessees to whom property owners chose to provide access.[36]

Staff with Killam REIT, which is the largest owner of rental units in PEI, expressed similarly strong opposition to a rental registry idea when they were interviewed separately. Stantec met with the interview subjects, who included the company's CEO and two senior staff members, at Killam's head office in Halifax. They were reluctant to answer direct questions concerning approaches to creating a registry and focused on their objections to the concept as they saw it.

[36] For a rental registry it would probably be essential that landlords be required to grant access to their tenants for the unit occupied by the tenant.t

They argued that the registry will cost money to build and maintain, and they consider taxes to be a major challenge for producing and operating rental property. They also pointed out that tenants currently have more data than at any time in the past with online advertising providing maps, pictures, and much more detail on rental offerings than was ever possible when newspaper classified advertising was the main source of information on available accommodations. They also argued that provision of information from leases would be a violation of tenants' privacy.

To some extent, their views seem to have been formed by Halifax Regional Municipality's initiative to license landlords in which we have noted Stantec was involved, and in which Killam staff were active participants at the time of our interview. As noted in **Section 3.2**, above, the HRM initiative was oriented more to issues with the quality of rental accommodation and the interest of the Municipality in collecting information on rental accommodation to support the delivery of more effective fire and emergency services like other municipal registries in Canada and the US discussed in **Chapter 3.0**, above.

As an alternative, Killam staff proposed PEI consider an initiative like the I Rent it Right program being offered through the Investment Property Owners Association of Nova Scotia (IPOANS). Killam Vice President Marketing and Sales Jeremy Jackson, who was an interview subject, has led IPOANS for several years. The program IPOANS has organized offers six courses for landlords on how to serve and deal with tenants.[37] Landlords who complete the course are recorded on a registry administered by IPOANS that certifies their knowledge and training. IPOANS hopes that the registry of graduates will eventually be consulted by tenants to determine if a potential landlord is knowledgeable and properly trained.

When Stantec explained that PEI's current consideration has arisen from the belief among some tenants that landlords misreport past rents, Killam staff responded that the problem exists in PEI because it is the only province with rent controls that does not allow rents to be recalibrated on turnover. While the company accepts rent controls where they are in place as a factor they account for in operating and investment decisions, they contend new tenants have choices in an open market and can judge for themselves what they consider to be a fair price. From Killam's perspective, the proposed Rental Registry is addressing a problem that has been created by what they consider to be a needless and undesirable feature of PEI law.

The views of smaller landlords were milder. One Island-based landlord with over 100 units was very supportive of the registry idea. He acknowledged that some landlords have misrepresented past rents to tenants since the institution of rent controls in the province. Although he was critical of rent controls, which he said forced landlords and developers to build only high-end units to maximize their initial rents, he felt the rules should be fairly enforced.

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37 IPOANS Investment Property Owners Association of Nova Scotia, "I Rent it Right™," https://registry.ipoans.ca/courses/101/

He introduced the concept of registering leases with the Province before we raised the idea in our interview. He emphasized the importance of ensuring information on a rental registry is accurate and accepted by both landlords and tenants, as well as IRAC. He felt that while it made sense to him that landlords should be responsible for registering a lease, all rents should be verified by both the tenant as well as the landlord. Submitting the signed lease would largely achieve this but he implied the tenant should have the ability to certify the accuracy of a proposed rent. He suggested the only alternative would be to have a Provincial official directly involved in signing and recording the lease, which he acknowledged was probably not feasible. He supported making the Province's standard form of agreement compulsory to simplify the process and ensure accurate recording of rental information.

He was also supportive of recording a broad range of information on properties. He agreed that if rent was recorded, services included and extra also need to be provided in registry records. He also supported the inclusion of the property address and unit number. He felt, on the other hand, that, while the registry database needs to include the landlord's personal or corporate name as well as the tenant's name, it would not be necessary to make names available to the public.

Our contact is a regular user of GeoLinc Plus and supported an open model for the registry. Other than withholding landlord and tenant names, he accepted that transparency is now expected. He suggested that he could see small landlords who own a few units to supplement their income might be more sensitive but said he recognized an obligation to share business information. He accepted that tenants would be able to compare units he offered to other units both rented and on the market, and that an interested party could compile a reasonable estimate of his prospective rental property revenue by compiling individual registry records.

He does not believe that tenants have significantly less access to market information than landlords, but he did agree with the views of many housing advocates whose opinions are summarized below that tenants have considerably less power in the marketplace than landlords. He acknowledged that in a tight market, tenants have little opportunity to take advantage of market information. He suggested careful tenants who inquire about the details of a rental agreement or spend time investigating available housing options simply get passed over for easier going or more eager competitors for accommodation.

A further mid-sized landlord offered the perspective of a property owner facing financial challenges. The two-person partnership owns two multi-unit buildings in rural PEI with 10 to 15 dwelling units and is beginning construction of a third similar building in the same community. One of the existing structures and the new build are providing affordable units under a Provincial government program. One of the partners, recently bought one of the buildings at a reasonable market price but has found the current rents fixed through rent controls will not cover his costs.

While the landlords interviewed were clearly interested in providing their tenants affordable accommodation, they pointed out they were hamstrung by rent controls and the inability of their tenants to absorb even modest rent increases. While they were sympathetic to the purpose of a rental registry, they opposed the initiative without any balancing concession to landlords. While they recognized the importance of protecting tenants, they felt that the flexibility to allow distressed landlords to increase rents beyond guidelines should be considered.

Given that they had a substantial number of rental units under their control, we were surprised at their modest knowledge of the rent control process and the obligations of landlords and tenants in PEI. They appeared to be likely to accept a rental registry if its introduction is accompanied by changes that will benefit landlords such as allowing larger rent increases, or a more flexible approach to allowing landlords to change rents year-to-year.

We also spoke with a small landlord who rented a separate house next door to his own residence and who was, again, supportive of the registry concept, but was very concerned about privacy. The particular subject owned his rental property for several years and briefly rented it on a short-term basis when a tenant left after four years in the property. He went back to long-term rental because of the management requirements of short-term occupancy and because he and his wife wanted a more stable occupancy next door. He sold the property shortly before our interview because of its abrupt rise in value.

He said he had no difficulty with IRAC compiling and referring to information and added that he had provided additional detailed information on his building to the Provincial tourism authorities when it was in short-term rental; however, he did not want the general public to have access to information about his income or the value of his property. After the Land OnLine approach allowing just the property owner and lessees to have access to records was explained to him, he stated that he would accept that level of access. He said, however, that he was opposed to a database that third parties could explore to find private information.

He felt landlords will be a better source of property information than tenants but endorsed the idea of using the standard lease as the primary data source. He used the standard form in place at the time himself and did not see any reason to object to it becoming compulsory.

A second small landlord we interviewed lives in a bungalow with an accessory basement apartment. He had rented the ground floor bungalow space until recently and simply assumed the basement tenant from the previous owner when he purchased the property. He did not know whether a lease was in place and asked us if one was necessary. He was supportive of a rental registry and expressed no concerns about compiling rents, services, and civic addresses. He had some reservations concerning the collection of building information relevant to safety or other issues not because he considered collection of the data irrelevant but because he felt it would be difficult to maintain and was unlikely to be accurate.

Being less than a year removed from being a tenant, the subject was very sympathetic to the tenant perspective. He felt tenants were more likely to report rents accurately than landlords, who he felt might have a business incentive to misreport. On the other hand, he recognized that the same incentives would probably make landlords more reliable recorders of information. Although he has not used leases himself, he had no objection to the standard form of agreement being required and using it as the record of rents and related data needed to populate a registry.

4.2 Housing Advocates

Stantec interviewed several individuals involved in advocacy on behalf of the homeless, newcomers to PEI, and tenants in general. Contacts included the creator of the My Old Apartment registry, advocates for housing affordability, and representatives of groups working with the students, immigrants, victims of family violence, and the homeless.

A prominent housing advocate, Darcie Lanthier, created the current informal rental registry, My Old Apartment. Ms. Lanthier was clear when we interviewed her that her purpose in creating the site was to capture illegal rent increases. Before creating the site, she had mailed postcards to households to encourage them to inform current tenants of past rents and the means to recover overcharges. She claims that landlord abuse of vacancy control has been widespread and longstanding. She said her site has helped tenants recover substantial excess rent payments,[38] and specifically outlined the case of a tenant in tight circumstances during the pandemic who was charged $650 per month over the allowable rent for her unit and was able to recover $20,000 through a complaint to IRAC.

Ms. Lanthier said she created the My Old Apartment site in two days, which is reasonable for a stand-alone site created with contemporary website development tools. She said she would be pleased to contribute data her site has collected if the Province creates a registry. She said at the time of her interview that she was confident in the data collected at the time and had been able to easily identify false records entered by landlords to test or disrupt the site.[39] She said the false records stood out as anomalies. She also said that while operation of the site required some expenditure of time and money, she was comfortable with the required level of effort relative to the benefit she believes she is providing to the community.

She also expressed minimal concern with privacy. She pointed out, as we have acknowledged above, that real estate information is readily available online and, in her opinion, rental information is no different. She stated that suppressing information on rents only protects landlords “who are committing crimes.” She feels the information reveals little about tenants that cannot be deduced from other sources (e.g., past and current advertisements, comparison to similar units) and the value to tenants far outweighs any negatives that might exist. She allows all users of her website to download the entire database as a CSV file. It contains the address and unit number, rent, and services provided (i.e., electricity, heat, Internet, and parking, but not items like snow clearing and yard maintenance). Names of the landlord, tenant, and the individual submitting the information are not included.

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38 See: Darcie Lanthier, "My Old Apartment: Keeping Landlords Honest in PEI," *Broken Pencil*, August 16, 2021, https://brokenpencil.com/news/my-old-apartment-keeping-landlords-honest-in-pei/

39 A landlord interviewed for this process stated that he had entered records that were inaccurate to assess the site and claimed they had not been removed.

Ms. Lanthier is not apparently interested in expanding her registry beyond its current role. Its purpose is to encourage the enforcement of vacancy control for the benefit of tenants. Like others, she sees little advantage in market information for tenants in the current tight PEI rental market. Tenants, in her opinion, now have little choice about accommodation. They must take what they can get and the best the system can do is to ensure they are treated fairly under the law.

She is clearly indignant that a rental registry has not been established by the Province, as well as the weak penalties imposed on landlords who violate vacancy controls. From her perspective, landlords are stealing money from tenants and, when caught, need to be punished to discourage others. She suggested IRAC should become involved by sharing its records concerning past increases it has approved and by recording leases. She had no reservations about adopting the standard lease for all residential rentals. She believes verbal leases, which were permitted at the time she was interviewed, and informal written leases simply provide landlords with more scope to cheat tenants.

PEI Fight for Affordable Housing (PEIFAH) has been one of the strongest voices in the discussion of housing concerns on the Island. Three representatives of the organization agreed to talk with Stantec about the potential for a rental registry, which they all strongly support. Their focus, like Darcie Lanthier's, is clearly on monitoring rent increases and maintaining vacancy control as a feature of PEI's rent control regime. All three indicated that their primary objective is to "maintain the supply of affordable housing," which they feel is being systematically reduced as house prices and rents rise across the province.

Our contacts initially stated that the registry should be "free, transparent, and accessible for all"; noting the parallel to the availability of land registry information in the buy/sell real estate market. When we probed concerning the type of data that should be recorded and the appropriate level of exposure to the public, however, it raised serious concerns. While PEIFAH representatives recognized that it is essential to record rents against identifiable properties to achieve their basic objective and were comfortable with sharing landlord business information (i.e., name and address), they had serious reservations concerning the exposure of tenant names and related information. When we suggested making the standard rental agreement compulsory to ensure structured data collection and guarantee the certainty of recorded rents, furthermore, they expressed concern for the loss of flexibility in arrangements between landlords and tenants. None of the three individuals with PEIFAH we spoke to appeared to be comfortable even with doing away with verbal leases that were then permitted, notwithstanding that we pointed out PEI is the only province of which we were aware that allowed the practice.

The organization is primarily concerned with meeting the needs of low-income Island residents who might not have computers, tablets, or cell phones through which to access rental registry information. They placed considerable emphasis on provision of access through government offices with computer stations and assistance from government employees, emulating the system in place for accessing land information at government offices in Charlottetown and Summerside. They suggested broadening the system to include portals in libraries across the province.

They see the government as the only feasible entity to create and maintain the registry. In their view, the government is unbiased and has the tools to enforce compliance. Landlords, by contrast, have clear incentives to falsify or manipulate data and, tenants, in their opinion, are subject to bullying by landlords. They pointed out that landlords in the past have pressured tenants to sign petitions requesting the revocation of tenant protections and tenants have complied out of fear of eviction or other reprisals. In general, they were concerned with open input of data because they believe landlords will distort records. In this respect, they stated their belief that landlords have entered false records in the My Old Apartment registry, which Ms. Lanthier and at least one landlord interviewed alluded to.

Although PEIFAH representatives began with a strong endorsement of an open system, discussion led them to a narrower view. They ultimately recommended that the registry focus on rents and vacancy control. While they feel tenants could benefit from access to market information, it might be “a bridge too far” that would complicate the needed system and, possibly, prevent its implementation. As one of the interviewees memorably put it, they do not envision a “government-run Kijiji.” They see the registry as a public benefit that will protect the province’s supply of affordable housing.

Danya O’Malley from the Family Violence Prevention Society also supports the idea of a rental registry but expressed less concern with privacy than PEIFAH. She generally considered transparency to be beneficial. Her attitude to landlord privacy was similar to Darcie Lanthier’s position. She said landlords are in a business and should expect to keep records and report on their business activities when asked. From the tenant’s perspective, she noted that while a specific rent may only be known between the landlord and tenant, it is not hard to get a reasonable idea of what a tenant pays by reference to Kijiji and other forms of advertising or with a reasonable knowledge of the unit and the neighbourhood in which it is located. For both groups, she suggested, like Ms. Lanthier, the only individuals who will be disadvantaged by exposure of information would be those inclined to distort it.

She saw the proposed rental registry as a benefit with few reservations. Like other supporters she sees a registry largely as a tool to monitor rent increases and enforce vacancy controls. She did not consider market information as particularly beneficial to disadvantaged tenants. Like PEIFAH representatives, she sees the critical issue is the relative power of landlords; specifically, the power of landlords to choose their preferred tenant in a tight market. She noted that landlords with a choice invariably select middle class tenants with no children and stable family circumstances. She acknowledged that these choices are rational but give the clients with whom she deals few options. Although tenants have legal protections against discrimination, they generally do not have time to take action because their first priority is to get themselves and their dependents housed.

She suggested the only realistic solution is increased supply of rental units. She noted that when the Charlottetown area had a 7% vacancy rate, landlords took whatever tenants they could get. She did not see much value in apartment seekers gaining a better knowledge of available inventory through a registry because landlords will continue to leave marginalized groups in the cold as long as they can chose among multiple potential tenants. She suggested only the threat of long-term vacancy in their units will motivate landlords to accommodate the public fully.

Alexa Reid, who was working with immigrants in need of housing for the PEI Newcomers Association when she was interviewed, expressed similar opinions to Ms. O'Malley. She was also an unequivocal supporter of the rental registry concept. She feels it is an essential complement to vacancy controls to ensure they are effectively enforced and to overcome the power imbalance between landlords and tenants. While she suggested creation of a registry by a private individual or company might result in a better-quality site, she felt that the government was the most appropriate entity to take on the responsibility. Government management, in her view, would ensure continuity and public trust.

She favoured an open registry accessible by all Islanders. She had no reservations about making rents, services, and address information available to all because she feels the benefit to tenants far outweighs the consequences of infringing individual privacy. Like the representatives of PEIFAH, she emphasized the need for government-sponsored portals to provide access to the system for individuals who cannot afford phones and computers capable of accessing the database. Because of her role with immigrants, she also noted the importance of having support for individuals whose English is poor or who may be illiterate. In general, Ms. Reid emphasized the need for a simple, user-friendly platform accessible from phones and tablets as well as computer consoles. She even suggested that it would be helpful if records of rent included the allowable rent for the benefit of tenants who might not know how to apply the guideline properly.

Ms. Reid said neither landlords nor tenants are suitable sources for rental information. The interests of landlords call their contributions into question and tenants cannot be counted on to understand the need to record rents or take an interest in supplying the information. She supported the registration of leases to ensure the best quality data.

She was more positive than other affordable housing advocates concerning the benefits of the registry to tenants looking in the rental market. She believes additional information will redress some of the disadvantages with which renters deal when seeking accommodation. She concurred with others, however, that it will have limited value so long as the current tight market persists. While a wider knowledge of the market could give a prospective tenant more leverage on landlords, they cannot exercise it in current circumstances where simply finding and securing a roof over their head is their only priority.

A final contact was made with Anagha Muralidharan, who was Vice-President Academic & External, for the University of PEI Student Union at the time she was interviewed. Ms. Muralidharan was an elected student representative employed by the university to be a spokesperson on behalf of students with the university and to government agencies and others.

Like preceding advocates, Ms. Muralidharan expressed support for a rental registry, which she said has been "a long time coming" but will be welcomed. She said the student union supports an open and transparent registry. She stated that it should include civic address information with rents and services. She felt additional information is not necessary and might compromise privacy, which she suggested should be respected for both landlords and tenants.

She stated that students are vulnerable in the rental market. Many have little or no experience with property rental before they come to university. International students, in particular, may lack knowledge of relevant laws and rights, and landlords take advantage of them. Some also come poorly prepared to the point of arriving in the airport with no accommodation arranged. She feels that an open and accessible rental registry would help to address this information deficit.

Because they have relatively limited incomes, furthermore, students are strongly impacted by rising rents. She noted that Charlottetown rents are approaching levels charged in Toronto but the wages in PEI are significantly lower than in Ontario. She added that the Student Union recently found that 42% of current students plan to leave PEI but 67% stated they would stay if housing was more affordable.

Ms. Muralidharan referred us to a student who has lived in Europe and Nova Scotia since leaving his home in the Middle East to attend UPEI for two or three years and lives with a long-term partner. The student said he has participated in discussions with fellow students concerning rents and housing availability but had not specifically discussed the value of a rental registry. He was aware that My Old Apartment had circulated postcards reporting past rents to current tenants but did not know that the organization had created an online registry. He checked the My Old Apartment site during our interview and declared himself impressed.

He was very supportive of the registry idea. Although he said he is very happy with his current landlord, he feels many local landlords take advantage of international students. He suggested many think “students don’t know anything” and suggested many may be very inexperienced. Echoing Anagha Muralidharan from UPEI, he noted that some arrive in Charlottetown with no accommodation arranged and must obtain it quickly, leaving them with very little leverage in negotiations with landlords.

While he approved strongly of a registry, he appeared to prefer restricted access to data. He suggested he should have access to landlord information when he is interested in a unit and would reciprocally accept landlord access to his information in the same circumstances. He feels there would be value in allowing tenants to provide reviews of landlords, noting that reviews are customary for restaurants, hotels, and delivery companies among other services. He acknowledged, though, that some moderation of reviews would likely be required.

He was also supportive of the registry as a source of market information. He again referred to the lack of knowledge among students and new arrivals, who have difficulty gauging the local market. Although we did not discuss the issue in detail, some kind of database overview would be required if the fairly narrow access to the registry he prefers were to be maintained. Community averages by unit type or the ability to obtain data for a neighbourhood or a user-defined area would be required. One interesting insight he provided was that many tenants who take in additional occupants charge their roommates unfair proportions of the rent, ether concealing the true rent or simply arguing that they have more responsibility and risk as the leaseholder and should be compensated accordingly.

He said the tightening of the market in Charlottetown over the past few years was evident. He has spoken with students who arrived in 2017 or 2018 when the situation was very different. In that context, he suggested some landlords are keeping units vacant to achieve higher rents. He noted one apartment he had looked at when he arrived in Charlottetown that was too expensive but which he as seen advertised for the same rent several times, suggesting the landlord is not willing to rent unless she gets an exorbitant return. He said he had encountered racism himself and noted that because his appearance does not necessarily convey his ethnicity, he often heard racist remarks before he himself spoke and his accent made it clear that he is not Canadian born.

5.0 Summary and Conclusions

A rental registry as contemplated for PEI could have a role as a tool for monitoring rental increases relative to annually prescribed IRAC guidelines. How far it should be developed beyond this purpose is an open question. Decisions with respect to the role or roles of the registry will have critical implications for the data to be collected and the access that should be allowed to that data. It will also influence the cost of creating and maintaining the registry.

5.1 Potential Roles

As stated, the fundamental issue that has given rise to demand for a rental registry in PEI is the belief that some landlords misreport previous rents to new tenants so that they can charge higher rents than Provincial rent controls permit. Some landlords have therefore argued that a registry is only required as a complement to vacancy control and its need will be eliminated if rent controls are removed, as many landlords would prefer, or if PEI's currently unique practice of carrying rents through unit turnover is eliminated.

The new *Residential Tenancy Act* has retained rent controls with vacancy control from the preceding *Rental of Residential Property Act*. In addition, we have observed through interviews with smaller landlords that many have a poor grasp of landlord-tenant legislation on the Island, and it is entirely possible that some may raise rents beyond guidelines in ignorance or misunderstanding rather than insidious motives. Even landlords with multiple units appear to deal with tenants on a personal level rather than as business clients or customers. Although bullying of tenants unquestionably occurs in some circumstances, some landlords also make concessions to tenants that are not required in the interest of preserving relationships that generate reliable income and out of genuine sympathy for their tenant's situation.

A registry could create a more business-like framework for landlord-tenant relations by clearly documenting and monitoring agreements. The informality that is characteristic of relationships in Canada's smallest province will undoubtedly be affected, but it will be replaced by a more reliable, better documented system in which tenants will be protected from undue increases in rent and changes to service provisions, and landlords will conduct their business with improved knowledge of the market and more uniform practices. For landlords – particularly smaller landlords renting a unit in their home or a small residential building – an open registry should improve their abilities to set competitive rents and plan their businesses.

A registry can address the requirements of others participating in the housing market. Regardless of the status of rent controls and the framework used for their application, agreed upon data on rent levels and related services would be valuable to IRAC for dealing with landlord-tenant conflicts. It would establish key features of rental agreements that currently may be disputed where rental agreements employ non-standard lease forms, or even where the Standard Form of Rental Agreement is in place, if one or both parties cannot produce the original document and/or takes issue with its content, particularly any debate concerning previous rents and services.

Data, of course, has much broader applications than legal proceedings before IRAC and the rise of “Big Data” in the past decade has created much higher expectations among the public for data quality and access. Goal 5 (Leadership) of the 2018 PEI Housing Action Plan states the Province's commitment to "[p]rovide strong leadership that uses evidence-informed decision making built on best practices and data to support implementation and provide ongoing evaluation, monitoring, and reporting.”[40] The current concern with housing and related debates over the scale of housing problems and their implications has unquestionably created a demand for more detailed information. While data on housing available from Statistics Canada, CMHC, and other sources is abundant, we have noted that it is sometimes not timely and, generally, cannot be broken down to the level of even PEI’s largest communities.

Our own experience preparing the Charlottetown Region Growth Study and Housing Needs Assessment revealed considerable difficulty finding useable housing data on the municipalities of the Capital Region (i.e., the City of Charlottetown, and Towns of Cornwall and Stratford) from CMHC and Statistics Canada. The challenge is much greater for smaller Island communities. Rental Registry data will, at the minimum, provide detailed data on rental properties, rents, and services, which would be invaluable for municipalities that would like to monitor the demand for rental accommodation. Expanding the scope of rental data recorded to include items such as building age and condition or expanding the database beyond rental property to cover all residential property would give the Province, municipalities, and, potentially, the public much finer grained data for monitoring and analyzing housing.

Improved data on properties can also be valuable for a range of public service providers, particularly fire and emergency services. A registry could provide a means to record compliance with building standards and safety requirements, although such information is not necessary to monitor vacancy controls. As we have noted, most municipal registries elsewhere in North America are focused on this purpose and do not record rents. While an argument can be made that compliance is a more significant issue for rental properties than for owner occupied buildings, the issue actually extends across all forms of tenure.

Broader access can, nonetheless, have significant benefits for the public engaged in the rental market. As the Internet has developed and governments have opened data sources, access to property information that has historically been restricted to real estate professionals, lawyers, and specific categories of government bureaucrats has become available to all. It is now possible in most jurisdictions, including PEI, to research the price history of properties, investigate financial arrangements, and compare key parameters to other similar properties.

[40] Province of PEI, *Housing Action Plan, 2018-2023*, undated, p. 7.

The result has been positive for the real estate market. It has allowed both buyers and sellers to better assess the value of property and their competition in the real estate marketplace (i.e., other sellers with similar properties and the activities of recent buyers bidding for those properties). Participants in the market on both sides are now better informed and capable of making better decisions. There is no indication that real estate activity has been encouraged or discouraged, or that either buyers or sellers have been disadvantaged.

The balancing view is the complexity of implementing a rental registry. As representatives of PEIFAH argued, additional features will increase the challenge of creating and maintaining a registry, which could forestall its implementation. PEIFAH contacts and other representatives of housing advocacy groups also pointed out that, while information can help tenants assess rental options, it has very limited value in a tight market because individuals seeking accommodation have few choices and generally must place housing security ahead of getting the best deal.

Opponents to the registry concept have cited cost as a reason for resisting its creation, and an overly elaborate system could easily fall prey to that argument. Some may also feel that a registry implemented by government should not be developed as a tool for use in commercial activities, although property databases fill a similar role for real estate and any data source with commercial application will likely attract the interest of entrepreneurs like ViewPoint in Nova Scotia and Zillow in the US and areas of Canada that have re-purposed property, assessment, and other databases to provide market tools for real estate buyers and sellers as well as professionals. They and other organizations, in fact, are already providing rental market information in many markets.

5.2 Stakeholder Views

Unquestionably, the major stakeholder groups consulted by Stantec have divergent views on the value of the rental registry initiative. Our interviewing processes established clear and largely opposing positions for landlords and tenant supporting groups (**Table 5-1**). Most landlords are opposed to the creation of a rental registry. Large landlords and landlords represented by the Residential Rental Association of PEI lead the opposition. They see the registry as government over-reach that threatens their business interests, their privacy, and the privacy of their tenants, as well as a reinforcement of the rent control regime, which most oppose.

The most persuasive arguments of landlords against a registry are based on privacy concerns. In addition to disclosing their own personal business information, landlords contended that registry records will also publicize an important feature of the financial profile of tenants as well as other tenant information that may be regarded as personal. Independent small and medium-sized landlords shared many of the concerns of the more business-oriented group, but some supported the registry concept and, even those who are opposed, acknowledged the need for fair treatment of tenants. The smaller landlords opposed to a registry, which they saw as a concession to tenants, suggested it should be balanced with landlord-friendly changes to legislation such as more flexible application of rent controls.

Table 5-1 Rental Registry Support/Opposition, Stakeholder Groups, 2021

Interest Group	Position	Benefits	Objections
Commercial Landlords		• Improved market knowledge	• Cost • Privacy concerns • Tenants have enough information • Protecting business interests
Smaller Landlords		• Improved market knowledge • Supports a fairer system	• Privacy concerns
Housing Advocates/ Tenants/Potential Tenants		• Improved market knowledge • Simplify landlord-tenant disputes	• Privacy concerns
Remaining Public		• Improved market knowledge • Positive government action	• Not determined

Source Stantec Consulting

Housing advocates who support the creation of a registry downplayed the privacy argument. Most were not concerned with landlord privacy. Several stated that landlords are running businesses and should expect to report business information when requested. Some landlords agreed with that position.

While our contacts acknowledged that registry information could infringe on the privacy of tenants, they generally feel the wider benefit of having a registry is more important and there are many other ways that an individual's rental costs can be estimated or determined without reference to a registry. Some noted that property-related information is now widely available through online sources, and rents are just an additional feature of many properties. We noted that while housing advocates generally favoured open access to registry information, the leading priority of most was to see a registry implemented for the benefit of tenants. All appeared to support a narrowly defined registry that recorded rents only if it was more likely to be implemented. All noted that tenants currently have little ability to leverage market information in any case.

We have not conducted a public opinion survey on the topic, nor does it appear that any other entity has polled Islanders concerning support for or opposition to a rental registry. Available evidence in the media, however, suggests that the wider public views the initiative positively. Darcie Lanthier clearly views it as an important political issue that she contends the government has failed to address. She and others believe a registry is a logical complement to vacancy control and should have been established when rent control was initiated in 1992.

5.3 Potential Approach

As we have noted, the recently adopted *Residential Tenancy Act* includes a provision not in the preceding Act requiring landlords to document on a new lease the rent paid, and services received by the preceding tenant. The measure is a simple means to address the belief that some landlords have obscured or falsified this information in the past. It is the main concern that has given rise to the demand for a government-operated rental registry, although we have outlined other largely indirect benefits for tenants, landlords, and officials interested in monitoring the provincial housing market.

A rental registry can supplement the new requirement by creating a public record against which this information can be verified. It can also be used to monitor rental increases relative to annually prescribed IRAC guidelines and provide detailed and specific data for assessing the PEI housing market. How far it should be developed for such secondary purposes is an open question. Decisions with respect to the role or roles of the registry will have critical implications for the data to be collected and the access that should be allowed to that data. It will also influence the cost of creating and maintaining the registry.

The Province of PEI has committed to “[e]xpand the housing navigator function to include the development and management of a centralized online registry of available safe and appropriate rental properties and resources” as part of its Housing Action Plan.[41] Fulfilment of that commitment, at the minimum, implies the Province will create a database of rental units and applicable rents. The reference to documenting “safe and appropriate rental properties and resources” suggests a broader commitment to creating a market support through which rental properties can be identified and assessed. Some members of the public have pushed for a rental registry and Stantec identified a need in our final report for the Charlottetown Region Growth Study and Housing Needs Assessment for the registry to provide rental market data for the Island at a finer grain than either Statistics Canada or CMHC can support.

The concern with creating a basic registry in the short-term suggests that the initial platform should focus on recording rents and rent increases. The data could be added to GeoLinc Plus

41 *Ibid.*, undated, p. 12.

or Land OnLine or, if it is considered desirable to keep a rental registry separate, it could share the property information framework incorporated in both existing systems.

The more complex issue will be securing the necessary data. A reporting system will be required with sufficient penalties or inducements to ensure compliance. Registration of leases would be the most reliable method, and its effectiveness would be helped if leases are required to be on the Standard Form to ensure structured collection of not only the rent charged but also services included in rent. The alternative would be to have the landlord or tenant submit the rent and related details, perhaps through an online form or questionnaire. One method of avoiding disputes concerning the data entered might be to have the landlord enter data and forward it to their tenant to sign off. To track increases, landlords could be required to file the required Notice of Rental Increase or to enter the data on a form that, again, could be signed off by the tenant.

For both leases and increases, failure to file the document or record its content would invalidate the lease or rent increase. Responsibility for filing would lie with the landlord who, in the event they did not file the documents, would have no standing before the Director of Residential Tenancy or IRAC if he or she wanted to collect unpaid rent or evict a tenant. Failure to file a rent increase would render the increase invalid and entitle the tenant to recover any additional rent collected as a result.

Even with these strong inducements to comply, it will take at least a year to accumulate rents for all properties on the Island. When information is gathered from all properties, the system could be made available at the level of exposure the Province considers appropriate. Gradual roll-out might well be advisable to allow data to be tested and determine any problems with recording and interpreting information. A staged approach might consider initial use by the Residential Tenancy Office and IRAC, and by Provincial staff for a year or more until data was determined to be accurate and reliable. At that point, it could be made available to the public in whatever manner the Province deems appropriate either limited to property in which individuals have a direct interest as owners or tenants, through paid subscription, or open to all without charge but, possibly, with a requirement for registration.

APPENDIX A

PEI Standard Form of Rental Agreement

Clear Form

FORM 1

STANDARD FORM OF RENTAL AGREEMENT

Pursuant to Section 9(1) of the *Rental of Residential Property Act,* hereinafter called "the Act," and section 3 of the Regulations

PARTIES

I. THIS AGREEMENT MADE this ________________________________ day of ____________________ , 20 _____ , BETWEEN:

____

(Name)

hereinafter called the LESSOR

____

(Street Address and Post Office Box where applicable)

____ __________________________

(Community) (Postal Code)

____

(Telephone Number(s))

AND

____

____

(Name(s))

hereinafter called the LESSEE(s).

PREMISES

II. In consideration of the mutual benefits and promises herein, THE PARTIES AGREE THAT:

1. The lessor will rent to the lessee and the lessee will rent from the lessor the following residential premises:

________ Apartment ________ Single Family Home
________ Room ________ Mobile Home
________ Portion of Duplex or Row Housing ________ Mobile Home Site

located at ____
(Street Address and Apartment Number where applicable)

____ __________________________

(Community) (Postal Code)

The Superintendent or Property Manager of the residential premises (if different from the lessor) is

____

(Name)

____

(Street Address and Post Office Box where applicable)

____ __________________________

(Community) (Postal Code)

____

(Telephone Number(s))

TERM

2. This agreement is to begin on the _________________________________ day of ____________________ , 20 _____ .

OR

FIXED TERM

This agreement is to begin on the ________________________________ day of _________________ ,
20 _____ , and end on the ___________________________ day of _____________________ , 20 _____ .

RENT

3. The lessee will pay rent at the following rate:

$ ____________________________ per ______________________ (Week/Month).

The first payment of rent is due on the ___________________________ day of each _________________ (week/month). Payments shall be delivered/mailed to

____
(Name)

____
(Address)

SERVICES & FACILITIES

4. The rent mentioned above includes payments for the following services and facilities:

________ Heat ________ Water ________ Hot Water ________ Electricity
________ Cooking Stove ________ Refrigerator
________ Washer & Dryer (without charge)
________ Washer & Dryer (coin operated)
________ Cable TV Hook-up Apparatus
________ Cable TV Service
________ Janitorial Service for Common Areas
________ Parking
________ Snow Removal for Parking Lot & Walkways
________ Grass Cutting
________ Other (Specify) ____

The following services and facilities are the responsibility of the Lessee:
________ None
________ Other (Specify) ____
____
____

SECURITY DEPOSIT

5. ________ A security deposit is not required.

OR

________ A security deposit in the amount of $ ____________ has been/is to be paid by the lessee to the lessor.
(Not to exceed one week's rent under a weekly agreement: otherwise, one month's rent.)

III. THE PARTIES ACKNOWLEDGE THAT

STATUTORY CONDITIONS

1. By operation of sections 6 and 7 of the Act, the statutory conditions set out in those sections (a copy of which is attached as Schedule "A") apply to this agreement.

TERMINATION BY LESSEE

2. By operation of section 11 of the Act, the lessee may terminate this agreement by serving on the lessor a notice of termination in accordance with the notice requirements set out in subsection 11(2) (a copy of which is attached as Schedule "B").

TERMINATION BY LESSOR

3. By operation of section 12 of the Act, the lessor may not terminate this agreement other than for a cause set out in sections 13, 14, or 15 of the Act and in accordance with the applicable notice requirement as set out in those sections (a copy of which is attached as Schedule "C").

IV. THE PARTIES AGREE THAT

1. The additional terms or conditions [if any] set out on Schedule "D" and initialed by both parties apply to this rental agreement.

2. This agreement is binding upon the lessor, his/her heirs, assigns, personal representatives, and successors in title, and the lessee and his/her assigns.

______________________________	______________________________
WITNESS	LESSOR
______________________________	______________________________
WITNESS	LESSEE
______________________________	______________________________
WITNESS	LESSEE

NOTE:
ONCE THE LESSEE SIGNS, THE LESSOR MUST ENSURE THAT THE LESSEE RECEIVES A COPY OF THE AGREEMENT AND INFORMATION RE THE PREMISES. (See ss. 30 and 31 of Act, attached as Schedule "E".)

SCHEDULE "A"
STATUTORY CONDITIONS

6. Notwithstanding any agreement, waiver, declaration or other statement to the contrary, where the relationship of lessor and lessee exists in respect of residential premises by virtue of this Act or otherwise, there shall be deemed to be a rental agreement between the lessor and lessee, with the following conditions applying as between the lessor and lessee as statutory conditions governing the residential premises:

1. Condition of Premises
The lessor shall keep the premises in a good state of repair and fit for habitation during the tenancy and shall comply with any enactment respecting standards of health, safety or housing notwithstanding any state of non-repair that may have existed at the time the agreement was entered into.

2. Services
Where the lessor provides or pays for a service or facility to the lessee that is reasonably related to the lessee's continued use and enjoyment of the premises, such as heat, water, electric power, gas, appliances, garbage collection, sewers or elevators, the lessor shall not discontinue providing or paying for that service to the lessee without permission from the Director.

3. Good Behaviour
The lessee and any person admitted to the premises by the lessee shall conduct themselves in such a manner as not to interfere with the possession, occupancy or quiet enjoyment of other lessees.

4. Obligation of the Lessee
The lessee shall be responsible for the ordinary cleanliness of the interior of the premises and for the repair of damage caused by any willful or negligent act of the lessee or of any person whom the lessee permits on the premises, but not for damage caused by normal wear and tear.

5. Subletting Premises
(1) Where a fixed term rental agreement is for a period greater than six months, the lessee may assign or sublet the premises subject to the consent of the lessor, which consent will not unreasonably be withheld or charged for unless the lessor has actually incurred expense in respect of the grant of consent, in which case he shall be entitled to recover such reasonable expenses as were actually incurred.

(2) Subsection (1) does not apply to
(a) a rental agreement in respect of residential premises that are developed under the *National Housing Act* R.S.C. 1970, Chap. N-10 or the *Housing Corporation Act* R.S.P.E.I. 1974, Cap. H-12.1 and are administered by or for the Government of Canada, the Government of the province, or an agency thereof;
(b) non-profit housing; or
(c) co-operative housing where the lessee is a member of the housing co-operative.

6. Entry of Premises
Except in the case of an emergency, the lessor shall not enter the premises without the consent of the lessee unless the lessor has served written notice stating the date and time of the entry to the lessee at least twenty-four hours in advance of the entry and the time stated is between the hours of 9 a.m. and 9 p.m.

7. Entry Doors
Except by mutual consent, the lessor or the lessee shall not during occupancy under the rental agreement alter or cause to be altered the lock or locking system on any door that gives entry to the premises.

8. Late Payment Penalty
Where the rental agreement contains provision for a monetary penalty for late payment of rent, the monetary penalty shall not exceed one per cent per month of the monthly rent.

9. Quiet Enjoyment
The lessee shall have quiet enjoyment of the residential premises, and shall not be barred from free access to them during the term of the rental agreement.

10. Delivery of Possession
Where notice of termination has been given in accordance with this Act, and all remedies in relation thereto have been exhausted, the lessee shall deliver up possession of the residential premises.

7. In addition to the statutory conditions set out in section 6, the following statutory conditions apply in respect of an agreement to rent a mobile home site or a mobile home:

1. Other than withholding, on reasonable grounds, his consent to a subletting of the mobile home site, the lessor shall not restrict in any way the right of a lessee of a mobile home site from selling, renting or otherwise parting with the possession of a mobile home owned by the lessee.

2. The lessor shall not receive any compensation or benefit from any negotiations of the lessee to trade, sell, rent or otherwise part with possession of a mobile home situate on that site, unless provided for in a separate written agency agreement that is entered into by the lessee after the lessee has entered into the rental agreement and has moved onto the site.

3. (1) The lessor of a mobile home site shall not require a lessee to pay a fee where the lessee is moving a mobile home to or from a site.

(2) Subsection (1) does not preclude a lessor from requiring a lessee to pay any reasonable expenses or damages which the lessor has actually incurred as a result of the moving or removing.

4. (1) Except as provided in this condition, the lessor shall not restrict in any way the right of the lessee to purchase goods or services from the person of the lessee's choice.

(2) The lessor may set reasonable standards for mobile home equipment.

5. The lessor is responsible for compliance with any municipal bylaws or other enactment in respect of the common areas of the mobile home park and the services provided by the lessor to the lessee in the mobile home park.

6. The lessee is responsible for compliance with any municipal bylaws or other enactment in respect of the mobile home and the mobile home site on which it is located to the extent that the lessor is not responsible.

SCHEDULE “B”

11. (1) A lessee may terminate a rental agreement by serving on the lessor a notice of termination which complies with section 18.

(2) A notice of termination is to be served by the lessee
(a) if the premises are let under a fixed term agreement, at least two months before the expiration of any fixed term, to be effective on the last day of that term;
(b) if the premises are let from month to month, at least one month before the due date for payment of rent, to be effective on the day preceding the due date;
(c) if the premises are let from week to week, at least one week before the due date for payment of rent, to be effective on the day preceding the due date.

SCHEDULE “C”

13. (1) Where a lessee fails to pay rent in accordance with the rental agreement, the lessor may, on any day following the day the rent was due, serve the lessee with a notice of termination to be effective not earlier than twenty days after the date it is served.

(2) A lessee may, within ten days of being served with a notice of termination under subsection (1) deliver to the lessor all the rent due as of that date, whereupon the notice shall be void.

(3) Where a lessee is persistently or habitually late in the payment of rent the lessor may apply to the Director for such order, including termination of the rental agreement as the Director considers just.

(4) This section applies in place of all other remedies, statutory or otherwise, for failure to pay rent.

14. (1) The lessor may also serve a notice of termination upon the lessee where
(a) statutory condition 3 or 4, or any other term of rental agreement has been breached, other than failure to pay rent;
(b) occupancy by the lessee has resulted in the residential property or residential premises being damaged to an extent that exceeds reasonable wear and tear, and the lessee has failed within a reasonable time after the damage occurred to take the necessary steps to repair the damage;
(c) the lessee has failed to give, within thirty days after the date he entered into a rental agreement, the security deposit requested pursuant to section 10;
(d) the lessee has knowingly misrepresented the residential property or residential premises to a prospective lessee or purchaser of the residential property or residential premises;
(e) the safety or other lawful right or interest of the lessor or other lessee in the residential property has been seriously impaired by an act or omission of the lessee or a person permitted in or on the residential property or residential premises by him;
(f) the number of persons permanently occupying the residential premises violates public health or fire safety standards prescribed by any Act or regulations;
(g) the residential premises must be vacated to comply with an order by a provincial, regional or municipal government authority respecting zoning, health, safety, building or fire prevention standards;
(h) the lessee has purported to assign or sublet the residential premises in violation of this Act;
(i) the rental agreement is for a fixed term with an option to renew and the lessee has not exercised the option.

(2) Subject to subsection (3), a notice of termination pursuant to subsection (1) shall
(a) in the case of a month to month or fixed term rental agreement, be served not less than one month before the date on which it is to be effective;
(b) in the case of a week to week rental agreement, be served not less than one week before the date on which it is to be effective.

(3) Where notice has been given for any of the reasons set out in subsection (1), the Director may, upon the application of the lessor, order that the termination be effective earlier than the date provided for in subsection (2).

(4) An application made by a lessor pursuant to subsection (3) shall be heard at the same time as any application made by the lessee pursuant to subsection 16(1)

15. (1) Where the lessor in good faith seeks to
(a) have possession of the premises for occupation by himself, his spouse, children or parents, or the parents of his spouse;
(b) convert the premises to a use other than residential use;
(c) renovate the premises where the nature of the renovations are advised to the lessee and are such that the renovations cannot be carried out while the lessee occupies the premises;
(d) demolish the premises,
the lessor may serve the lessee with a notice of termination to be effective not less than two months after it is served.

(1.1) Where
(a) the lessor is the owner of residential premises comprising not more than two rental units;
(b) the lessor enters into an agreement of sale of the residential premises to a purchaser; and
(c) the purchaser has sworn an affidavit that he wishes to have possession of the premises for occupation by himself, his spouse, children or parents or the parents of his spouse,
the lessor may serve the lessee with a notice of termination to be effective not less than two months after it is served and the notice shall be accompanied by a copy of the affidavit referred to in clause (c).

(2) Notwithstanding subsection (1), where a lessor serves a notice of termination under this section respecting a mobile home site, other than when the lessee is renting a mobile home and the mobile home site under a single rental agreement, the period of notice shall not be less than six months.

(3) Where a lessor serves a lessee notice of termination under this section, the lessee may, at any time during the period of notice
(a) give to the lessor at least ten days written notice of a termination date earlier than that specified by the lessor; and
(b) pay the lessor, on the date he gives notice of termination under clause (a), the proportionate amount of rent due up to the date the earlier termination is specified to be effective, or, where the rent has been paid in advance, claim and receive from the lessor reimbursement of that proportionate amount.

SCHEDULE "D"

ADDITIONAL TERMS OR CONDITIONS - SECTION IV OF RENTAL AGREEMENT

These additional terms or conditions may not conflict with the requirements of the Act.

SCHEDULE "E"

30. (1) Where a rental agreement in writing is executed by a lessee, the lessor shall ensure that a fully executed duplicate original copy of the agreement is delivered to the lessee at the time of signing or within twenty-one days after the lessee signed the agreement.

(2) Where subsection (1) is not complied with, only the provisions of this Act and the standard form rental agreement are binding upon the lessee, and the lessee is not bound by any additional terms contained in the written agreement unless and until it is served on him in accordance with subsection (1).

(3) Where a written rental agreement has been entered into before the effective date and the lessee has not been supplied with a copy of the agreement, the lessor shall, within twenty-one days of the effective date deliver a copy of the agreement to the lessee in compliance with subsection (1).

31. (1) The lessor shall at the time of entering into the rental agreement provide the lessee with the following information in writing:
(a) the name and address of the lessor;
(b) the name and telephone number of the person responsible for the premises.

(2) Where the lessor rents more than one residential premises in the same building and retains possession of part for the use of all lessees in common, the lessor shall post and maintain posted in the common area a notice giving the information required by subsection (1).

APPENDIX B

Notice of Rental Increase

Clear Form

FORM 10

NOTICE OF INCREASE IN RENT OF RESIDENTIAL PREMISES

(Pursuant to Section 22 of the *Rental of Residential Property Act* and section 13 of the Regulations)

TO: ______________________________
[Lessee]

OF:. ______________________________
____
____
[Address]

I hereby give you notice that the rent payable on the above-described residential premises will be increased by $____________ per week/month, as of the ________________________ day of ______________________, 20 ___, resulting in the total rental rate being $________ per week/month.

This represents an increase of ____________% of the current rate.

The amount of increase permitted by the Regulations is ____________% .

The rent for the residential premises you occupy was last increased on the ________________ day of ______________________, ___.

DATED this ______________________ day of ______________________, 20____.

Signature: ____________________________
[Lessor]

NOTE:

- THE RENT FOR RESIDENTIAL PREMISES MAY NOT BE INCREASED UNTIL 12 MONTHS HAVE ELAPSED SINCE THE DATE OF ANY PREVIOUS INCREASE, OR, IN THE CASE OF PREMISES NOT PREVIOUSLY RENTED, THE DATE ON WHICH RENT WAS FIRST CHARGED (SECTION 21 OF ACT).
- THE LESSEE MAY HAVE THIS INCREASE REVIEWED BY APPLYING TO THE DIRECTOR OF RESIDENTIAL RENTAL PROPERTY WITHIN 10 DAYS AFTER RECEIVING THIS NOTICE. (SECTION 23(4) OF ACT)
- FOR INCREASES GREATER THAN THE PERCENTAGE ALLOWED BY REGULATION, THE LESSOR MUST APPLY TO THE DIRECTOR OF RESIDENTIAL RENTAL PROPERTY NOT LATER THAN 10 DAYS AFTER NOTIFYING LESSEE. (SECTION 23(3) OF ACT)
- THE PROPOSED RENT MAY NOT BE CHARGED PENDING THE OUTCOME OF AN APPLICATION TO THE DIRECTOR. (SECTION 23(10) OF ACT)
- ADDRESS FOR DIRECTOR: 134 KENT STREET, P.O. BOX 577, CHARLOTTETOWN, P.E.I., ClA 7Ll.