



# Yukon Legislative Assembly

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Number 230

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, March 18, 2025 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2025 Spring Sitting

**SPEAKER — Hon. Jeremy Harper, MLA, Mayo-Tatchun**  
**DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Annie Blake, MLA, Vuntut Gwitchin**  
**DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Lane Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Ranj Pillai</b>	Porter Creek South	Premier Minister of the Executive Council Office; Economic Development; Minister responsible for the Yukon Housing Corporation
<b>Hon. Jeanie McLean</b>	Mountainview	Deputy Premier Minister of Education; Minister responsible for the Women and Gender Equity Directorate
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Environment; Highways and Public Works
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Minister of Health and Social Services; Justice
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Safety and Compensation Board
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Government House Leader Minister of Energy, Mines and Resources; Tourism and Culture; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Sandy Silver</b>	Klondike	Minister of Finance; Public Service Commission; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission

### OFFICIAL OPPOSITION

#### Yukon Party

<b>Currie Dixon</b>	Leader of the Official Opposition Copperbelt North	<b>Scott Kent</b>	Official Opposition House Leader Copperbelt South
<b>Brad Cathers</b>	Lake Laberge	<b>Patti McLeod</b>	Watson Lake
<b>Yvonne Clarke</b>	Porter Creek Centre	<b>Geraldine Van Bibber</b>	Porter Creek North
<b>Wade Istchenko</b>	Kluane	<b>Stacey Hassard</b>	Pelly-Nisutlin

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Lane Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, March 18, 2025 — 1:00 p.m.**

**Speaker:** I will now call the House to order.  
We will proceed at this time with prayers.

*Prayers*

**Withdrawal of motions**

**Speaker:** The Chair would like to inform the House of a motion not placed on the Notice Paper: Motion No. 1197, notice of which was provided by the Hon. Premier yesterday, was not placed on the Notice Paper, as it is out of order.

**DAILY ROUTINE**

**Speaker:** We will proceed at this time with the Order Paper.

**INTRODUCTION OF VISITORS**

**Speaker:** Introduction of Visitors.  
*Visitors introduced*

**Speaker:** Are there any tributes?

**TRIBUTES**

**In recognition of Mary Vanderkop and the animal health unit**

**Hon. Mr. Clarke:** Mr. Speaker, it is with great honour that I rise today to pay tribute to Dr. Mary Vanderkop. Dr. Vanderkop took a bold step in 2010 when she relocated from Saskatchewan to the Yukon to become our first-ever chief veterinary officer, a position that she held until her retirement in January of this year.

The Yukon presents obstacles that require specialized knowledge and innovative solutions. Remote communities, extreme weather conditions, and limited access to resources can make caring for animals here complex. Undeterred, Dr. Vanderkop saw an opportunity and worked tirelessly to ensure that northern challenges were recognized, understood, and properly addressed in animal care.

Under Dr. Vanderkop's leadership, the animal health program has flourished, expanding into the fully operational animal health unit that we know today. What began with a single voice advocating for northern animals grew into a high-performing, seven-member strong team, one that is responsible for delivering a comprehensive suite of animal health and protection programs for the territory. The mission of the animal health unit is to safeguard the health and protection of animals both wild and domestic while supporting public health and enhancing the safety and well-being of Yukon communities.

Dr. Vanderkop and her team were instrumental in leading the development and implementation of two impactful pieces of legislation: the *Animal Health Act* and the *Animal Protection and Control Act*. In many ways, the *Animal Protection and Control Act* represents the crowning achievement of Dr. Vanderkop's distinguished career, a nearly decade-long

labour of dedication that transformed the landscape of animal welfare in our territory. Her practical and innovative approach to finding solutions has resulted in legal tools that will empower and support animal care across the territory for years to come.

The success of the animal health unit is based on its 1Health approach that considers people, animals, and the wider environment. This approach recognized the need for partnership with animal owners, farmers, veterinarians, public health, First Nation and local governments, and non-profit societies.

Dr. Vanderkop built and fostered these collaborations that the animal health unit will continue to nurture into the future. Built on Dr. Vanderkop's leadership, this unit will continue safeguarding animal health and ensuring that the Yukon remains safe for both humans and animals. Today, the animal health unit stands as a testament to what can be achieved when passionate, determined people take bold steps to advocate for the protection and well-being of animals, the environment, and public health.

Dr. Vanderkop was connected with a diverse group of stakeholders, partners, and colleagues in the Yukon as well as through Canada and beyond. Let us take a moment to express our deepest gratitude to Dr. Vanderkop for her invaluable contributions to the Yukon. Dr. Vanderkop, thank you for your service and congratulations on your legacy of excellence. I just want to note that this tribute is also on behalf of the Official Opposition. Dr. Vanderkop, please enjoy your well-deserved retirement.

*Applause*

**MLA Tredger:** Mr. Speaker, I rise on behalf of the NDP to pay tribute to the animal health unit and to honour the remarkable contributions of Dr. Mary Vanderkop, who recently retired from her position as chief veterinary officer after many years of dedicated service.

The animal health unit is an essential department of the government and plays a crucial role in helping animals live happy and healthy lives in the Yukon. They have focused on increasing education and building strong relationships with animal owners and handlers across the Yukon. Their team also partners with conservation officers to ensure that domestic animals and wildlife coexist without negatively impacting one another. People in the Yukon share a deep connection with nature and animals, so it's important that we take a moment to recognize and celebrate the valuable work that this unit is doing.

We also want to express our gratitude to Dr. Mary Vanderkop, who devoted more than two decades of her career to improving the health and well-being of animals in the Yukon. As the territory's first chief veterinary officer, she achieved so much during her tenure. Among her many accomplishments, she developed health and wellness programs for both livestock and companion animals, created inspection processes, and implemented risk assessments and emergency response protocols. She also made significant changes and improvements to the legislative framework, including the *Animal Health Act*, enabling us to respond more effectively to

the needs of animals in our territory. As we debated that act, I had the pleasure of asking her questions at various times and her answers were always incredibly well-informed but also really thoughtful and insightful and really helped me to understand the act and debate it better in this Legislature.

Mary's legacy has provided an exceptional foundation for animal health in the Yukon and her contributions will be felt for years to come. So, thank you to Dr. Mary Vanderkop and thank you to everyone in the animal health unit for your commitment to animal welfare.

*Applause*

### **In recognition of International Day for the Elimination of Racial Discrimination**

**Hon. Ms. McPhee:** Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to the International Day for the Elimination of Racial Discrimination, a day that serves as a poignant reminder of the tragic events of the Sharpeville massacre in South Africa. On March 21, 1960, 60 innocent lives were lost in a brutal act of racism and oppression. As we honour their memory, we must acknowledge the ongoing struggles faced by marginalized communities around the world today, including here in Canada. Treating people unfairly or differently based on their race, religion, skin colour, language, or ethnicity is unacceptable and has no place in our society.

Systemic racism is often hidden, embedded within the structures and institutions that shape our daily lives, making it hard to recognize but no less discriminatory. Racism not only devalues individuals and denies their basic human rights, but it also perpetuates inequality and leads to violence, hate crimes, and senseless tragedies that devastate families and communities.

We all have a responsibility to confront racism and discrimination in all its forms. From anti-Indigenous and anti-Black racism to anti-Semitism, Islamophobia, and anti-Asian racism, we must stand together against hate and intolerance. By speaking out against discriminatory language and actions, we can each contribute to a safer, more inclusive environment for everyone.

We must listen to and learn from the experiences of Indigenous, Black, and people of colour engaging in difficult conversations about race and injustice. By doing so, we can work toward equality and equity for all, treating all people with fairness and compassion. We have a responsibility to speak out against racist statements or actions, refusing to let them pass as jokes or insignificant remarks.

Despite progress, more work needs to be done to address systemic racism. In the face of current policy changes and attacks on human rights around the world, we must be more vigilant than ever. We must continue to work toward reconciliation, diversity, and equality. This includes continuing our commitments to implementing the Truth and Reconciliation Commission's calls to action and the National Inquiry into Missing and Murdered Indigenous Women and Girls' calls for justice.

Today reminds us to notice what is happening around us. Speak up and support our fellow citizens, and reaffirm our commitment to eliminating racial discrimination. We must be vigilant and continue to work together to build a more just and equitable society for all.

*Applause*

**Ms. Clarke:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize March 21 as the International Day for the Elimination of Racial Discrimination. This day stands in recognition of the injustices and prejudices that result from racial discrimination.

In 1966, the General Assembly of the United Nations proclaimed this day in response to the mass shooting of people gathering in a peaceful demonstration against apartheid on March 21, 1960. The Sharpeville massacre in South Africa claimed the lives of 69 people and injured many more. This year happens to mark the 60<sup>th</sup> anniversary of the International Convention on the Elimination of All Forms of Racial Discrimination. This convention set out concrete steps for countries to take and remains a guide for them to promote understanding within society and address hate and discord.

Canada has observed March 21 since 1989 as a day of remembrance and as a call to action. It is a reminder that there is racism faced daily throughout the country by Indigenous peoples and racial and religious minorities. In recent years, we have seen adverse social events and geopolitical tensions rise and with them a spike in the frequency and visibility of hate crimes targeting identity-based groups in our country.

Statistics Canada reported 4,777 hate crimes in 2023, up from 1,409 in 2016. We would like to remind everyone that while our governments around the world have a big job to do on the political level with respect to discrimination, it is important that we all do what we can at home in our own circles to raise our children to understand the history of racism and how it affects people on a deeply personal level and to practise inclusivity, acceptance, and kindness.

It is our hope that future generations will embrace racial and cultural diversity until all forms of discrimination are eliminated.

*Salamat po.*

*Applause*

**Ms. White:** Mr. Speaker, I rise on behalf of the Yukon NDP to pay tribute to the international day to end racial discrimination. This year marks the 60<sup>th</sup> anniversary of the International Convention on the Elimination of All Forms of Racial Discrimination.

A lot has changed in 60 years. When it was created in 1965, it was only five short years after the Sharpeville massacre in South Africa and still decades before the end of apartheid in that country. The United States was still in the process of ending Jim Crow segregation laws, and here in Canada, the racist laws that denied Indigenous Canadians the right to vote had only recently ended. Thankfully, a lot has changed, but there is still so much more work to do. Just south of the border, we are seeing a vilification of anti-racist policies and programs

and hearing disturbing echoes of the same rhetoric here in Canada.

You can look at almost any metric, from health outcomes to economic indicators, and racialized people in Canada do not have the same opportunities and do not experience the same benefits as white Canadians, but it doesn't have to be that way. Across Canada and around the world, we see extraordinary leadership from the people most affected by racism. From streets to board rooms, from daily small acts of community solidarity to monumental shifts in our society, resistance is alive and well, and things do change.

Today, as we tribute the international day to end racial discrimination, we commit ourselves to making sure that the changes that are coming are good ones. We can commit ourselves to fighting to truly end racial discrimination.

*Applause*

**Speaker:** Are there any returns or documents for tabling?

### TABLING RETURNS AND DOCUMENTS

**Mr. Istchenko:** I have for tabling a resolution of the Haines Borough Assembly recognizing Canadian sovereignty, adopted March 11, 2025.

**Hon. Mr. Streicker:** I have for tabling today two legislative returns in response to written questions from the Member for Copperbelt South.

**Speaker:** Are there any further returns or documents for tabling?

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

### NOTICES OF MOTIONS

**Hon. Mr. Silver:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House:

(1) thanks employees of the Yukon Liquor Corporation and in particular all front-facing staff who have been serving Yukoners for their strong work which ensured that all US-made alcohol was immediately removed from the YLC store shelves and is no longer being ordered, as instructed by the Yukon government;

(2) thanks customers of Yukon Liquor Corporation stores for their understanding and their kindness to employees and front-facing staff and further encourages all Yukoners and visitors to the Yukon to continue to shop and support local;

(3) denounces the harassment of employees at the Yukon Liquor Corporation by some customers stemming from the Yukon government's decision to pull American liquor off the shelves or because customers think that some products that are on the shelves should not be; and

(4) recognizes that any fault or blame of any action taken in response to American tariffs lies solely with the United

States administration and never with any individual employees or front-facing staff.

**Mr. Kent:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Yukon government to call witnesses from PricewaterhouseCoopers to appear during the 2025 Spring Sitting to provide information and answer questions from MLAs regarding the receivership and management of the Eagle Gold mine.

**Mr. Cathers:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Yukon government to call witnesses from the Yukon Hospital Corporation to appear during the 2025 Spring Sitting to provide information and answer questions from MLAs.

**Mr. Hassard:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Yukon government to call witnesses from the Yukon Development Corporation and Yukon Energy Corporation to appear during the 2025 Spring Sitting to provide information and answer questions from MLAs.

**Mr. Istchenko:** Mr. Speaker, I rise in the House today to give notice of the following motion:

THAT this House thanks the Haines Borough Assembly for adopting Resolution 25-03-1166 on March 11, 2025, which fully and sincerely recognizes and supports the sovereignty of Canada, our trading relationship, and states that this historic partnership serves as an honourable example of international peace and cooperation.

**Ms. White:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to open more publicly run medical clinics staffed by doctors and nurse practitioners.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to continue operating the Whitehorse walk-in medical clinic after the expiry of the *2023 Confidence and Supply Agreement between the Yukon Liberal Caucus and the Yukon NDP Caucus*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to continue to provide a Yukon dental plan after the expiry of the *2021 Confidence and Supply Agreement between the Yukon Liberal Caucus and the Yukon NDP Caucus*.

**MLA Tredger:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to continue to provide free Whitehorse transit tickets and monthly

passes to the community through not-for-profit organizations and social service and health providers after the expiry of the *2023 Confidence and Supply Agreement between the Yukon Liberal Caucus and the Yukon NDP Caucus*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide support to the community of Watson Lake by developing a comprehensive plan to improve highway conditions.

**Speaker:** Is there a statement by a minister?  
This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Health care professionals recruitment and retention

**Mr. Cathers:** Two months ago, one of the Yukon's two resident orthopaedic surgeons announced that he was leaving his practice in the Yukon and moving to BC. As he exited the Yukon, he didn't hold back his thoughts about this government and their lack of support for medical services. In a letter, he said — quote: "I am sorry to be leaving but systemic underfunding of the orthopaedic service has forced me to make this difficult decision to move my practice to British Columbia."

Why is the Liberal government driving doctors away from the Yukon when we so desperately need more of them?

**Hon. Ms. McPhee:** This Government of Yukon is committed to ensuring that Yukoners are supported by an accountable government and also by very robust and healthy medical services teams.

I am not sure why the members opposite continually try to write a story or a narrative for Yukoners that indicates that the Yukon government is underfunding any medical services. Quite frankly, it is exactly the opposite, Mr. Speaker. The highest ever Health and Social Services budget is before this Legislative Assembly right now. The highest ever health budget for the Yukon Hospital Corporation is before this House right this minute. We look forward to the debate with respect to the highest budget — of \$682.9 million — for the Department of Health and Social Services O&M expenditures and a \$140-million budget for the Yukon Hospital Corporation.

I certainly hope they will convey this information to Yukoners who are speaking to them, and I certainly hope that we will see them support this budget for health care.

**Mr. Cathers:** The minister's denials don't change the fact that our health system and hospital are in a state of crisis. The minister may not like the facts, but I quoted what a surgeon said in his letter as he left the Yukon.

The outgoing surgeon did an interview with the *Yukon News* on his way out, and here is a quote from that: "From his perspective, in late 2023, it seemed like things weren't going to get any better in surgical services. McIntyre said morale was at an all-time low at that point. He said an 'impasse' had been hit in talks with the Yukon government. He said there was an announcement to cancel travel nurses and cut back surgical services."

Mr. Speaker, it's abundantly clear; doctors are sending a clear message to this government with their words and actions. When will the Liberal government start listening?

**Hon. Ms. McPhee:** Mr. Speaker, I don't believe this is a place to convey conversations — even conversations that might be of interest to Yukoners — but Dr. McIntyre and I have discussed this situation on many occasions personally. He is a private business owner with respect to his practice, as are all doctors here in the territory.

We are very sorry to lose him as part of the orthopaedics team. I can indicate that we continue to work very closely with the Hospital Corporation and the orthopaedics team to make sure that the vacancy left, unfortunately, by his departure is something that we can resolve.

The Yukon Hospital Corporation, in partnership with the Yukon Medical Association, is dedicated to having a roster of physicians who provide patient care here in the territory and who provide the services that are appropriate and necessary to be provided here in the territory.

I think we can also note that the orthopaedics program has grown in leaps and bounds since 2017 when we came here to government. The number of actual surgeries that are scheduled has also increased, and that is all for the benefit of Yukoners.

**Mr. Cathers:** The minister denying reality doesn't change it or the facts. The decision by this surgeon was unfortunately not an isolated one. It has been part of a clear pattern of doctors closing practices and doctors fleeing the Yukon because of the situation that the Liberal government has created here. Here is what the president of the Yukon Medical Association told CBC a few weeks ago — quote: "What we're seeing is there's some very significant pressures and challenges to primary care and practice in the Yukon right now that are potentially leading to these closures and may continue to [cause] difficulty accessing a physician."

Mr. Speaker, it's clear that change is long overdue. Will the Liberal government finally start taking real action to attract doctors, surgeons, and specialists to work here instead of chronically underfunding our hospitals, underfunding programs, and causing doctors to leave the Yukon?

**Hon. Ms. McPhee:** Mr. Speaker, unfortunately, just because the member opposite says something is so, it's not necessarily the case. The Hospital Corporation is not underfunded. We work with them on a base amount — it goes into the mains — and then we work with them throughout the year to make sure their services are properly and appropriately funded for Yukoners. The highest ever budget for health care exists in this Legislature right now. The opportunities for the Yukon Party to support that and to support Yukoners and to put their money where their mouths are is before us as we speak.

We are working with the Hospital Corporation and the resident orthopaedic surgeon to explore opportunities to ensure the success and stability of that program. It is something that we have supported since the minute we came to government. The Hospital Corporation received approval in September 2024 to increase the annual total joint target to 150 scheduled surgeries. That is not including emergency surgeries.

As of December 2024, 97 total joint replacement surgeries have been completed through the Hospital Corporation in 2024-25. As of February 2025, seven joint replacement surgeries have been completed out of the territory. That is saving Yukoners money, that is providing them access to health care, and that is how we will continue to work with our partners.

**Question re: Physician administrative burden**

**Ms. McLeod:** Mr. Speaker, we continue to hear from Yukon doctors who feel that the Yukon government imposes an inordinate amount of red tape and administrative burden on them. Last year, the Canadian Federation of Independent Businesses released a report confirming that exact same sentiment. That report found that red tape is making it harder for doctors to do what they do best — care for their patients.

According to the then-president of the Canadian Medical Association, three-quarters of doctors say that administrative burden gets in the way of caring for their patients — and I quote: “Reducing unnecessary paperwork improves physician wellness and retention and improves access.”

So, will the Yukon government agree to work with the Yukon Medical Association to launch a task force to reduce the administrative burden on doctors?

**Hon. Ms. McPhee:** Mr. Speaker, this is something that we have been working on with the Yukon Medical Association for some time. There is an attachment and attraction program that was built into the MOU that is with the Yukon Medical Association from 2022, which is ending this month. We look forward to entering into our continued negotiations with respect to these kinds of concerns. The budget for the physician recruitment and retention program in the current budget is the same as it was last year. We have an attachment and attraction program that permits individual practising physicians to submit a document that allows them to receive direct cash funding for administrative burden — to offset their administrative burden. It is a significant amount of funds annually per physician of \$72,000.

The Yukon government is committed to strengthening our health workforce to supporting doctors with respect to administrative burden. It is something that we negotiated in the last MOU, so some three years ago. I expect that we will continue to have conversations with the YMA about the importance of this for them.

**Ms. McLeod:** Mr. Speaker, there are several specific areas here in the Yukon that we have heard about from physicians that can be improved and streamlined, and I’m glad that the minister raised this. One example is the attachment and attraction fund, which is supposed to provide support for the overhead costs in primary care. While this fund is needed, it is known for being very administratively burdensome. The government can solve this by committing to eliminating this unnecessary red tape and making it easier for doctors to access the A&A fund.

Will the minister direct her department to work with the Yukon Medical Association to cut this red tape and to make it easier for family doctors to see more patients instead of doing unnecessary paperwork for the government?

**Hon. Ms. McPhee:** Mr. Speaker, I appreciate these questions, because they are asking for us to do things that we have already done.

With respect to the attachment and attraction program, there was initially concern back in 2022 that the administrative burden of accessing that support fund for physicians was complicated or more difficult than it needed to be. As a result, we removed those requirements and made the attachment and attraction program much simpler for physicians. So, perhaps some up-to-date information would be good.

Last year in the fall, the Premier and I met with the Canadian federation of small business to talk about exactly this. I met with the Canadian Medical Association presidents — both incoming and outgoing — last summer. I also had conversations with them about administrative burden and about team-based care, which they support 100 percent here in the territory, and our transformation of our health care system is ahead of the pack with respect to our *Putting People First* guidance and our work to transform Yukon’s health care system. The Canadian Medical Association also had conversations with us about administrative burden, because it is a top issue for us to deal with — and helping to present health care here in the territory.

**Ms. McLeod:** Mr. Speaker, we are not hearing quite that rosy a picture from our doctors, but other jurisdictions are taking clear actions. Manitoba, for example, has created a joint task force with their medical association and has already begun to see results. They reported last fall that they have saved doctors in that province over 75,000 hours of unnecessary paperwork. In Nova Scotia, they estimate that they have saved doctors more than 282,000 hours of unnecessary administrative work.

But it starts with the Yukon government admitting that there’s a problem, taking it seriously, and moving to correct it. Will the Yukon government launch a task force with the Yukon Medical Association to identify physician administrative burdens, set a clear target for reduction, and start cutting the red tape that is keeping our Yukon doctors from spending more time with their patients?

**Hon. Ms. McPhee:** Mr. Speaker, there is no one here who wants our physicians to be doing medical services for Yukoners more than our government. Our government has been committed to relationship-building, something that the former ministers, when they were here in government, just couldn’t do. Our relationship with the Yukon Medical Association and our relationship with the Hospital Corporation are key to us working on these very challenging issues.

I also, I guess, take issue with the fact that I somehow misunderstand what the issues are. I am at tables every single week with respect to experts and officials at the Department of Health and Social Services, the medical association, and the hospital association in order to speak about these incredibly important issues.

Administrative burden is absolutely a driver for the changes of transitioning our health care services out of the 1950s. To be frank, it is a driver with respect to the fact that we want our medical practitioners to be able to provide medical

service to Yukoners and not necessarily be burdened with the concerns of being a business owner. We are transforming the health care system in that way.

**Question re: Substance Use Health Emergency Strategy implementation**

**Ms. White:** Mr. Speaker, the *Substance Use Health Emergency Strategy* was released two years ago and includes a lot of excellent recommendations but no budget, no timelines, and what to date looks like very little action. Since its release, we've heard little from this government about its progress. We're talking about a crisis that spreads grief across the territory, has taken many Yukoners from their communities, families, and loved ones far too soon; yet since this strategy was released, Yukoners have heard more silence than action from this government.

A year ago, I asked this question of the minister and she didn't provide me an answer, so I'm going to ask again: Can this government tell Yukoners how many of the 43 recommendations from the *Substance Use Health Emergency Strategy* have been achieved to date?

**Hon. Ms. McPhee:** Mr. Speaker, unfortunately, it's clear in the question that there's a misunderstanding regarding the *Substance Use Health Emergency Strategy*. The declaration of the health emergency was, in fact, a call to action for all Yukoners.

The strategy was developed with community partners for the purposes of addressing all aspects of substance use and how we might challenge it. We have reported on the strategy. It is not for government to drive alone. Its primary purpose is to provide a road map for action on how the Government of Yukon and the government's partners can reduce substance use-related harms here in the territory.

It is a living document. A strategy is designed to evolve over time as it adapts to the changing needs of the communities and incorporates ongoing feedback from our partners. We have implemented many, many parts of the strategy, as have other community organizations — other communities across the territory.

Is there a camp for youth out in Pelly? Is there a group counselling session being held in Old Crow? These are all parts of the *Substance Use Health Emergency Strategy* and the response that Yukon communities, individuals, and partners are having with respect to how to help others.

**Ms. White:** Mr. Speaker, in the past, the minister has talked about some actions that were included in the *Substance Use Health Emergency Strategy*, most of which would not have happened without the pressure from the NDP — the supervised consumption site, safe supply, and the managed alcohol program would never have happened without the confidence and supply agreement.

It seems that this government is only willing to act when the NDP forces them to. In the *Substance Use Health Emergency Strategy*, this government committed to annual reports, yet it has been two years, and we have yet to see the minister issue a single report.

So, why have no reports been produced, and when will the minister table the annual reports that were promised to Yukoners?

**Hon. Ms. McPhee:** Mr. Speaker, I will again challenge the premise of parts of this question. These are all activities — initiatives — of the Yukon government that we have been committed to in collaborating with a number of partners. For example, the Moccasin mobile outreach explores ways to support and strengthen their efforts; Blood Ties Four Directions' initiative to increase distribution of take-home fentanyl test kits in rural Yukon communities; Blood Ties Four Directions providing harm-reduction services in Whitehorse through the outreach van; and the Mental Wellness and Substance Use services staff working in Whitehorse and communities to provide harm-reduction supplies and training; expanding the opioid treatment services to communities outside of Whitehorse as an element of the *Substance Use Health Emergency Strategy*; work has begun expanding access to opioid agonist therapy in the Carcross Health Centre; land-based healing programs that are supported 100 percent by our government, and there is money in budgets to support that; there is an implementation committee that is formed to have project partners be responsible for and report on the activities that are happening to support this strategy. This strategy is about supporting Yukoners, Mr. Speaker, and that is what it does.

**Ms. White:** Mr. Speaker, this is an ongoing theme with health care and social services in this government. Rather than action, we see this government commission report after report and plan after plan. Half the time, we never actually see the report or rather anything in the plan come to fruition.

The minister might like to say that I don't have the facts here, but again, where is the Connective review? Where is the substance use health emergency annual report? After two years and little to no action by this government, why is the government beginning yet another plan for downtown safety? *Putting People First* was brought forward seven years ago and accepted by this government, but 72 percent of the commitments are still not complete.

We don't need more plans and reports. Experts have already told us what needs to happen, and we are still in an ongoing substance use health emergency, so when will this government finally act and deliver the health services that Yukoners desperately need?

**Hon. Ms. McPhee:** Mr. Speaker, it's clear, I think, that the questions are written and then no answers are listened to.

I am happy to note that there are many, many programs that are here to support Yukoners. That is our dedication, and that is the work that we are doing. This government has focused on speaking to Yukoners, on listening to Yukoners. We have done that with the initial financial report. We did it after that with *Putting People First*. We have done it through the work of the minister with respect to missing and murdered Indigenous women and girls and calls for justice. We have worked on these plans. We have done it with respect to climate change. We have done it with respect to seniors.



The member opposite, the Third Party, might be speaking about how these are shelving reports. They are not reports; they are road maps. They are plans; they are work from listening from Yukoners, and they are guiding the work that we do moving forward, and we are responding to every single one of them.

**Question re: Shakwak project funding**

**Mr. Istchenko:** Mr. Speaker, last week, I asked about the plans for the \$8-million Shakwak project that is committed in this budget. While we know that there is uncertainty about the funding from the US government, local contractors and residents in the area deserve to know the Yukon government's plans.

Will this project be tendered this year?

**Hon. Mr. Clarke:** Mr. Speaker, the member opposite's question is about less than \$9 million of a \$2.36-billion budget. That is a fair question. However, I am happy to explain how this funding was put on pause by the Trump administration, if the member opposite really wants to know.

It is important to know that our government is making a \$64.7-million investment in capital investments in community infrastructure, spending \$41 million improving highways, \$50.7 million investing in bridges, and putting even more money toward upgrading roads and improving road safety.

It is also fair to say that, just the other day, we heard the members opposite say that they will not be voting for this budget. They will not be supporting tens of millions of dollars in road upgrades, road maintenance, bridge repair, infrastructure upgrades, or other capital projects that we are planning across the territory.

I know that the member opposite is asking about Shakwak funding because they want to make it sound like we do not support contractors and that we do not support Yukoners. So, I will ask, Mr. Speaker: If they are voting against more than \$150 million in construction projects this year, how does that help contractors? How does that help Yukoners?

**Mr. Istchenko:** Mr. Speaker, will this project be tendered this year — yes or no?

**Hon. Mr. Clarke:** Mr. Speaker, for the member opposite and for Yukoners, I will just provide some detail as to what has actually occurred. On January 20, Donald Trump signed Executive Order 14154. In section 7 of this executive order, it orders a pause of funding appropriated for the *Inflation Reduction Act of 2022* and the *Infrastructure Investment and Jobs Act*. The *Infrastructure Investment and Jobs Act* is the bill where funding for the Shakwak agreement is appropriated. President Trump ordered a 90-day pause while agencies must submit a report to the director of the NEC and the director of OMB detailing the findings of their reviews. From there, individuals must approve all funding before it can be disbursed.

We have been in communication with the Governor of Alaska, senators, and representatives from Alaska. We know that they support this funding. We know that Yukoners support this funding. We are waiting to see if the Trump administration supports it or not. In the meantime, we will continue to make

investments in our road, bridge, and highway infrastructure across the territory.

Thanks to the work of our government, there is a busy construction season ahead.

**Question re: 5<sup>th</sup> and Rogers site development**

**Ms. Clarke:** Mr. Speaker, in March 2024, the Yukon government entered into an agreement to sell the property known as "5<sup>th</sup> and Rogers" to a group of local companies for a dollar. At the press conference, the minister told local media that shovels would be in the ground that summer. Obviously, that did not happen, so can the minister update the current timeline for developing that site?

**Hon. Mr. Streicker:** Mr. Speaker, I will get some information specifically on the project. I believe that they're working right now on city permits. I know that they did an announcement — I think it was last year — around the project. I often walk by the site just to take a look.

I will note that the legislative return that I tabled today — and last week when I tabled our projection around the development of lots here in the territory and how we feel that, after we release the lots this year, we will be at 1,000 lots released since 2021, and 5<sup>th</sup> and Rogers will count as one.

**Ms. Clarke:** In their project update in September, the group purchasing the site announced a number of activities that are underway. They also noted in their press release that the sale agreement included a number of conditions related to the liabilities and costs associated with the cleanup.

Can the minister tell us if that sale has fully gone through? Does the site belong to them? Has the title been transferred to them?

**Hon. Mr. Streicker:** Mr. Speaker, the way this worked was that we talked to the development cooperative — several of the largest Yukon companies and First Nation development corporations — and there was a piece where there had to be some remediation on the site, including a berm. We had the slides a few years ago, as you will recall. It was all about making sure that those were conditions that were put on there.

It was through conversation with developers that we agreed that the way this should happen is to sell the lot at a low price and let them do that final development and remediation work. I'll check on the status of that and report back to the House; I'm happy to do so.

Again, I think this is a great project. We expect hundreds of units on that one lot and we think it's terrific that the private sector is getting involved in land development.

**Question re: Yukon Energy Corporation hydro relicensing project**

**Mr. Kent:** Mr. Speaker, on December 8, 2023, the Yukon Energy Corporation submitted a proposal to the YESA board to re-license the Whitehorse Rapids hydroelectric generating station.

Initially built in 1958, it is arguably the most important renewable energy asset in the Yukon, producing a significant amount of the power that we use annually. So, it has been 10 weeks since YESAB issued their recommendation, and there

has been no sign of a decision document from the Yukon government or Canada. The only correspondence is from Canada, explaining that they would not meet the timelines for issuing a decision document. The water licence expires at the end of May, and the Yukon Energy Corporation has applied for a two-month re-licensing while they wait for Canada and Yukon.

How much longer does the minister anticipate that it will take for his government and the Government of Canada to issue a decision document?

**Hon. Mr. Pillai:** Mr. Speaker, I believe that the decision document should be completed in the next number of days. They know that they are pushing to get it done by the end of the month. They were waiting to have — the team who is working on the document was waiting to have consultation with Carcross/Tagish First Nation. That work was for yesterday — they were having those meetings. I haven't had a briefing on what those conversations led to, but that needed to be concluded to make sure that consultation was done before there could be a decision document provided to the Water Board.

**Mr. Kent:** Mr. Speaker, the Premier's timelines mean that the YEC has only two months to get their water licence through the Yukon Water Board. The YEC can't proceed with the Yukon Water Board for a renewal until they get the decision document, which has forced them to apply for that two-month interim re-licensing, and there are no guarantees that the decision document will be issued in time or that the extension will be granted.

So, what is the Liberal contingency plan here? If no licence is in place, will they force YEC to close down the Whitehorse hydro facility, or will it be allowed to continue operating while they wait for the processes to complete?

**Hon. Mr. Pillai:** Mr. Speaker, first, I think that it's important for Yukoners to be aware that the proponent is Yukon Energy Corporation with this application, not the Yukon government. I would hope that the members of the opposition would agree that the Yukon government has an obligation to consult with the affected First Nations. That is something that needs to be completed; that is the work that was getting done yesterday. Our team is moving as quickly as they possibly can to ensure that happens. Also, I think that it's important to note that Canada — the federal government — is also part of that decision document. So, we will do the work that we are legislated and mandated to do and make sure that we get a decision document out as quickly as we possibly can.

**Mr. Kent:** Mr. Speaker, the Liberals' renewable energy plan is in shambles. Atlin hydro is no longer in the capital plans, micro-generation has become a victim of its own success, Moon Lake isn't even on the drawing board, and now Whitehorse hydro is in danger of shutting down.

If Whitehorse hydro has to shut down for any period of time, what is the contingency plan? Yukoners sure hope it simply isn't to rent more diesels.

**Hon. Mr. Streicker:** Mr. Speaker, it's a pleasure to get to rise to speak about how important energy is and in particular renewable energy for the territory. I know that Yukon Energy has been working to update its renewable energy plan. I think

that it will be out shortly. I will be sure to table it here in the House. There was a motion today about inviting them as witnesses this Sitting — I am looking forward to that.

The member opposite talked about the Atlin project and how it hasn't moved ahead, but, of course, we have had the Thay T'aw project — the Haeckel Hill wind project — which was led by the Chu Níkwän Limited Partnership. Also, the grid-scale battery is getting closer. The member opposite talked about Moon Lake, which was a proposed pump storage project, but as I already stated in the Assembly this Sitting, we have Ta'an Kwäch'än Council looking at the feasibility of a couple of potential pump storage sites that are even closer.

There continues to be work around renewables. I would just like to give a shout-out to Yukon Energy Corporation for all the work that they have been doing to create a sustainable energy future. At all times, they are looking to make sure that our system is affordable, reliable, and renewable.

**Speaker:** The time for Question Period has elapsed.

### Notice of opposition private members' business

**MLA Tredger:** Mr. Speaker, pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, March 19, 2025. It is Bill No. 309, standing in the name of the Member for Takhini-Kopper King.

**Mr. Kent:** Mr. Speaker, pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, March 19, 2025. They are Motion No. 1209, standing in the name of the Member for Lake Laberge, and Motion No. 1204, standing in the name of the Member for Copperbelt North.

**Speaker:** We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### Bill No. 46: *Residential Tenancies Act* — Second Reading

**Clerk:** Second reading, Bill No. 46, standing in the name of the Hon. Mr. Mostyn.

**Hon. Mr. Mostyn:** Mr. Speaker, I move that Bill No. 46, entitled *Residential Tenancies Act*, be now read a second time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 46, entitled *Residential Tenancies Act*, be now read a second time.

**Hon. Mr. Mostyn:** Mr. Speaker, this afternoon, I am introducing Bill No. 46, entitled *Residential Tenancies Act*. This bill proposes improvements that strive to balance the interest of tenants and landlords while maintaining a viable rental market in the territory. This act will have significant benefits in protecting people living in rental housing and providing security and clarity for Yukoners who take on the important role of providing housing to others.

Through this bill, our government is formalizing the reasons to end tenancy that have been in place through regulations since the confidence and supply agreement was struck. This bill makes several necessary and beneficial updates to the legislation to balance the needs of tenants and landlords, provide fairness and stability in the rental market, maintain a viable rental market, and improve act clarity.

First, some background on the project. The *Residential Landlord and Tenant Act* was brought into force in 2016. Since then, rental housing and residential tenancies legislation have changed across the country. Housing prices, for sale and for rent, have increased steadily. Secondly, the residential tenancies legislation has evolved in nearly all jurisdictions to include specific reasons to end a tenancy. This makes rental housing more stable and secure for tenants.

Yukon's *Residential Landlord and Tenant Act* from 2016 was missing tools to address tenant security and rapidly increasing rent amounts. These issues were brought to the forefront of public debate during the COVID-19 pandemic.

The Yukon has had rent control in place since 2021. Our rent index has been tied to the annual consumer price index. In 2023, a further regulation removed the ability to end tenancies without cause. This regulation protected tenants from eviction when the purpose of ending a tenancy was to increase rent with a new tenant and a new tenancy agreement.

Balancing protection for tenants and viability of the market for landlords is a key issue that we have worked to address with this bill. A deep review of the *Residential Landlord and Tenant Act* started in June 2023. In the intervening 19 months, department staff have: reached out to stakeholder groups and impacted individuals — landlords and renters; completed jurisdictional scans and read academic research; reached out to First Nation governments, housing providers, municipal operations staff and officials in other jurisdictions; and worked with lawyers and other government departments.

Housing is a complicated field, Mr. Speaker, with many overlapping groups and interests involved in the market. In this large, varied field, residential tenancies legislation has a narrow and important role in creating a fair situation for people to live in and to provide rental housing for landlords and renters. This legislation will not create more housing. We cannot, through this legislation, dictate the type of housing on the market or completely control the amount of rent charged for particular housing in the private rental market.

For new housing and subsidized housing, we looked to the good work of the Yukon Housing Corporation, non-governmental organizations, private sector developers, and First Nation governments and development corporations — all those who build, operate, or lobby for both market and non-market housing.

The current *Residential Landlord and Tenant Act* and the proposed bill before us today can help tenants be stable and secure in their housing. This legislation does not create affordable or unaffordable housing; it does lay out clear rules for landlords and tenants to follow. This legislation can give landlords clarity and certainty on how to provide rental housing, which is an important part of providing stable housing

and is an important aspect of ensuring rental housing is available in the Yukon.

The project of reviewing the *Residential Landlord and Tenant Act* over the last 19 months included feedback from more than 1,500 Yukoners, 18 organizations, and six other governments. Much of this feedback revealed that the needs of tenants and landlords are often at odds. With this in mind, these changes in Bill No. 46, the *Residential Tenancies Act*, strike a balance. We strive for fairness for tenants and viability of the rental market for landlords.

The proposed changes in this bill fall into six categories. There are administrative changes; there are reasons for ending a tenancy; rent control; deposits; mobile homes; and roommate tenancies.

The proposed administrative changes are based on feedback from the public, key stakeholders, the residential tenancies office, and best practices from other jurisdictions. Administrative changes will help to make sure that the act is implemented smoothly. These administrative changes include modernizing adjustments, such as: allowing deposits to be paid to landlords and returned to tenants via electronic fund transfer; allowing documents to be delivered by e-mail if that tenant and landlord agree to this service; it clarifies that documents can be served to P.O. boxes — postal office boxes — if a P.O. box is the only mailing address for a rental unit; ensuring that landlords are empowered to take action if a tenant abandons a property anywhere on the residential property; and ensuring that a new landlord is required to notify tenants that there is a new landlord.

We propose lengthening all limitation periods for tenants from 10 days to 14 days and from five days to seven days. Additionally, these limitation periods are now equivalent for tenants and landlords, whereas previously, the landlord had up to one year to dispute the maximum limitation period under the act.

To align with best practices from criminal jurisprudence, the description of “illegal activity” has removed the term “offensive”, a term open to bias in interpretation. Sex work and possessing illicit drugs have also been removed from the description of “illegal activity”; however, illegal activity that has or is likely to cause damage to the landlord's property, has adversely impacted quiet enjoyment, security, safety, or physical well-being of another tenant or occupant, or has jeopardized a lawful right or interest of another tenant or occupant of the residential property remains a reason for giving a 14-day notice to end a tenancy.

To promote access to justice, the Yukon Supreme Court can order the residential tenancies office to hear a dispute despite the monetary limit if the court determines that is the most appropriate forum to hear the dispute. To promote best practices in access to justice in reflecting the final and binding nature of decisions of the residential tenancies office, parties can apply for judicial review for 30 days after a residential tenancies office decision has been issued. These are based on similar provisions in other jurisdictions and align with feedback from the Yukon Supreme Court.

We have also made it an offence under the proposed act to combat an emergency issue of algorithmic rent-fixing. Algorithmic rent-fixing is when landlords feed information into web-based applications that use artificial intelligence technology to recommend a rent amount for the landlord to set. Courts in the US have found that this is price collusion, and a class action lawsuit has recently been filed in Canada on the subject. By making this an offence before it becomes an issue in the territory, we are making efforts to future-proof this legislation.

One of the largest issues that we tackled in this legislation is the removal of without-cause evictions and the introduction of reasonable reasons to end a tenancy. There are now reasonable reasons to end a tenancy listed in the act. These reasons were determined by broad research and public engagement and reflect best practices from other jurisdictions.

For tenants, we have retained the ability to end a periodic tenancy with one month's notice and added that a tenant can end a fixed-term tenancy if they fear for their safety or the safety of a dependent or if the tenant needs to move into long-term care.

Landlords, under the *Residential Tenancies Act*, can still end tenancies for non-payment of rent and for cause. Ending a tenancy for these reasons was possible under the former act and remains an option for landlords under the current act. These reasons for ending a tenancy apply to all rental properties, including mobile home sites. Landlords can also end a tenancy, other than the tenancy of a mobile home site, if: the landlord or close family member wants to move into the unit; the unit is being sold and the purchaser or close family member of the purchaser wants to move into the unit; the unit requires major renovations or repairs that require a vacant unit and are required to meet the minimum rental standards; the unit is permanently changing to non-residential use; the unit is being demolished; or the landlord is a housing agency and has changed the requirements for living in a particular unit and needs to relocate a tenant to housing that is suitable for the tenant.

In addition to these reasons, landlords retain the following reasons to end a tenancy: the unit is changing in use to a condominium; the landlord provides subsidized housing and the tenant does not meet the requirements for subsidized housing; or the unit is provided by an employer to an employee and the term of employment ends.

Tenancy agreements for a unit provided by an employer to an employee have new notice periods for ending a tenancy to help provide sufficient time for a tenant to find a new housing situation.

These notice periods are the same as the end-of-employment notices in the *Employment Standards Act* and apply to all tenancy agreements for a unit provided by an employer to an employee. These reasons to end a tenancy are focused on providing stability for tenants and certainty for landlords.

The other large issue that we tackled through this legislative update project is rent control. There are several proposed changes in Bill No. 46, the *Residential Tenancies Act*, that impact rent. Economists and academics are divided on the

effectiveness of rent control. This division is mirrored by Yukoners who weighed in on the survey and at public meetings. Overall, rent control provides some certainty for tenants that their rent will not double in a single year. Stability and certainty are key goals of this legislation and, to facilitate this, we have added a regulation-making power to allow for rent control regulation. The rent control regulation is not part of this package. A regulation cannot be approved until the act has passed.

I can give you some details on the proposed regulation. We will continue to index rent to the consumer price index, moving to averaging the index over two years to mitigate large increases or decreases. We will allow for landlords to apply to the residential tenancies office to increase rent up to an additional three percent more than the rent index in the case of extraordinary expenses. These provisions in the rent regulation will help balance the stability for tenants and the ability of landlords to manage their financial asset.

We have added the ability for a landlord to ask for a pet deposit if the tenant is allowed to have a pet at the rental unit. Enshrining the deposit in legislation caps the amount that a landlord can ask as a deposit for a pet, helping to provide security for a tenant on the total cost of their housing. The pet deposit is intended to cover the cost for landlords of the wear and tear that a pet can cause a unit. This is a balance between the very real damage that a pet can cause and concern that there were not enough pet-friendly rentals.

Another item that we have worked to address in this legislation is a long-standing issue in Yukon's residential tenancy sphere. The issue is mobile home site tenancies. When a mobile-homeowner needs a place to put their mobile home, they rent a site or a pad from a mobile home park. Their ownership of this living accommodation and the need for a place with utility hookups put a mobile-homeowner and a mobile park owner into a unique tenancy relationship. There is now a specific section of the act that includes the additional rules that apply for this type of tenancy. While creating this section of the act, we have taken the opportunity to modernize language and include some more guidance on landlord and tenant responsibilities for mobile home site tenancies.

An important aspect of the proposed act is to note that rent control applies to these types of tenancies to limit the increase to pad rent. This means that pad rent — often called “pad fees” — can only be increased by what is designated in the regulation. Additionally, we have included a requirement for mobile home park owners to compensate tenants if they are evicting tenants from a park to change the use of a park. If a park owner uses this reason to end a tenancy, they will have to compensate each tenant the equivalent of 24 months' rent. To avoid any unintended consequences, this provision came into effect when we tabled the act.

Finally, Bill No. 46, the *Residential Tenancies Act*, clarifies the roles and responsibilities for tenants and landlords in roommate tenancies. Previously, the term “sublet” was unclear — whether it could apply to a tenant renting a part of a rental unit to a roommate. This definition did not capture that a common rental situation is where one tenant enters into a

tenancy agreement and has roommates to help cover the rent. This kind of tenancy is now explicitly covered with clear rules for the landlord, the original tenant, and the subtenant. We have not changed the requirement that the landlord consent to a sublet; however, under this bill, it is clear that the original tenant collects rent from the subtenant and can end the subtenancy if the subtenant does not pay rent — breaks a term of the subtenancy agreement where the original tenant will occupy the whole space. The landlord, the original tenant, and the subtenant can go to the residential tenancies office for dispute resolution.

Mr. Speaker, we have been careful throughout the process of reviewing the *Residential Landlord and Tenant Act* in writing this bill to keep balance in mind. This legislation balances a complicated relationship between a tenant's desire to be stable and secure in their housing and the landlord's ability to manage their financial assets. Prior to 2021, Yukon was one of three jurisdictions in Canada that allowed landlords to end a tenancy by giving notice without any rationale for ending the tenancy, commonly called a "without-cause eviction".

Now there is only one jurisdiction left in Canada that allows without-cause evictions. Removing without-cause evictions is the primary way we can ensure a measure of stability and security for tenants. There is a finite list of reasons why a landlord can end a tenancy; however, we have included several important reasons to end a tenancy that allow landlords to control their financial asset. These reasons include ending a tenancy for their own or a purchaser's use, renovations and repairs, demolition, and change in use.

Prior to 2021, there was no rent control in the Yukon. We have made it possible to have rent control regulation that provides a measure of transparency for tenants and allows for landlords to respond to costs. This bill, the *Residential Tenancies Act*, is a delicate and deliberate balance of stability, transparency, and reasonableness to guide landlord and tenant relationships in the Yukon.

I thank the officials from the departments of Justice and Community Services for their work in preparing this bill. I thank all of the Yukoners — the thousands of Yukoners — who spoke to officials over the course of the project and contributed to this piece of legislation.

**Mr. Dixon:** Mr. Speaker, I am pleased to rise today to speak at second reading to this bill. I have a number of things that I would like to say about it, Mr. Speaker. While my second reading speech will cover many of the concerns and issues that I have, I will note that I look forward to asking some questions as well in Committee of the Whole later today.

In general, Mr. Speaker, I have some conflicted views about the bill. In some ways, some of the updates to the wording and some issues that have been modernized or changed are reasonable in this bill, but one of my biggest concerns — and, of course, it should come as no surprise to anyone in the Legislature — is that this in many ways codifies the disastrous experiment that the Liberal and NDP government has conducted over the last few years with regard to rent control.

As the minister explained in his second reading speech, this bill is a cumulative result of that work over the past number of years. The policies that we have seen implemented over the past four years have been codified and expressed in this act in a way that I certainly don't support.

The intent that I think the government should have when it comes to this type of legislation is to create a functioning, rational housing market in the Yukon. I don't think that this is what the rent control policies that we have seen over the last few years achieve. I said this back in May 2021 when I was asked for comment about the early implementation of it. I said that it's going to result in fewer people wanting to be landlords and therefore fewer rental properties, and fewer rental properties means fewer options for people in the housing market.

I believe that to be the case today, Mr. Speaker. I think that this policy, as implemented by the Liberal government over the last number of years, has failed. Seeing it codified today in this bill gives me concern.

To speak about the nature of my concerns, I would draw on a number of resources, starting with the commentary provided recently by Mr. Steve Lafleur in the online public policy commentary *The Hub*. There is an article from not too long ago, but I thought it did a great job of encapsulating some of my concerns, so I would like to rely on it for some of the words that Mr. Lafleur provides.

In his article entitled *What we can learn from Sweden's rent control disaster*, dated February 27, 2024 — in that article, Mr. Lafleur lays out what I generally agree with as a sentiment when it comes to this type of policy, and I will quote from him — quote: "Frankly, the best way to balance the needs of tenants and developers is to have a rational housing market that allows for the supply of housing to keep up with the demand for housing." He goes on to say: "The cost of housing isn't increasing well beyond the rate of inflation because of some law of nature. It's because of scarcity. If we can bring down the cost of providing new units and increase the rate of production, we can build our way out of the problem." Mr. Lafleur concludes his article with the following quote: "With rents where they are, it's understandable that people are grasping for easy answers. But while rent control may have its place as an anti-displacement measure, it's no panacea for affordability."

Included in that article, Mr. Speaker, is probably my favourite quote about rent control, and those who have heard me speak about it before will have probably heard it, but it's perhaps the most famous quote about rent controls, and it comes from a Swedish economist, Assar Lindbeck, and he says — quote: "In many cases, rent control appears to be the most efficient technique presently known to destroy a city — except for bombing." Mr. Speaker, that is a sentiment that I would share.

I think that the intentions behind these policies are good intentions. I think that it's meant to be an effective policy, but I don't think that the outcome shows us here in the Yukon or around the world that it is indeed an effective policy. So, it may be well-intentioned, but numerous examples and the history here in the Yukon show us that this policy has failed.

I will quote again from another commentator about this issue, Daniel Herriges in the Strong Towns blog about municipal policy. I will quote from him from his article entitled *Rent Control Is an Anti-Displacement Policy, Not an Affordability Policy*, dated November 1, 2023. In that article, Mr. Speaker, he makes the case that, while there may be an anti-displacement policy motivation behind rent control, the argument that it is in any way an effective policy imposing affordability is misguided.

Here is what he says — quote: “Rent control gets held up as a sort of generic answer to high housing costs, particularly by those who are either explicitly anti-capitalist or otherwise don’t think the market on its own is capable of solving the problem of unaffordable rents for working-class people.

“But neither rent control’s defenders nor its detractors are often clear about what problem, exactly, they believe the policy is intended to solve. This is important because how you define the problem ought to affect how you think about rent control.

“Let me put my analysis simply:

“Rent control is defensible and likely effective as an *anti-displacement* policy.

“Rent control is not only ineffective but deeply counterproductive as an *affordability* policy.”

So, Mr. Speaker, again, I agree very much with that sentiment — that the intention behind the policy of addressing affordability is a good intention but is one that this policy is not effective at achieving.

As much as we could talk about sort of high-level debates about rent control — and I am sure that we will over the course of either Committee or third reading — one of the additional concerns that I have with the cumulative result of what we have seen over the past four years has been the process undertaken to get us here. I think that there have been multiple iterations of this policy experiment, beginning with: the 2021 confidence and supply agreement between the Yukon Liberals and the Yukon New Democrats; a second iteration, starting with the second CASA in 2023; and then, of course, this iteration that we see in the way of this bill that is before us today.

Going back through those, Mr. Speaker, I will start at the beginning. As we will recall, the impetus for this discussion was the closed-door negotiations between the Liberals and the NDP in the negotiation of the confidence and supply agreement in 2021. This was not a policy that was in the Liberal Party’s platform. This was not a policy that they had committed to or promised, and in fact, if you go back and look at some of the public comments from members of the Liberal Party, they had an almost outright hostility toward the policy generally. They certainly didn’t have a mandate to pursue that, and they admitted that early on. They said that they conceded that this was not something that they had promised, but it was something that they needed to do in order to ensure the ongoing support of the NDP through the CASA.

The other part about that early commitment from the Liberal government was that it had been consistently communicated, starting in that first iteration of the policy, that this would be a temporary measure.

The Liberals made it clear to those who would ask — in the private sector, in the real estate industry, among landlords and business owners — that this was intended to be a temporary policy. This was something they didn’t want to do but they had to do in order to keep the NDP on board. They didn’t think that it was something that would continue on beyond the life of the first CASA. Of course, that proves not to be true, and the fact that we are here today debating this bill and the codification of that policy shows that was unfortunately not the case.

When this measure first came in, Mr. Speaker, it was in May 2021. It was introduced without consultation, without communication, without any sort of implementation plan. It was done late in the week and imposed in a very abrupt manner that caught a lot of people off guard. The policy came into force in the middle of May, and I recall hearing from a lot of landlords who didn’t believe it at first. They thought that it couldn’t be correct until we sent the OIC to them and showed them that this was, in fact, the case and that this policy had been implemented.

Of course, there was the predictable response from many Yukoners — especially those in the business community, those who have a generally economic mindset toward these issues — that it was terrible policy and that it wouldn’t work. This was certainly my response to the announcement. I believe I went as far in early 2021 to describe it as a master class in poor governance and bad policy-making. I criticized the government for their lack of communication with the public, their lack of consultation, and their lack of an implementation plan.

I noted — and I will quote from a CBC article on May 17, 2021 entitled “Yukon rent cap comes into effect, opposition calls it ‘masterclass in bad policy-making’”.

I said — and I quote: “It’s been messy, it’s been ugly. And unfortunately, it’s going to result in a whole lot of negative implications for our housing market.”

Again, Mr. Speaker, I certainly stand by those comments from May 2021, and I think, with the benefit of hindsight, they have proven to be, unfortunately, correct.

The problems with the policy began immediately, but throughout 2021, we saw the problems with the policy, as implemented by the Liberals in that OIC from May 2021, manifest themselves. One particular example I think came up in the fall of 2021, when one young lady finally stepped forward and was willing to let herself stand as an example of the negative implications of this policy.

On November 29, 2021, a woman by the name of Jasmine Jobson did an interview with the CBC about what this policy had meant for her. On November 29, 2021, the title of the article from CBC was: “Whitehorse woman says Yukon rent cap responsible for eviction from rental apartment. Jasmine Jobson says that the situation is ‘disappointing’, especially because policy was meant to help...”

Again, Mr. Speaker, I think that what we have learned through this experience is that, while it may have been well-intentioned, it certainly did not result in the kind of outcome that anyone had hoped for. To quote from that article: “A Whitehorse woman is being evicted from her apartment at the end of December, a situation she blames on the Yukon

government's rent cap and a term that prevented her landlord from raising her rent a certain amount even with her consent." The article goes on to say — quote: "While she said she was happy to pay the additional amount, a policy introduced by the territorial government in May limits residential rent increases to the same rate as the consumer price index ... which helps measure inflation."

Ms. Jobson went on in that article to discuss what it meant. I will quote again: "Jobson said she and her landlords tried to find legal ways to get around the cap, including signing a new lease. However, the cap also prohibits rent increases that exceed the CPI if a tenant stays in the same unit even with a new lease." This was only one example, but it was one that typified what a lot of Yukoners were noticing with this policy: that it had unintended consequences, that while its intentions were perhaps positive, the outcome of the policy was indeed negative.

I will close on this section with a quote from Ms. Jobson directly. She said: "I've done a lot to give myself this life, and I'm doing everything correctly — my landlords and I have a great relationship, my boss and I have a great relationship ... I'm working every day and doing everything that I'm supposed to do, so it's really disheartening that the only thing getting in the way is this legislation that was supposed to help me." Again, Mr. Speaker, I think that is a clear example and an early indication of where this was going.

Toward the end of the first iteration of this policy and toward the end of the 2021 confidence and supply agreement, there was considerable uncertainty about the future of rent control. As I indicated, the Liberal government had been communicating both privately and publicly that this was a temporary measure, that it wasn't something that they intended to keep on after, but it was going to come off and the people in the housing sector didn't need to worry, because it would disappear. In fact, in November 2022, following some questions from my colleague the Member for Watson Lake, the Minister of Community Services even put a fine point on this. He said — and I quote: "The index is temporary; it will end in January, Mr. Speaker. That is the intent."

Mr. Speaker, it was clear then, as the minister articulated on the floor of the Legislature, that it was meant to be temporary, that it was something that would come off at the end of the CASA and it would be removed. Of course, that provoked a negative response from the NDP and others who thought the policy was good, but the Liberals had stuck to their guns at that point and said that it was going to be temporary and that it would be removed. Of course, we learned afterwards that would not be the case.

Looking back at that first iteration of this policy, Mr. Speaker, we had a number of reflections about it. I would note that, in a fairly well-publicized way — there was a lot of coverage in the local media — the Leader of the NDP apologized to Yukoners for the unintended consequences that this policy had reeked on the housing market. In a CBC article dated March 29, 2023 entitled "Yukon NDP apologizes for 'unintended consequences' from rent cap — Rent cap led to no-

cause evictions," the leader admitted. That was the title of the article.

I will quote from that article now, Mr. Speaker. "Yukon NDP Leader Kate White says a flaw in her party's first confidence and supply agreement (CASA) with the governing Liberals contributed to evictions from rental housing."

The article goes on to say, "However, the deal did not also include a ban on no-cause evictions, which the NDP campaigned on during that year's territorial election.

"Since then, there have been multiple instances of renters being forced to move, where the suspected reason was landlords using no-cause evictions to evade the rent cap. Last August, tenants of an entire Whitehorse apartment building were reportedly served eviction notices, with rents hiked by hundreds of dollars following their ouster."

The article goes on, interestingly, to say that the Minister of Community Services said that he had told the NDP that this was going to be the case and that was why they should never have done this in the first place. He said — and I quote from the article again. The Leader of the NDP "... said she did not anticipate the evictions, Community Services Minister ... said the NDP was warned about the possibility. He said the government, landlords and chambers of commerce urged an alternative to the rent cap."

Again, while many pointed out that this policy would have serious concerns and serious ramifications, there were obviously unintended consequences.

In a different article about the same subject on March 29 from the former *Whitehorse Star* in an article entitled: The Leader of the NDP "... apologized to tenants evicted from homes" —

"NDP Leader said she 'learned something' from the unintended consequences of the rent caps that have been applied across the territory."

Of course, that article again clearly states that the outcomes of that first iteration of the rent control policy had, of course, significant negative consequences and that even the author of the policy in this case, the Leader of the NDP, had to acknowledge those and apologize for them.

So, that brings us then to the renegotiation of the confidence and supply agreement in 2023 and the beginning of the new administration under our current Premier. This time, under the new Premier, the confidence and supply agreement was negotiated. Unsurprisingly, rent control continued to be in the confidence and supply agreement. However, rather than getting rid of it and acknowledging the flaws and problems that we had experienced over the past two years, the collective wisdom of the Liberals and NDP was to double-down, was to go even further with the regulatory overreach and stretch even further into the market by banning no-cause evictions.

The response to the 2023 confidence and supply agreement, Mr. Speaker, was swift. It was predictable. There were significant concerns raised across the business community. In a joint letter from the Yukon and Whitehorse chambers of commerce addressed to the Premier on February 13, 2023, both chambers provided a fairly scathing

overview of what they viewed to be overreach by the Yukon government into the housing market.

I will read from that letter and it has been tabled in this Legislature before, so I won't table it again. But for the purposes of Hansard, it's a letter from the Whitehorse Chamber of Commerce and the Yukon Chamber of Commerce signed by: Alison Camenzuli, the chair of the Whitehorse Chamber of Commerce; Ben Pereira, the chair of the Housing, Lodging, and Lot Development Committee of the Whitehorse Chamber of Commerce; Kyla Barker, the chair of the Yukon Chamber of Commerce, and cc'd to me and the Leader of the Third Party. It's addressed to the Premier, and I'll quote from it: "The Yukon and Whitehorse Chambers of Commerce would like to provide public comment on a range of new housing regulations implemented as part of the 2023 Confidence and Supply Agreement ... To reiterate our guiding principles shared in 2022, we believe that governments should focus their efforts to: 1) Increase the supply of government social housing for those who need support; and 2) Create an environment where investments in market housing are an attractive and accessible option for the private sector and all citizens.

"By creating prohibitive regulations in market housing, governments risk impairing the private sector workforce and discouraging private sector investments that are very much required to increase our local housing supply.

"We would also like to share our concerns on several specific components of the CASA."

I will continue with the letter, Mr. Speaker: "Our most significant concern is that through this agreement, the territorial government is taking a forceful and harmful approach to navigating property rights in the Territory. We understand the CASA's intended outcomes of increasing tenants' rights throughout the Territory. However, the impact these actions will have on businesses and entrepreneurship — outside of housing the private sector workforce — is harmful because it places all property rights, including non-residential real property and personal property, into greater uncertainty. We are concerned that this environment of weakening property rights will create a barrier to new private investment into the Territory. As a result, there may be a shift in Yukon businesses and entrepreneurs investing their capital outside of our Territory ... We believe that the CASA risks impairing the private sector workforce, which is a position we shared in December 2022. However, we acknowledge that this new CASA is an improved version of ideas previously disseminated by the Yukon NDP by providing some reasonable grounds to end a tenancy. Still, landlords are able to take less risk pre-occupancy than previously. And in an environment where landlords cannot take as much risk, Yukoners will be less able to find housing if they have a higher risk profile.

"Within this new framework for managing risk, tenant scrutiny will increase and Yukoners who are self-employed or starting new businesses may be put at a disadvantage regardless of the few provisions of the CASA that allow landlords to end tenancies with cause due to the extraordinarily time-consuming requirement of navigating the Residential Tenancies Office ... to end tenancies under these reasonable grounds.

"Currently, across Canada, we are observing average wait times for a residential tenancy dispute hearing reaching 6-12 months in provinces that have implemented similar rules, which is highly concerning...

"The evolving behaviour of landlords could discourage entrepreneurship and private sector employment for citizens, negatively impacting existing businesses' owners and customers. From this, we may see local businesses reducing their operating hours and service levels or closing their doors."

I will end the quote there, Mr. Speaker, and note that the letter from the joint chambers does go on, but I will skip ahead to an important part, which is what they call "Suggestions". I will quote: "We believe that the government should immediately increase the RTO's capacity to accommodate the increase in cases that will now be submitted to it. Furthermore, a time limit should be established on how long it takes the RTO to complete a decision, and the process should be streamlined so that the RTO can complete the required work within this time limit. We believe a decision will need to be processed and heard within a maximum of four ... weeks from the date the notice was served, to keep rental markets running efficiently.

"An industry like landlords needs a grace period to adjust their business models. Landlords are being caught flat-footed by the government by not consulting and now landlords are unable to adjust their business models to work with in the new regulations for their circumstances. A grace period is necessary to restore confidence in the Yukon's housing market as being open for business. Without the ability to legally enforce residential rental requirements in a timely manner, we are very seriously concerned that landlords will be less willing to provide housing to Yukoners with a higher risk profile, which may negatively impact the private sector workforce and cause homelessness within the vulnerable population to skyrocket."

So, that was a direct response from the Whitehorse and Yukon chambers of commerce directly after the signing of the 2023 confidence and supply agreement and the extension of this rent control policy then.

The analysis of the relative success or not continued throughout 2023. I note, Mr. Speaker, that in the course of 2023, we saw a number of disruptions in the housing market and some significant changes, but it was at this point that we finally had some evidence of the rent cap that had been imposed by the government that we could look back on. In particular, I thought that what was compelling was a September 10, 2023 article by local economist Keith Halliday writing in the *Yukon News*. That was an article entitled, "How Yukon rent control is working, so far". I won't quote extensively from that analysis, but what I will say is that there were two observations drawn from the conclusion of Mr. Halliday. They are that on the two general metrics used to measure this policy — affordability and availability — the policy failed in both. In the case of affordability, this what Mr. Halliday found — quote: "So, median rent for all units in the Yukon went up 14.4 percent, more than overall inflation at 11.9 percent. Rent control, so far, has not resulted in improved affordability." With regard to availability, Mr. Speaker, here's what he found. Based on his



analysis, he found — quote: “The rent control experiment has not delivered improved supply.”

Mr. Speaker, on both counts and measures of affordability and availability, this policy failed and was beginning to fail, as we saw from Mr. Halliday’s analysis, in September 2023. Recognizing this failure, this is when the government took an unorthodox step. The now Premier took a new approach to addressing the abject failures of this policy with the creation of what came to be known as the “landlord subsidy”. This was where the Premier thought that his overreach of that regulatory mechanism would be solved with a subsidy. In that case, the Premier stepped in and decided to couple his regulatory outreach into the industry with a subsidy for landlords. That was in the neighbourhood of \$338, if memory serves, and would go to every landlord that had a unit in the Yukon on a per unit basis. So, for landlords who owned multiple units, they would get that amount times the number of units. In some cases, landlords with hundreds of units would have received cheques for tens of thousands of dollars.

The unfortunate result of that ill-fated policy and ill-conceived policy was rejection from just about all corners. Housing advocates didn’t like it, landlords didn’t like it, the businesses didn’t like it, the NDP didn’t like it, we didn’t like it, and pretty much everybody who interacted with or who was aware of that policy didn’t like it.

Here is the news release from the Yukon Residential Landlord Association dated October 20, 2023 in response to the press release that the Premier put out. I will quote: “The Yukon Residential Landlord Association commends and supports the territorial government in trying to correct some of the damages caused by CASA. Many landlords were caught by surprise and were put in tough and awkward financial positions because of CASA. This funding is a good gesture to correct the damage done. Of course, some landlords were hit dramatically harder than other landlords, and this must be recognized.

“This program is not a solution to the problem; it is just a band-aid to repair the damage already done. This issue can only be fixed with serious consultation and revision to the Yukon Residential Landlord & Tenant Act. This is necessary to correct the wrongs and prevent further damage to the market.

“It is essential to have a balanced act to entice investment into the Yukon housing market. We need to strike a balance between protecting people’s housing and protecting landlords’ property rights.

“However, correcting the YRLT Act is only one thing that must be done to correct the systemic housing problem of supply and demand in the Yukon. We have too little housing on all levels of the housing spectrum and will continue not to have enough with our population growth if we do not fix the root cause of supply and demand misalignment.”

Mr. Speaker, that was the immediate response from the Residential Landlord Association to the Premier’s ill-conceived landlord subsidy program that he launched as a result of the failure of this rent control policy back in 2023.

But as I alluded to, Mr. Speaker, it wasn’t just the landlords who were unhappy; there was condemnation from all corners on that policy. The Yukon Anti-Poverty Coalition, for instance,

weighed in. There was a whole article about this subject in the *Yukon News* by Dana Hatherly, dated October 20, 2023, and I’ll quote from that: “Kristina Craig, the coalition’s executive director, finds it difficult to imagine that this handout is going to keep private landlords and their rental units in the market. She wants to see more ‘thoughtful policy’ that is going to have long-lasting impacts to ensure both market and non-market rentals are available. ‘It’s perplexing,’ Craig said. If there were a million dollars up for grabs, we can certainly think of other ways that it could have potentially more positive impacts for people who are in the rental market, or for organizations that are supporting people who are in the rental market.”

Mr. Speaker, I won’t go into the quotes from me or from the Third Party, but needless to say, the subsidy program was not well-received and was the subject of some embarrassment for the Premier, of course, because it demonstrated clearly how out of touch he was with the housing market and the implications of this flawed policy on it.

What was also noticeable, Mr. Speaker, is, as I said, there was obviously condemnation from outside the government from a number of sources, but as we learned shortly after the policy was discussed and debated in the Legislature through ATIPP, it wasn’t just those outside the government who disagreed with it, but, in fact, it was public servants who disagreed with the policy as well.

The CBC — through an access-to-information request — obtained a number of e-mails and internal documents that demonstrated that there was considerable dissent within the Yukon government when it came to this policy. Here is a quote from a policy analyst in the Executive Council Office — and I’ll quote — this is from an article by Chris Windeyer, January 16, 2024, titled: “Yukon gov’t went ahead with landlord subsidy despite warnings from staff”.

The quote is as follows: “There is no evidence that the proposed amount will have a demonstrable impact on a landlord’s decision of whether to continue investing in rental units.” That was a policy analyst in the Executive Council Office.

Staff from Community Services also weighed in. Here is what the article said about their input — and I quote: “Staff with the Community Services department, meanwhile, worried the free money for landlords would erode trust among tenants. That’s important because the department needs input from both landlords and tenants ahead of a planned overhaul of the territory’s residential tenancy legislation.”

That was the response to the Premier’s intervention to try to make up for the significantly flawed approach that his government had taken to this rent control policy.

Following that, Mr. Speaker, and over the course of that year, government began to reach out to a number of stakeholders about the rewrite to the RLTA that we see here today, which is the bill that we have before us. Obviously, as the minister alluded to, there was a variety of opinions expressed by Yukoners. In general — like I think everyone out there who studies these types of policies — there was a split among Yukoners between who supported this and who didn’t. One unique approach to consultation that I thought was

interesting was the decision to launch what was called a “RLTA Solutions Lab” process. I thought that it was a fairly interesting and novel approach to seeking feedback from a variety of different people from different backgrounds. It included people from the housing sector; it included those who advocate on behalf of housing from an NGO side and a range of others. They came up with a document called *RLTA Solutions Lab Summary report: Ideas for Exploration*, dated November 15, 2023.

In that document, they identify a number of the key problems. I won’t go through them all, but I think that the first problem that they identify — in their words — problem 1 was I think the most telling. Here is what they said — and I will quote from their report: “Problem: In the Yukon, tenants face a shortage of residential rental units and increasing rent prices. For landlords, rising expenses and reduced control over rent to cover their costs are causing many to leave the market, which further reduces available rentals.” That was 1a.

The other part of that was 1b — and I will quote again: “Problem: In the Yukon, tenants face a shortage of residential rental units and increasing rent prices. Rising rents can outpace wage growth and spike quickly compelling tenants to leave good rental situations.”

Mr. Speaker, this in November 2023 after this policy had been in place for a number of years, and all the folks involved in that report agreed on that being the problem: that the policy had been in place for a number of years and it hadn’t addressed affordability and it hadn’t addressed supply. It was continuing to fail.

When we get into Committee of the Whole, I will ask the minister some more questions about the specifics of that solutions lab report, because I think that there was a lot of earnest input that was provided by the people who participated in that process. Unfortunately, I don’t see much of what they came up with reflected in the bill that we have with us today.

Mr. Speaker, that brings us I guess to this year. We are into 2025. We have just about four years of full data to look at. Now, when we look back over the course of the implementation of this policy and its two iterations, starting in 2021 and continuing in 2023, I thought that I would return again to their most recent iteration of Mr. Halliday’s analysis of the policy. He, as I referenced earlier in my speech, did an analysis in September 2023, and he followed up on that in February 2025, just a few weeks ago, which was published in the *Yukon News*. The article is dated February 23 and is titled: “The incredible shrinking Yukon rental fleet”.

I will quote from that article, Mr. Speaker: “The Liberal-NDP alliance brought in rent control in May 2021, three and a half years ago. When I wrote about it in 2023, I used two criteria to judge its success: is it keeping rent increases at or below inflation, and is it making it easier to find a place to live.

“For the first two years of the policy, April 2021 to April 2023, rents went up slightly faster than inflation. Median rents across all Whitehorse rental units went up 15.4 per cent over two years, while Statistics Canada says the city’s general price level went up 11.9 per cent.

“If you’re wondering how rents go up faster than inflation when rent control is supposed to cap rent increases, it’s because

when a tenant moves out the landlord can raise the rent to market levels for the new tenant. So all these median rent numbers are a mix of rent-controlled long-term tenants and new tenants paying higher rents.

“Meanwhile, population grew a bit faster than rental units on the market. Whitehorse’s population grew 4.8 per cent while the number of rental units grew 3.9 per cent.

“This means the policy failed on our two criteria. Having rents outpace overall prices while our fleet of rental units lagged population growth is not a great advertisement for rent control.”

It’s my view that the experiment that the Liberals and NDP have conducted with rent control over the past four years has indeed been a failure, that codifying it in legislation is a bad idea, and that the evidence that we have seen over the last number of years justifies that position. I am concerned that a future government will have to make changes to this act to clean it up, because what is being done with this bill is codifying a failed policy that has failed Yukoners and failed our market.

What we want to see is a policy that encourages landlords to become landlords. We want to see policies that add rental units to our market. We want to see more people want to invest in rental units, not less. What we have seen over the past four years and what we see in data, such as Mr. Halliday’s data that he has presented here in the *Yukon News*, or what we hear anecdotally from landlords who have removed their rental units from the market or who have chosen to keep them out of the market because of this disastrous policy is that these policies may be well-intentioned, but they have ultimately failed.

Mr. Speaker, I look forward to the debate and going through some of the provisions of this in line-by-line debate and discussing some of the details. I think that the conclusion is probably a foregone one. I anticipate that this bill will pass regardless of how we vote on it, but certainly, on behalf of the Yukon rental market and on behalf of those who believe in supply and demand and the laws of economics, will be voting against this bill. We will be voting against this bill in second reading and we will be voting against it in third reading.

**Ms. White:** Mr. Speaker, I am delighted to have an opportunity to share my piece on this, the new *Residential Tenancies Act*. I believe, actually, that this legislation is a significant step forward in ensuring fair and equitable housing for all Yukoners. I debated the *Residential Landlord and Tenant Act* in 2012 and the cracks showed long before it came into force. Just to remind folks what it was like back in 2012, the current Leader of the Yukon Party said that — well, he and his colleagues had lots of things to say, like how housing was a trickle-down and that we should leave it to the free market and that when people were having their rents doubled — so increased by 100 percent — that’s what the market allowed for. It’s what the market allowed for.

So, I want to make sure that I acknowledge all the hard work done by the public servants on this. This is a large and significant piece of legislation and it replaces an act that didn’t quite get the Yukon to a place where it needed to be.

It's interesting. I have a different take than my colleague from the Yukon Party about the solutions lab, because I had some initial concerns about the process where engagement seemed to be heavily weighted in favour of landlord representation versus tenants and NGOs who worked to support tenants. I say this because all of the folks from the tenant and the NGO perspective were all volunteers, and they weren't able to attend. Each of those organizations didn't have people in attendance at all those solutions lab meetings. I was relieved to not see what felt like an unfairness in the engagement process reflected in the new legislation.

When I went to the public meeting at the Sternwheeler, what was reflected by people who were reflecting on the solutions lab recommendations was really that they felt like it was skewed and it wasn't representing tenants, as lots of tenants were participating in that process.

So, after years of supporting both landlords and tenants with the *Residential Landlord and Tenant Act*, I can see a lot of not just good but necessary futures and updates in this *Residential Tenancies Act*, and I don't think it's going to surprise anyone when I say that I feel that the number of tenants I have supported since 2011 probably outweighs the number of tenants that the Yukon Party has supported since 2011. I think we have a different demographic. I have learned a lot of things about where the legislation lacked based, unfortunately, on the experiences of the people who were suffering because of it.

So, again, it's through the experiences of Yukoners that the NDP learned how important rent caps and removing evictions without cause are to Yukon renters. That's why both and a review of the *Residential Landlord and Tenant Act* were included in the confidence and supply agreements. I am happy to see these important changes written into law.

I'll also mention that — I believe it was in 2022 when the Yukon Party told me that they would accept the terms of the confidence and supply agreement if I voted to bring down the government and that they could then fill in that spot — 2021, fall of 2021. Regardless, they were interested; they were going to adapt; they said they would accept what was included and negotiated in the confidence and supply agreement, which included some of these factors that we're talking about today.

I want to talk about the legislated rent cap — or “rent control”, as referred to by the minister. Housing affordability was a pressing issue back in 2011, actually. In the 2011 election campaign, that was the one thing I heard on every single door, and I'll point out that it continues to be a pressing issue that affects so many Yukoners still today.

Setting rent control in legislation is something that the NDP has been fighting for years to have done, so we're pleased to see this protection finally put into place. I'll note that in 2012 with the Minister of Community Services of the day when we were debating the legislation, I actually tried to move a couple of amendments. One was getting rent control put in place, and one was pet deposits. I will say that, if you go back and you read through that debate, you will understand that I had probably 30 seconds to every 20 minutes of speaking by the minister.

That entire debate was actually shut down. We ran out of time and it was guillotined. So, it wasn't a pleasant time. I was trying to bring forward, actually, issues and concerns that had been highlighted initially in the 2008 engagement process that had happened.

I believe that by implementing a rent cap, this legislation will protect tenants from exorbitant rent increases that can lead to financial instability and displacement. Again, I will go back to the story that I was telling about people who, in 2012 to 2013, were getting rent-increase notifications of 100 percent, and if you didn't accept the rent increase, then it meant that it was essentially an eviction notice. But if your rent went from \$800 to \$1,600 with three months' notice, that is a significant increase — one that the Yukon Party at the time believed — and it sounds like they still believe — is fair. That's a problem. That's why I'm glad to see it here.

I'm happy to see the no-cause evictions in section 68, because we believe that every tenant deserves the right to feel secure in their home. No-cause evictions undermine security, leaving tenants vulnerable to losing their homes without justification.

I think about the number of times since the 2012 legislation — well, it didn't come into force in 2012; I think it took four-plus years before that happened. But I think about the number of times, for example, that management companies have sent out eviction notices to tenants — blanket eviction notices to tenants — and it's not because they didn't pay rent and it was not because they made any mistakes. It wasn't because of anything at all. It's because they could — the management company could.

Or I think about the folks — and my colleague from the Yukon Party actually just read an example where evictions aren't actually the cause or the fault of the tenant; there is no reason. I think that we all recognize that if there is a problem, we should be able to be given the time to adjust and to rectify the problem, but we didn't see that before. We didn't see it.

I think about entire apartment buildings being purchased. I'm going to put this at the feet of the Minister of Community Services actually, because this could have been prevented. In 2021, it could have been prevented, but unfortunately — I'm going to say it — it felt like it was viewed as a political negotiation tool, and instead of protecting tenants at that point, decisions were made that I don't agree with, but I'm glad to see this no-cause eviction put in place now. We have seen entire apartment buildings be evicted for no reason at all. That is one of the reasons why I think it's really important when we talk about the renovation clause that every tenant will be entitled to one month's rent. So, if you're going to evict a building with 20 tenants, that's going to be some money. I think that it is important.

I think that by eliminating no-cause evictions, this legislation ensures that tenants can only be evicted for legitimate reasons, such as non-payment of rent or violation of lease terms. There are a series of things. No one is saying that a person should be able to stay somewhere forever if they behave badly; that's not it at all. I will say that housing advocates have never advocated for that either. I believe that

putting in no-cause evictions will foster a sense of stability and trust between landlords and tenants, which I think is important. I think that will create a more harmonious living environment for all.

Again, I just referenced renovictions. Section 63 talks about the landlord's notice for renovation or repair of the rental unit. Renovations are sometimes necessary and we don't disagree, but they should not come at the expense of tenants. As an example, if a landlord has not chosen to maintain a building, it's not the tenant's fault. If a landlord has not chosen to keep up with required repairs to keep a building meeting the health and safety standards, that's not a tenant's problem. I think that evicting someone for those reasons is unfair.

This section ensures that tenants are compensated fairly if they are required to vacate their homes due to renovations. I think that this is important. This section acknowledges the disruption caused by such evictions, and it does provide financial support to tenants to help transition smoothly to new accommodations. There are some requirements for the renovations that provide some desperately needed guidelines and protections. So, for example, landlords must have all of the necessary permits before they can give notice to end a tenancy for renovations or repairs. I think that this is really important. It can't be aspirational renovations; you have to have the permit.

Landlords must give four months' notice and a tenant gets first right of refusal when repairs or renovations are done as to whether or not they want to come back.

Finally — and this is important — the landlord must also give the tenant the equivalent of one month's rent in addition to the notice to end eviction. Again, I referenced some of those examples of multiple tenants being evicted in terms of renovations. This really helps.

I appreciate section 58, which is about ending tenancy for safety. It's interesting, because when the Yukon Party was government, the NDP brought forward a motion that was based on a motion that was brought forward, debated, and passed in Alberta which talked about the ability to end a tenancy for safety reasons. So, for example, women fleeing violence, marital — very solid things. At that point in time, it actually passed in this Assembly when the Yukon Party was in government, but nothing ever happened with it. We could never get it to go anywhere. They agreed, they passed the motion, but nothing ever happened, so we are finally seeing something happen here now. I think that is really important. I think it's also important that it lays out clearly how things work and the expectations there.

One thing that I think is really incredible in this — and I heard this when I was at the public engagement at the Sternwheeler — the importance about protection for roommates. In Yukon, as an example, we have lots of multi-bedroom places and an individual may find a four-bedroom house, but they themselves can't afford the rent for a four-bedroom house and they are going to look at roommates. So, before, the person who had the agreement with the landlord was the person who had the agreement and anyone who came in didn't have those protections. They could be told that they had to move. They could be given no time. It wasn't very good.

Now we are seeing protection for roommates, and it's important to note that this doesn't include — for example, if I owned a house and I had a roommate, the requirements for protection of roommates do not qualify there. If I own the house, I can ask someone to leave. It is different from if I rented the house and I had a roommate who is a subtenant. I think those are really important and it's important for clarity.

I am really pleased to see that there is additional clarity in the act on mobile homes, and I think this is a really important step. This legislation now has definitions for different arrangements between park owners, mobile-homeowners, and mobile home tenants. I think that is a big step.

I appreciate that it says that an owner of a park can't interfere in the sale of a mobile home. That's really important. We have seen this happen in the past. There is some really good clarity there, but I still have a lot of concerns that this section is not everything it could be. The reality is that, for a mobile-homeowner being told that they have to move their home, it's not an easy thing. Moving a mobile home, you have to take into account: Is it mobile or is it not mobile? I will tell you that I represent three mobile home parks in the City of Whitehorse. I am going to hazard a guess that probably at least 40 — it's actually probably much higher, but I am going to go on the low end. I am going to say that 40 percent of them are no longer mobile. It means you couldn't pump up the tires and you couldn't tow them away. Again, I am going to say that this is really on the low end.

The problem with that is that the relationship between a mobile-homeowner and a park owner is always going to be disproportionate, because the person owns the asset, but they rent the land. Although I am happy to see clarity here, I still have concerns. As an example, there is a park in town that issued some eviction notices last year — not to all of the park but to some of the park.

There is just no place for people to take their homes. We don't have a surplus of mobile home parks with pads to rent, and so that is a problem, especially if we're talking about affordable housing — but that's not what we're talking about so much. We are talking about mobile homes and the importance.

I think one thing that has been overarching in the entire time since the *Residential Landlord and Tenant Act* came, which I'm so happy to see addressed here, is the role of the residential tenancies office. One of the challenges always was that, if someone had a question or a concern and they were looking for direction or support or advice, they couldn't actually get that at the RTO, because they didn't have the capacity to give that advice.

I am going to highlight that I am happy to see that, but I'm concerned because it's going to have to go in front of Cabinet to be fully actioned, because it's going to require money. So, there's a recognition that the RTO should be able to give advice or they should be able to hire a lawyer who can do those kinds of things, but it's only going to happen if it goes in front of Cabinet and it gets passed in that way.

I'm happy to see the clarification of the role of the residential tenancies office. It's important to note that the public

engagement was overwhelmingly in support of access to advice on residential tenancy issues in the Yukon that currently cannot be addressed by the staff there now. This new act has a provision that allows the RTO to contract legal advice for the public, which I am appreciative of, and there are so many stories from both tenants and landlords who wanted to do the right thing, but they weren't quite sure how to do it and they couldn't get the advice that they needed. So, I think that's important.

It was interesting. When I was listening to my colleague from the Yukon Party talk — if you took a look at the summary engagement from the RLTA and the collection of the 1,500 responses to that, I think it's important, because I'll note that some of the points he brought up were actually spoken about in different ways. Ultimately, I know that there was no act before 2012. When the act passed in 2012, even before it became law, there were cracks; we saw the cracks.

I think that what we have in front of us now is a lesson in addressing what we've learned and I think it's really important. I don't think that it is going to surprise anyone when I say that the NDP will be voting for this in second reading. We have a series of questions. I am looking forward to having the conversation about the actual legislation, because I think it's important. I think there is an opportunity for the minister to clarify some points and help people understand what's included there. So, I am looking for a conversation and the ongoing question and answer in Committee of the Whole.

With that, Mr. Speaker, I'll take my seat.

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to speak to the importance of the work that has been undertaken by the Department of Community Services to review and produce a modernized *Residential Tenancies Act*. The development of the new *Residential Tenancies Act* was guided by extensive consultation with stakeholders. I would like to take the opportunity to thank all of the public servants who undertook this work and everyone who participated in the consultations and feedback sessions. As we have today from members of the House, there was very significant consultation done and the feedback was incredibly robust.

In January 2023, Community Services launched a comprehensive review of the existing *Residential Landlord and Tenant Act*. This review was conducted in three phases: stakeholder engagement, broader public engagement, and ongoing policy research. The independent contractors involved were engaged to lead the consultation process, ensuring an impartial and thorough approach. A broad range of stakeholders and interest groups were invited to participate, representing diverse perspectives from both landlords and tenants. A particularly impactful component of this engagement, which was talked about today, was the solutions lab, which was a dedicated forum where a group of 11 individuals came together over 17 times in about a two-month period. These individuals brought their experience and insights from key organizations. Some of the organizations involved were the Safe at Home Society, the Yukon Anti-Poverty Coalition, the Yukon Tenant's Association, the Yukon Council

on Aging, the Yukon Residential Landlord Association, the chamber of commerce housing committee — I believe that's the Whitehorse Chamber of Commerce housing committee — Da Daghay Development Corporation, Gray Management Services, which focuses on property management services, the Yukon Real Estate Association, and the Association of Yukon Communities.

The relationship between landlords and tenants, of course, affects millions of people around the world and thousands here in the Yukon each day, from hard-working families striving to maintain stable housing to property owners who invest in our neighbourhoods. It is a relationship that requires balance, responsibility, and most importantly fairness.

Over the course of 12 meetings, input was gathered from approximately 100 individuals. These engagement efforts were broadly advertised throughout January and February through posters, paid radio ads, public service announcements, newspaper ads, media interviews, social media, and paid Facebook ads.

We're incredibly grateful to those who took the time to meet with our officials and provide meaningful feedback and insight. Discussions within the solutions lab, alongside broader public engagement and continuous policy research, played a crucial role in shaping the new *Residential Tenancies Act*. These efforts ensured legislation that reflects the realities and needs of both landlords and tenants, providing a balanced and equitable framework for the rental market, which is incredibly important work here, Mr. Speaker.

Through working together, this act modernizes housing policies that reflect the values of justice, dignity, and opportunity, building a system where both landlords and tenants can thrive.

I want to thank the minister for the work on this. I want to thank the Leader of the Third Party from the NDP for her comments today.

I think that just rounding out the arguments that were made here in the House today, it is important that I take a bit of time to maybe share a different perspective on some of the points that were made by the Leader of the Official Opposition. I had an opportunity to make some notes while he was speaking. I must say that, listening to a lot of it, many points came across that were incredibly compelling to the point where I had to go back and do a bit of research on some of the statements that were made. There were a lot of different media and journalists who were quoted on their perspective. The Leader of the Official Opposition quoted himself a number of times, building out this strong argument.

First, what I will state is that part of the argument that was made by the Yukon Party and the Leader of the Official Opposition was that once the policy of rent controls came into place — and I am going to paraphrase a number of the points here, because I don't have the material that the Leader of the Official Opposition had in front of him. It was really that we would have less rental units. My understanding of the argument was that we would see fewer rental units because people would be moving out of the rental business or they wouldn't want to

have those rental units, and that was sort of the first part of his thesis, and that is what he said in 2021.

As the Leader of the Third Party said, which is a very difficult piece — when you listen to that level of argument and an incredibly compelling position, you have to wonder: If that's what you believe — if that is the data that is in front of you — why did you accept in 2021, I believe, to support rent caps? For anybody listening today — for any of the public servants and for the folks who do policy work — after that, you would have to ask yourself: If you feel so strongly and have spent so much time making this argument and researching — a tremendous amount of research that went into looking up the perspectives of *The Hub* and going back through the *Whitehorse Star* archives and the *Yukon News* articles and really pulling together such an extensive position — you would have to ask yourself: Why, if you felt so strongly about it, would you have supported it?

And really, what I think is important for folks who are with us today to understand — and for Hansard in the record to say — is that the leader of the opposition, as stated by the Third Party, went to the Leader of the Third Party — of the NDP — and said: I will accept these terms; I will accept a rent cap; I'm all in on rent caps.

Now, of course, I wasn't there for what that dialogue was, but that is essentially the position that was taken by the leader of the opposition to fully support the elements of that confidence and supply agreement — that the leader of the opposition would stand with the Leader of the NDP, put an agreement together, accept that agreement, and stand behind rent caps. So, a lot of what has been stated today falls so empty — so empty — when you think about the fact that the same individual who spent all that time today building this argument and sharing these facts was actually ready to support that exact policy position that the individual explicitly stood up against today. I think that it's important for the House to have that on the record.

The other thing that is important is that when we look at these metrics that we need to focus on in the beginning of the argument, the metrics were really around rental properties.

When we think about rental properties, of course, we know that we have had extensive population growth here in the Yukon over, say, the last decade — but probably more over the last five or six years. You would have to go to Prince Edward Island to really see population growth that would be outstripping the Yukon. It's important to note for individuals that you are seeing extensive population growth. A lot of it is driven by our business community. I know that we will talk about this later over the Sitting, but the business community — the individuals who come to us — say: We need more staff. We want to use your programs to ensure that we have the workers we need. Their businesses, of course, in many cases, are thriving and they need that workforce. When you have a strong economy, you are in a position where those workers are critical, but in many cases, those workers are coming through programs where they are now making the Yukon their home. That puts more pressure, in many ways, on housing stock.

There are, of course, people coming from other parts of western Canada. There are individuals who have decided to come back to the Yukon — Yukoners who may have gone away for a post-secondary experience, but now, because we have what would be considered one of the strongest job markets in the country and many opportunities, it gives those Yukoners a chance to come home.

All of those elements will put pressure on your rental market, but I think what is important to note is that the Leader of the Official Opposition's main point is that what was going to happen over that period of time was that we were going to see fewer rental units. It's important to state for the House today that this is not fact. The foundation of that part of the argument has been debunked and it has been debunked by the data that's produced here in the Yukon. I made sure, when I was getting ready for today, to not just talk about things in narratives or just perspectives or a journalistic view of things. Really, we have to look at the data.

The data shows us where rental units were in 2021 and it shows over the four years. We did see, at one particular time, a drop. Then we go back to this year-over-year increase in rental units. That is an important point, because it talks about our stock available. I will have a chat here about some of the comments made by our local economist, Mr. Keith Halliday, as well and maybe put some other things on the table when we think about availability and affordability.

Again, it's important to note that the Yukon Party's premise around rent caps includes two things: first is that they had committed to supporting them, so they must have a bit of a different perspective about rent caps that they didn't put on the table today; and second is that we would see less rental stock because of this policy, and that, of course, is not the case either.

I think it's also important, from a perspective of government, to note that the goal here with this piece of legislation was not just about rent caps. I think that shows a very narrow view when you think about the relationship from both tenants and folks who are renting properties.

What we're trying to do is balance the relationship between both entities. We think that's incredibly important — that individuals on both sides are respected — because, of course, we want people to continue to invest in stock. So, since 2018, one of the things our government did was that we committed about \$35 million, and that \$35 million that we committed through Yukon Housing was for organizations — maybe NGOs or individuals in the private sector — to leverage that money. We wanted them to leverage that money so that they could build and unlock more opportunities for rentals.

I'm happy to say that today, when we look at what has been accomplished, that \$35 million then turned into \$350 million of investment, and that works out to be 931 new units. Of those units, 837 will remain affordable for up to 20 years.

So, your policies are not just one lane; you're making a series of different pieces of investments and policy changes to ensure that there's rental housing. That's also important, because pre-2016 — reflecting back even on the last five years of Yukon Party government — we were in a very difficult position, and that's something that we didn't reflect on today in

the argument. We didn't talk about where the rental stock was and where rental investment was during that period of time.

It is important, because what we're talking about today, really — we're debating on policy positions and we're talking about rental housing. What I know is that we have been able, with our policies, to add almost 1,000 new units. That has been driven by the private sector and NGOs. They're going out and investing.

If we reflect back on the period of time before that, we saw a number of challenging things. We saw a lack of investment into rental housing. If you go back to 2015, 2014 — I know, for myself, I was at that time working in the private sector. As we looked at rental housing, it was a real challenge.

That wasn't just about government policy, to be fair. What we saw was investment, and we still see it today where there has been investment in new building — well, actually, here in the Yukon, we have seen record-breaking investment into real estate. We saw, in September of last year, an increase of I think 895 percent — if you looked at the previous year — I believe it was October 2024. We have seen record-breaking investment in real estate.

The challenge with that is we are seeing the investment in real estate, but we are also seeing — which is a trend that happened long before rent control where individuals are building, in many cases, condominiums. It's good that there is more stock. In some cases, somebody will purchase one of those condominiums and they will rent it, but what happens in many cases is it doesn't lead to lots of rental stock. It does provide new homes for individuals, but the developers like that type of asset, because they have the availability to build it, and then they can realize a return on that investment in a shorter period of time. When you are in the rental business, you have to wait. You have built that; you've invested in it, but it is a longer payback.

One area that I will just touch on is that it is also where we are at on interest rates right now. That's an important piece.

I talked to a developer — just a small, young Yukoner who is looking for different projects, has done a bit of work before just on the weekend, and part of it is where interest rates are now, the cost of money being a bit more expensive, so that also has a role to play within this. We do know, in the Yukon, there is a demand. We do know, as a government, that it is important for us to get lots out, and we do know that this legislation also helps landlords have more tools. I think that is going to be part of it. I know that there are discussions that we are going to have here in Committee, but that is an incredibly important piece.

The other comment that was made very specifically pointed at me was that I was out of touch when it came to — quote unquote — from the Leader of the Official Opposition. I think it's important to note that maybe it depends on who you are communicating with, because as the Leader of the Third Party stated, there are a lot of long-time Yukoners — many of them now who have contributed to this territory greatly — spent their professional life, maybe in the Yukon government, maybe in the private sector, but a lot of those individuals are on fixed income and many of them are living in downtown Whitehorse or other areas.

In many cases, those individuals are people who we were greatly concerned about. Those were individuals who were on fixed income, a very finite amount of money each and every month, to use to pay their rent and their living costs. Those were individuals who were coming to the NDP; those were individuals who were reaching out to us and saying: My rent continues to go up; I just can't pay it, and I have nowhere to go.

So, the rent control that was put in place — also, many of them seniors — many of these seniors were crying out for help. I think that it is important to note that this is something that protected those folks.

Just in closing, I hope to get a chance during third reading, but I just want to say that right now, when you talk about rent controls, the provinces that have them in place — Ontario, British Columbia, and Québec — those are the areas within the country where we are seeing the most rental investment right now, which is important. They also have the most rental stock. I think that is an important piece to note — so many arguments that I would love to speak to.

Also, when we talk about the price that is increasing — remember, anybody who goes out and builds new rentals right now is going to set the price at what they want, so the new buildings that are being built with a higher rent — that is what drives our overall average. That is an important piece to note. That will continue to happen. Rents will always go up as people build new assets. Of course, those older assets were cheaper to build than the new ones that we see now, which is a real flaw.

**Acting Speaker (MLA Tredger):** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Mostyn:** Wow, I really do appreciate the discussion that we have had this afternoon at second reading. I am doing my best to elevate my voice for the Member for Watson Lake and all members, actually. I do realize that my octaves drop sometimes. I have a lot of thoughts this afternoon — there's no two ways — this is a very interesting discussion we've had from the opposition leader, the Leader of the Third Party, and the Premier, and I have a few thoughts on this matter as well that have been sparked by the conversation we had here this afternoon.

I want to thank, off the hop, the Department of Community Services and Justice and all of the civil servants who had their hands on this bill that we have before us this afternoon. They did an extraordinary amount of work, as I related in my opening remarks, in a very short period of time. They spoke to thousands of Yukoners, 18 organizations, and six governments in drafting this piece of legislation and more besides. They also did jurisdictional scans and research. An incredible amount of work went into this in 19 months, and I really do applaud that work. I really do appreciate the result of all that diligence, and I just want to say that up front. I'm actually also going to thank my colleagues, caucus, and family members, because this has been a difficult file for me. Full transparency: This isn't an easy file for me; it hasn't been. I have struggled with this one more than a lot of the work I've done in this House.

It was alluded to in the opening remarks that I made earlier that there are an awful lot of interests in the rental market. It's so very important. I come to this role and I come to this file with 35 years of experience. I came to the territory in 1989. There was no residential tenancies act at that time. I came earning a very low income from across the country from Ontario into this and tried to find a place to live, along with my colleague the minister of highways, who came at about the same time. There was a whole bunch of us who came at that time, around 1989 to 1992.

They came into a rental market in the territory that was absolutely non-existent. My very first nights in the territory, I stayed at a very well-known hotel — the Chilkoot, as a matter of fact. I am one of the few people I know who, when they came to the territory, stayed at the Chilkoot, because they couldn't afford anywhere else. I had to find a place to stay. I rented with another fellow, a colleague who was a friend of the editor of the *Whitehorse Star*, in Hillcrest for a period of time. Then, I had to strike out on my own. It was very difficult. It was very expensive, and it was not ideal. It was difficult. This was back in 1989. There were very similar rental conditions back then. It was really tough.

This is a problem that has persisted in the territory for decades. It's not bad, but it is currently the situation where there is low vacancy rate in the territory again. As the Premier said, that is because of a number of factors. There's growth in the territory, because we have great wages and benefits in the territory for people living here. We have a great economy right now, and people are flowing to the territory, because they recognize what a great place it is to live. Our economy is doing well, wages are up, people can work if they want to work, and there's a great quality of life. The environment is tremendous, and people are recognizing that and coming here in droves because of the work that they have seen from this government over the last nine years.

Prior to that, we were in a recession, and we also didn't invest an awful lot in land at all — very little. As a matter of fact, in an early conversation with the Premier, I identified at that time, as a minister of this government, that we were going to have significant problems with land. There was going to be a major problem if the economy started to look up, because we didn't have enough land developed here. He identified that as a pressure on our government from the very earliest days in 2017 just after we formed our government here. These were the very early days. It was something we have been working for.

My colleague the previous Minister of Community Services worked very, very hard on the land file, and I have done the same thing. The Premier has worked very, very hard on housing to try to build that up, but all this is to say that the housing file has been a live file for a long time.

What I recognized in coming into this role is that there was a lack of balance. The Leader of the Third Party alluded to it; the leader of the opposition gave his perspective on the rental market. They brought in legislation; they drafted legislation in 2012. The Leader of the Third Party was part of that debate. It didn't come into effect until 2016. That's curious, isn't it? Again, a lag — just as they were coming out of office, they

actually implemented the act that they passed four years before. Frankly, that act wasn't balanced. It lacked the fairness that Yukoners are demanding, and that fairness was reflected by the request from the Leader of the Third Party when Yukoners elected a minority government in 2021.

In our Westminster system, Mr. Speaker, we know that the voters speak, and they elected — and they elected eight, eight, and three. In that election, they said to the three parties: We want there to be control; we want there to be a mix of interests in your government. The leader of the opposition knows this. He has been educated in political science, and he knows the Westminster system, and he continually disparages the minority parliament that the Yukoners — his constituents, constituents across the territory — elected. They elected us to work together in 2021.

This is important. It's also part of the balance that I'm talking about. They elected us to work together. No one party had a majority, so our caucus worked with the Third Party and came up with a deal — the confidence and supply agreement — and it has been very successful over the last four years. So, that is where we are today. The Leader of the Third Party can stomp and fume and say it's not right and this and that and the other thing — we elected, as a society, a minority parliament, and he is the opposition leader in that minority parliament, and this is how we work.

As a matter of fact, as the Premier and the Third Party leader have alluded to, in 2021 in the fall, the Leader of the Official Opposition tried to negotiate a power play to take control of the government, away from us, by agreeing to the confidence and supply agreement. He said it right there in this House. We're not party to those discussions between those two leaders, but there was an outreach. They did say: We do it; we accept the terms that you negotiated with the Liberals, and we'll take the government. Mr. Speaker, that included a rent cap.

So, it was nice to see all the work that he put into today's discussion. It's the first time I've seen an awful lot of work put in by the Leader of the Official Opposition. It was nice to see him do a little bit of work — a bit of research. Somebody actually put their nose to the grindstone — nice to see.

But it was a Michael Crichton narrative, and we see this time and time again from the Yukon Party, which is closely aligned with the Poilievre conservatives. We see it time and time again in that they start with a narrative that's true, true, true, and then it starts to veer into fiction. And you're thinking: Yes, that's right. And suddenly you say: Whoa, it's not right anymore.

It's like: Dinosaurs existed — yes, they did. Dinosaurs walked the Earth — yes, they did. There was a meteor strike — yes, there was. Some mosquito that bit the dinosaur is enshrined in amber — okay. Fact, fact, fact, sort of getting to the narrative, and then suddenly it's like a global conglomerate biochemistry agency sapped the blood from the mosquito in amber, and suddenly they have dinosaurs again.

That's the type of narrative that the Yukon Party weaves all the time. There's a confidence and supply agreement, and they did this and that, et cetera, but it's now misleading, because they endorsed the confidence and supply agreement in



the beginning. They were part of it. They wanted it. So, all their protestations to the contrary this afternoon ring hollow to me and I think to others, including the Leader of the Third Party and our Premier.

All right, balance — 2016, the act comes into play. It's not balanced, and the Community Services department and civil servants went out and did reams of research. They did the solutions lab — really innovative, and I agree with the Leader of the Official Opposition on that — and they came up with this bill that balances a lot of different things.

I understand the Leader of the Official Opposition's endorsement of free-market economics, but it ignores the pleas of hundreds if not thousands of Yukoners that they want a balance. I know that the Leader of the Official Opposition frequently ignores Yukoners, because he did it on the Peel. Thousands of Yukoners came forward on the Peel and said that they want this dealt differently. He said: Ah, what are numbers? He dismissed it. He's doing it again today. Thousands of Yukoners, 18 organizations, six governments, and all sorts of other research went into this bill. It's not just about rent caps. It's not just about no-fault evictions. It's about a lot more than that. I am a little bit discouraged to hear the outright dismissal based on that. But I look forward to the discussion this afternoon and in the days to come, more than likely, about this bill and what it is seeking to accomplish. I don't know — maybe I can convince him otherwise. We will see.

The Leader of the Third Party and I will disagree on some facts from the 2021 discussions that we had about the imposition of a rent cap and the way it was done and then the countervailing imposition of getting rid of no-fault evictions — sort of the whack-a-mole policy work that was done there. I have never been a big fan of that. What I really wanted to do — from the get-out, from 2021 forward — was to see this act tackled in a thoughtful way that incorporated the views of Yukoners and balanced the rights of landlords and the rights of tenants and brought it into clearer focus — have clear rules.

The Leader of the Third Party is definitely talking to tenants — really. There's no doubt about it. The Leader of the Official Opposition and the Yukon Party are firmly in the landlord camp — absolutely. They have been right from the very first piece of legislation that they brought in and they made no bones about it. I could go on. I could call up newspaper articles that would show how close that relationship is. I don't think it needs to be done. It's pretty clear. So, we've got these two extremes — tenants and landlords — with tenants on the left, landlords on the right, and then you have us and me and the Department of Community Services, which has done a really extraordinary job looking at what needs to be accomplished and trying to balance those two interests.

I think that this piece of legislation is — it's not perfect, but it does do a great job of balancing the interests of tenants and the interests of landlords, fusing that into a set of clear rules that will help guide Yukoners — those who want a place to stay in this incredible place with this incredible economy and those who want to create a new revenue stream for themselves, perhaps a business in the rental market. They now have clear,

well-defined rules that say how that can be done — rules of engagement.

That is the task that I put to Community Services staff 19 months ago, and that is what they have delivered here today to Yukoners. I again thank them for that work. I thank my colleagues for their patience and support over these 19 months — in particular, over the last month. I think that what we have accomplished here is a bill that will strike that balance between landlords and tenants firmly in the middle, which is where Yukoners wanted us to be when they elected us in 2021.

With that, I am going to take my seat and we'll get on with it.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Pillai:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Mr. Silver:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Disagree.

**Mr. Kent:** Disagree.

**Ms. Clarke:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Mr. Hassard:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. White:** Agree.

**MLA Tredger:** Agree.

**Ms. Blake:** Agree.

**Clerk:** Mr. Speaker, the results are 10 yea, seven nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 46 agreed to*

**Hon. Mr. Streicker:** Mr. Speaker, I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

**Speaker:** It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

*Motion agreed to*

*Speaker leaves the Chair*

### COMMITTEE OF THE WHOLE

**Deputy Chair (MLA Tredger):** Order. Committee of the Whole will now come to order. The matter before the Committee is general debate on Bill No. 46, entitled *Residential Tenancies Act*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

**Deputy Chair:** Committee of the Whole will recess for 15 minutes.

*Recess*

**Deputy Chair:** Committee of the Whole will now come to order.

**Bill No. 46: Residential Tenancies Act**

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 46, entitled *Residential Tenancies Act*.

Is there any general debate?

**Hon. Mr. Mostyn:** I had intended to work a cliffhanger into my closing remarks on second reading, knowing that there was such a short time between that — just 15 minutes — and my opening remarks here. I could have done so many wonderful things, but I have decided to just forgo all that and let's just have the debate. I am joined here by two colleagues from Community Services; we have Phil MacDonald and Sarah Murray. They will be assisting me this afternoon.

Without any further ado, let's get into it, shall we?

**Mr. Dixon:** Thank you, Deputy Chair. I appreciate the opportunity to ask a few questions from the minister on this. I think what is probably most useful is to set aside the more sort of principled ideas for debate in second and third reading and get into some of the details and discuss just how this is exactly going to work.

I will begin with the consultation process. Can the minister discuss what submissions were received from what organizations? I know that obviously there was a public consultation that received input from individuals, but did individual organizations provide actual formal submissions? I am thinking of any of the NGOs, groups, business organizations, or others who may have had an interest in this. If so, how are those submissions compiled? I didn't see them referenced directly in the "what we heard" document, so I am just wondering if he could give us a listing of what organizations provided actual formal input.

**Hon. Mr. Mostyn:** I went into some of the engagement in my opening remarks at second reading. We contacted a number of groups for one-on-one conversations. There is a lot of it. I will read it into the record so you can get it from the Blues or from Hansard. The Yukon Residential Landlord Association, the Yukon Tenants' Association, Safe at Home Society, the Yukon Anti-Poverty Coalition, Yukon Chamber of Commerce, Whitehorse Chamber of Commerce, Yukon First Nation Chamber of Commerce, Klondike Development Organization, Association of Yukon Communities, Da Daghay Development Corporation, Gray Management Services, Grey Mountain Housing Society, Yukon Council on Aging, Multicultural Centre of the Yukon, Yukon Human Rights Commission, Blood Ties Four Directions, the Yukon Real Estate Association, the Yukon Status of Women, Housing

Action Plan Implementation Committee, the Yukon Housing Corporation, and the Canadian Centre for Housing Rights.

Now, of those number of groups whom we talked to as part of our consultation, the Yukon Anti-Poverty Coalition, the Yukon Human Rights Commission, and the Yukon Status of Women all provided written comments, which were incorporated into the act. I will also note that we got e-mailed written feedback from the Whitehorse Fire Department as well, so that's that.

**Mr. Dixon:** Can the minister discuss the Solutions Lab process and just how this came about? It was a bit of a unique process. I haven't seen it used for other consultations on other pieces of legislation or other programs that have been developed by the Yukon government. I heard some good feedback from those who participated in it. I will have some specific questions about what they came up with, but can the minister just talk about how this process came about and why it was chosen as a way to seek feedback on this act?

**Hon. Mr. Mostyn:** I thank the Leader of the Official Opposition for those comments. I appreciate the engagement that we're having this afternoon, and I thank him for that. I will agree; I heard great things about the Solutions Lab, and the amount of work that group did in such a short period of time was truly extraordinary, and its fingerprints are in this piece of legislation. So, the work that group, the Solutions Lab, did was instrumental in shaping this legislation. They made an awful lot of submissions. They came together. We had landlords and tenants in this group and very, very different perspectives. Through their meetings, by working together and talking and sharing some food, they came together and began to understand some of the different perspectives in the housing market. That was very, very important and great to see.

Members of that group were very generous not only with their time in doing the groups, but they came together and realized the importance of it so much that they offered to work together afterward with this legislation. I appreciate all that they did. I appreciate that the briefing I got from the solutions lab was very, very helpful to me in understanding this housing issue. So, it had an impact on me as well, and I really do appreciate all the work that they did.

There were 11 Yukoners from diverse backgrounds in the housing sphere. They met 17 times over two months to discuss the themes raised in the initial stakeholder outreach in June and July 2023. So, it was early days, and their work helped shape the engagement that went forward as well as had a very, very significant impact on the legislation.

They proposed seven solutions to address what they considered key issues — an ability for flexible rent increase plus tenant supports, ending tenancies, and collecting data and understanding the tenancy market. They proposed a registry of tenancy agreements held by a neutral third party to track and report on market data; this would allow informed decisions. We have looked at that within the department. There are concerns with privacy in gathering that type of data that are formidable barriers to such a thing, but we have taken that into account when dealing with them.

They asked for education supports. The solutions lab proposed creating a tenant and landlord support office to provide specific advice on tenancy situations to help resolve disputes before they are brought to the RTO and help units for each current building code. Again, we considered that not only in the legislation but also in our rollout of the legislation — very, very important.

The residential tenancies office efficiencies — they propose to increase transparency by providing feedback to parties on where their application is in the internal process. They gave us feedback on how we might improve the workings of the residential tenancies office.

They wanted clarity within the act and the regulations — clarify damage deposits, security deposits, who can apply to the RTO specifically for groups and individuals who have their own policies, social housing, First Nation citizens, some dwelling types, shared accommodations, and hotels.

So, all that work has been reflected if not chapter and verse then in the spirit and the way that we're working with this act going forward. I do thank them for all the work they did, because it was a monumental amount of work in a very short period of time, and I'm very grateful to that lab for shaping this piece of legislation.

**Mr. Dixon:** I'll move on, then, specifically to rent control and the limitation in the act around how rent increases can be done or be limited. Can the minister describe what will be different from the previous act now in terms of the way the act will work? Previously, the rent increases were set by OIC; they had been indexed to inflation previously. Can the minister talk about how sections 38 to 41 will work in practice, and when can we expect to see the regulations accompanying this act to bring those sections into force?

**Hon. Mr. Mostyn:** The biggest change in the legislation is that we now have regulation-making power in this legislation. There was none in the old legislation, which was implemented in 2016.

So, the rent control will be spelled out in regulations, not in the legislation itself. We are aiming to have the regulations done, we are hoping, by June — thereabouts — maybe a little earlier if we can get that done. It's all depending on the drafting — so, as soon as we possibly can.

The way we are planning on drafting this regulation is to have the rent control tied to the CPI like it was before; however, it will be averaged over two years, not based on individual years, so it will flatten some of the highs and lows. We call it the "Dolby clause". We are also going to make sure that landlords can apply to the residential tenancies office. Because the CPI does not address all the impacts that a landlord might have with their property, they can apply to their RTO to increase beyond the rent cap if they are facing expenses that are not captured by the CPI that are affecting their business.

**Mr. Dixon:** So, if I understand what the minister said, the limitation on rent increases will be set out in a regulation pursuant to section 39, and he indicated that regulation would be completed sometime in the near future — perhaps as soon as July, depending, of course — I won't hold him to that, because he was deliberately unclear about the definitive time,

but it will happen at some point in the future. That regulation will set a maximum rent increase, but what the minister has said then is that a landlord can apply to the RTO for an increase outside of the parameters of that maximum increase.

Can he describe what that process would look like for a landlord to increase the rent beyond what is captured by regulations pursuant to section 39?

**Hon. Mr. Mostyn:** I thank the member opposite for the question this afternoon. I will correct — I think I said June, not July, and we'll see — that's with caveats, all right? That is what we're shooting for — that will be the target.

As far as the unexpected increases in expenses for landlords, as I said, some costs of operating rental housing are not covered by the consumer price index, so this change — this regulation will allow for rent increases above the rent index to accommodate extraordinary cost outlay by landlords. Landlords will have to apply to the RTO showing that they incurred eligible expenses that may justify an additional rent increase, so you will apply — there will be a fee for that application. Rent increases can have serious impacts on tenants, so the additional rent increases will be imposed on tenants if there is a substantial increase in certain expenses for a landlord.

That could be above — that is up to three percent above what the rent cap is. So, if the rent cap over a two-year period was set at three percent, the landlord could ask for — through the RTO application, saying that they have seen an extraordinary increase in their, say, the inflationary pressures due to rates, for example — for example, mortgage rates or whatever or perhaps insurance has gone through the roof or something. They can make that case to the RTO and say: Our costs have gone up X amount, well beyond what we were expecting in the consumer price index. The RTO will then render a decision on that.

**Mr. Dixon:** I guess I should have started here to begin with: Am I correct in assuming then that the rent cap will continue to be linked directly to CPI?

**Hon. Mr. Mostyn:** The rent cap will be indexed to CPI averaged over a two-year period.

**Mr. Dixon:** Thanks for the clarity from the minister. In addition to that, there is a three-percent contingency — if I understood the minister correctly — to allow for extraordinary circumstances that could be applied to the RTO for?

**Hon. Mr. Mostyn:** Yes.

**Mr. Dixon:** Are there any limitations on the number of times that one can apply to that exception — that three-percent additional cushion?

**Hon. Mr. Mostyn:** It's a good question, and I thank the Leader of the Official Opposition for it this afternoon.

Again, we heard from landlords the ability to request additional increases in rent. It was important; this was also one of the points that was made by the solutions lab.

When the CPI does not reflect many household-related costs — for example, necessary repairs such as if there was a repair that had to be done to a support beam or something expensive like that — exceedingly low rents when the residential property is purchased — or energy efficiency for firesmart upgrades, for example — that type of thing that may

be far and away above a rent cap of, say, three percent, then the landlord can apply for that. We're looking at the regulations to allow — you apply for that increase, it's granted, and then it will be phased in over several years. We're not sure how many years that will apply, but if you apply and you say that yes, you can go over the three percent and that three percent will apply for the next several years — so you can then increase the rent an additional three percent for X number of years.

We're still working out the details as to how many years that could be. It could be two years, three years, five years — so you would get that. From one application, you could get permission to increase the rent over successive years to make up for that expense.

**Mr. Dixon:** I confess to being a little bit confused by the explanation, so I'm going to try to back it up a little bit.

Setting aside the three-percent cushion that the RTO can grant to a landlord, can the minister simply tell me: How frequently can a landlord increase the rent?

**Hon. Mr. Mostyn:** We would get the increase once a year. So, rent is capped at three percent. I go to the RTO. I say: Listen, I have these enormous expenses; here's the expense of this thing; I had to fix my basement; it cost me X number of thousands of dollars, and it is well and above the two percent here.

The RTO will look at that and they will say: Yes, that absolutely qualifies for this, and because of the cost, you can increase your rent to six percent this year, six percent next year, six percent the year after, six percent the year after — whatever we decide. However many years are in the regulations, you can increase your rent to that extra three percent over successive years to make up for the expense that you have incurred on your property at that time.

**Mr. Dixon:** Is there a limit on the number of times that you can apply for that special exemption to the RTO?

**Hon. Mr. Mostyn:** So, you have this place; the basement was messed up; you have a ruling that allows you to increase the rent for six percent — or whatever the cost-of-living increase plus three percent for the next three years. The second year into that, you determine: My goodness, now the roof has just caved in. You go to the RTO again with a new application and you say: My roof has just caved in; I have done this.

They will take a look at that and say: Okay, you're going to extend it now for X — you get the extra things. It's once per incident for expense, but there could be several incidents that allow you to continue this and keep the rents going up in that way. It's not going to be one and done. There will be an assessment if other unexpected costs hit a landlord. They can come back and say: Hey, this is happening to me. Then we will assess those.

**Mr. Dixon:** Is what is determined to be an acceptable additional cost laid out in the act, or will that be laid out in regulation?

**Hon. Mr. Mostyn:** That will be laid out in regulation.

**Mr. Dixon:** Would that be a regulation that is separate from the regulation that I asked about earlier? Is the timing any

different, or will all of the regulations be encompassed in one single package that will come up this summer?

**Hon. Mr. Mostyn:** One set of regulations — they are coming.

**Mr. Dixon:** As I understand from the explanation, there is no limit on the number of times that a landlord can seek a special exemption from the RTO to increase rent beyond the CPI rate that will be set in regulation.

I'll move quickly then, realizing that there's a lot to go through. I'll move to the exemption for family members. Section 41 exempts provisions of section 40, which is around timing and notice of rent increases. If the rent of the unit is related to the income of the tenant's household — I'm wondering if the minister can explain section 41 and that exemption from the provisions of section 40.

**Hon. Mr. Mostyn:** Section 41 really applies to three agencies: Yukon Housing Corporation, Kwanlin Dün First Nation, and Grey Mountain Housing. All three of those entities already provide rent geared to income, so they are exempt from the rent cap provisions.

**Mr. Dixon:** Is there an exemption for employer-provided housing?

**Hon. Mr. Mostyn:** There is no exemption for employer-provided housing. It is captured by the act — by the rent cap.

**Mr. Dixon:** Can the minister confirm that is a change in policy — that the previous act did exempt employer-provided housing? If so, can the minister describe why that change was made?

**Hon. Mr. Mostyn:** No, there is no change. I thank the member opposite for the question this afternoon. I'm enjoying our conversation. There is no change for employer-provided housing from the existing act and the way it has been done. What has changed in the new act is that the notice period given to employees who have to move out now matches the *Employment Standards Act* for severance. So, you have to give them notice that they have to get out of the house, but it matches your time for giving notice that your employment has ended, so they are matched.

**Mr. Dixon:** I'll move to evictions. Obviously, one of the main drivers of this bill was the desire to codify a ban on no-cause evictions. Can the minister describe how the act bans no-cause evictions and in what circumstances evictions are appropriate?

**Hon. Mr. Mostyn:** My apologies to the member opposite; I missed your last four words with my bum ear, so if I could ask him to please just give me the last piece so I heard it.

**Mr. Dixon:** I asked the minister whether or not the act codified the ban on no-cause evictions and when evictions are appropriate under the act.

**Hon. Mr. Mostyn:** Thank you, Deputy Chair. Now we get into it. This is one of the biggest changes between the old act and the new. I want to say off the hop that "with cause" still applies, and there has been no change from the existing act. All the "with cause" conditions for ending a tenancy still apply. What has been removed is the "without cause" clause, and it

has been replaced with a number of conditions that will allow a landlord to evict a tenant.

So, there is ending a tenancy for a landlord or family member to occupy. This allows eviction based on reasonable grounds, including occupation by the landlord or family member of the landlord. That's (1); (2) ending a tenancy for the purchaser to occupy — this came up with our ad hoc elimination of the “without cause” clause.

What we found out was, when somebody bought a new house, it was difficult, so we addressed concerns from landlords: Selling a house with a tenant, when the purchaser intends to occupy the unit, adds additional administration and confusion and can affect the selling price. This provision allows the current landlord to give notice to the tenant in advance of the purchaser taking possession of the property in cases where the purchaser or their family member will occupy the unit.

Then we've got ending tenancy for non-payment of rent. This clause existed in the previous act and will continue to exist in the new act so that a tenant can be evicted if they do not pay rent. The change to this section provides for an additional step to end a tenancy for non-payment of rent. A landlord must notify the tenant that the rent was not received and give them five days to pay before issuing a notice to end the tenancy. So, there is five-day clause there.

Eviction related to term of employment — again, changes to this give additional security to tenants and clarity to landlords when housing is a condition of employment. There is now a notice period required to end this kind of tenancy. There is a standard limitation period applied to help provide finality to a tenant or landlord in the case of a dispute, and it clarifies that notices in this tenancy situation are reciprocal for tenants and landlords.

There is ending a tenancy for renovations or repairs. It's based on public engagement and is similar to provisions in other Canadian jurisdictions that allow this to be reason to end a tenancy if it is required that the unit be empty. So, if you have to empty the unit, you have to get appropriate permits in place and then prove that the renovations or repairs are required to maintain minimal rental standards. With a four-month notice period and entitlement to the right of first refusal, the tenant has time to find housing and the possibility of returning to the unit if they want to at the end and meet the needs of the landlord after the refurbishment of the unit.

Ending fixed term or early threat to safety — this protects the security for the tenant. This section will be brought into effect with a form. It can be signed by a qualified individual listed in the regulation. This avoids the serious privacy issues of a tenant being obliged to share personal information with the landlord. In periodic tenancy, the tenant can already give a one-month notice, so this provision does not apply broadly.

There is ending a fixed-term tenancy for long-term care. This allows a tenant to end a fixed-term tenancy early if they need to move into long-term care. That includes a residential care and treatment facility or a continuing care residential facility where 24-hour care, support, or supervision is provided on-site to the residents or accommodation that provides medical services. It also includes a facility where housekeeping and

meal service is provided — for example, Normandy. So, yes, those are the now for-cause evictions that have replaced the without-cause blanket provision that was there before.

**Mr. Dixon:** I thank the minister for running through those. I think that I could probably debate any one of those ones for some time, but I will skip ahead.

I would like to ask specifically about the sale of a rental property. If an owner of a property wants to sell a property that is involved in a tenancy, can they evict a tenant for the purpose of the sale?

**Hon. Mr. Mostyn:** Yes, they can.

**Mr. Dixon:** What are the timelines associated with ending a tenancy of that nature, particularly someone selling a unit? They may want to have the tenant out of the space so that they can have it cleaned or renovated or anything else. Is there a timeline around how they go about the sale of their unit and the ending of the tenancy to facilitate that?

**Hon. Mr. Mostyn:** It's a three-month notice period for that clause.

**Mr. Dixon:** I thank the minister for that answer. With regard to renovation or repair, can the minister describe the notice provisions for a landlord to do renovations or repairs to a rental unit and the timelines associated with getting access to the space to do so?

**Hon. Mr. Mostyn:** That is a four-month notice period for that. The landlord must also have all permits in place. You can't just say that you are renovating; you have to prove that you are renovating it and that the tenant has to vacate the property that is being renovated. It is major renovations that would be required for this.

**Mr. Dixon:** Can the minister describe how they determine what are major and what are minor renovations?

**Hon. Mr. Mostyn:** There are two parts to that. First of all, the tenant must vacate to make sure — the renovation is large enough that the tenant has to vacate the property to facilitate the renovations that are going on. The renovation has to maintain minimal rental standards.

**Mr. Dixon:** I am curious more about the requirement to show permits for renovations. Some renovations can be significant but don't meet the threshold of requiring a permit. Can the minister describe what can be done in that situation?

**Hon. Mr. Mostyn:** It comes down to the word “necessary”. If there are permits necessary, you have to provide them, and if there aren't, you don't have to. There is still a four-month notification, and the condition would be that the unit has to be vacant for the renovation to happen.

**Mr. Dixon:** Just to be clear, if a renovation was sought by the property owner but it didn't meet the threshold for needing a permit, there would simply be a four-month notice period to evict, and then the renovation could be conducted after that?

**Hon. Mr. Mostyn:** That is correct.

**Mr. Dixon:** Part of me would love to get into mobile homes, but I know that my colleague, I'm sure, will have some questions about that, so I will leave that for now. I thank the minister for his answers today and will cede the floor to my colleague from the NDP.

**Ms. White:** I thank my colleague from the Yukon Party and, of course, welcome the officials here in a different capacity than the previous briefing, so it's delightful to have you here.

Just to follow up on my colleague's questions around the need for renovations, can you walk me through, for example, some renovations? So, are we talking cosmetic things? I want to change the countertops, so I can evict the tenant — or I'm going to change the countertop, so I'm going to evict the tenant with four months' notice, change the countertop, and rent it for additional money on the other side. What is a "needed" renovation?

**Hon. Mr. Mostyn:** I welcome the Leader of the Third Party to the discussion this afternoon. I thank her for the question this afternoon on this part of it. So, yes, if you are doing renovations — which could be roofs, it could be doors and windows, it could be flooring, it could be exterior walls, or it could be any number of things to meet the minimum rental requirements. The landlord says that, in order to do these renovations, you have to leave the unit. They give four months' notice and show the permits. If the tenant disputes that, they can appeal it to the residential tenancies office and say: Really, they're asking me to leave and that's not appropriate. So, like anything with both landlords and tenants, there will be an ability for the residential tenancies office to weigh in if someone feels that they are not being dealt with fairly or if there is some sort of overreach on the part of, in this case, the landlord.

**Ms. White:** When a tenant is given that notification, is the landlord obligated to then reimburse the tenant with the equivalent of one month's rent?

**Hon. Mr. Mostyn:** Yes, the landlord will be required to give the tenant one month's rent — credit for one month's rent so that they can find new accommodation.

**Ms. White:** I just wanted to go back on another point that the minister said. I'm just looking for clarification: If there is a desire for a landlord to sell the property, did the minister just say that the tenant is able to be evicted just because the property is for sale?

**Hon. Mr. Mostyn:** No. As I said previously in my answer, if you're ending a tenancy for the purchaser to occupy it, it means that the current landlord will give notice to the tenants in advance if the purchaser taking possession of the property — in cases where the purchaser or their family member will occupy the unit. So, if the purchaser of the property intends to occupy or use the unit, they have to give notice.

**Ms. White:** I thank the minister for clarifying that. I wasn't sure that I heard it correctly the first time, so I do appreciate that.

I actually was contacted by someone who was listening to the debate, and one of the concerns that they highlighted was that of giving a tenant an eviction notice for a landlord's notice — pardon me — the landlord's notice for landlord's use of property — so, a close family member or, you know, kind of following along that. What is the recourse? The example that was used is that the landlord said that they were moving in; they never moved into the property; they just put it back on the

market and rented it again. What is the recourse for a tenant? So, they get the notice that a family member is moving in; a family member never moves in; it actually goes back on the market and is rented out again at a different amount. How can a tenant — how does a tenant navigate this?

**Hon. Mr. Mostyn:** Yes, there is ability for a tenant, if they feel that they have been wronged or that the family member didn't move into the property, to file an appeal with the RTO and perhaps get some financial compensation if it is proven that happened. The RTO would look at the circumstances and figure that out. There could be compensation to the renter if that were the case.

**Ms. White:** I appreciate the answer. I know there is the contemplation of the creation of a new position, but how does the RTO hold the landlord accountable? How are they able to reach out and see that is actually the case, that the family member hasn't moved in, that it just got rented back out?

I appreciate that a tenant can file an appeal and say that part wasn't followed, but how is that enforceable by the RTO?

**Hon. Mr. Mostyn:** The residential tenancies office — trying to stay away from acronyms — will have the ability to investigate claims made both against the tenant or against a landlord. So, if the landlord has tried something sneaky, the tenant could appeal to the RTO, and the RTO can investigate the matter.

**Ms. White:** I thank the minister for that. Just going back to the need for renovations — when the landlord gives the notification to the tenant about the need to vacate due to renovations, is there an automatic requirement for the landlord to then let the tenant know that they are entitled to the one-month compensation, or is that something that the tenant will have to request?

**Hon. Mr. Mostyn:** It is the obligation of the landlord to provide the payment before the end of the tenancy.

**Ms. White:** I thank the minister for that. Just for clarification — that will be one of the requirements when they give notice due to a renovation, that they will then have to notify the tenant? I appreciate the head nod, but I am just going to allow the minister to answer the question just so that it is on record. My understanding, based on the conversation, is that the landlord will need to notify the tenant as well of the one-month compensation when they are given the eviction notice.

**Hon. Mr. Mostyn:** That is correct.

**Ms. White:** I thank the minister for that.

What additional support, staffing, and funding will be given to the residential tenancies office in order to enforce this new legislation? How do we see that office changing?

**Hon. Mr. Mostyn:** I really applaud the enthusiasm of the Leader of the Third Party on this subject. The RTO has been restructured in anticipation of the act passing, so we are looking at that. Once the act does come into force and the regulations are in place, we are going to assess the workload and make some decisions from there.

**Ms. White:** I have lots of enthusiasm, but I had enthusiasm in 2012 that was short-lived as soon as I saw the cracks. I am hoping that we will be preventing the cracks this time, that we learned from 2012, and that my enthusiasm will

not be misplaced in a short amount of time. I'm optimistic; I know there has been lots of work, but I was enthusiastic in 2012 as well. Maybe I have a bit more experience now.

I am happy to see things included in this act such as an end to no-cause evictions and limits on evictions for the purpose of renovation and rent control. What will be done to improve enforcement of this act? One of the challenges that we hear right now is that it is hard to get things enforced. How will enforcement of this act happen?

**Hon. Mr. Mostyn:** I am going to give four components to this question about how it is enforced. The first one is that we, taking information from the solutions lab — they did point to the fact that we need better education about the act, so we have an education campaign that is going to start that will inform landlords and tenants about their rights and how the changes in the act will affect them and how it is going out. So, there will be an education campaign.

The second thing, as I mentioned just a minute ago, is that we have retooled the branch to make sure that they have more resources — adjudicators and now an investigator — embedded within the branch.

Third is — it was never in the legislation before — that there is now a link between the enforcement powers and the offence provisions in the act. This improves the RTO's enforcement powers by aligning the administrative penalty and offence provisions within the legislation. This allows the director to levee administrative fines when a person commits an offence, as listed under section 12 of the act, or the rental unit does not meet minimum rental standards.

Finally, there is also an increase in the penalties and offence provisions. Administrative penalties and offence provision minimums are increased to reflect the practices from other jurisdictions. Not complying with the act can have severe implications for tenants and landlords, and the improvement to the act's enforcement powers will better address abuse of the system and protect Yukoners in the market.

I hope that answers the question.

**Ms. White:** The minister just touched on this a bit, but a concern that was raised by many in the engagement sessions was a lack of education and support for both tenants and landlords. The RTO had previously been clear that it was not their role to provide the education. What supports will be put in place to fill this gap?

The minister just said that one of the answers from the solutions lab was better education. He said that there was a campaign coming. Can he elaborate on what education will look like for both landlords and tenants?

**Hon. Mr. Mostyn:** We heard, for sure, at the deep consultation that we did with the 1,500 Yukoners, the 18 groups, the government, the First Nation governments, and the rest of it — this did come up as a thread through those discussions, this need for going to the residential tenancies office — for their inability to provide or the lack of legal advice. That's not going to stop. The residential tenancies office is a neutral party; it's Switzerland; it doesn't provide legal advice to tenants or landlords. So, if you need legal advice, you'll have to seek legal advice. The landlord and tenant office will provide

online resources; they will provide a handbook that will lay out information to the public. You can go to the front desk and ask questions, and as long as those questions are not of a legal nature, the landlord and tenant office will do the best they can to provide the advice that person needs to deal with the issue they have. They will also point them to the resources, both online and tangible, that we'll have through the office.

We will also have the education campaign, which is being put together by Community Services and their team, to advise the public of how the act has changed and their rights under the act. People can also read the act themselves. We are going to make sure that it is as clear as possible. It is before you today; you can read it. That is where the process is going to go, but this whole thing with the RTO providing legal advice to people is not going to change at the moment.

**Ms. White:** So, I guess I am going to draw the minister's to section 122, which says: "Director's power to retain contractors and delegate to them" — (2) says: "The director may, in accordance with the regulations, retain legal counsel to provide legal advice to landlords and tenants in respect of their rights and obligations under this Act."

I am looking for — is that not the opposite of what the minister has just said, that this is a possibility in the future, that this could happen, of course, with Cabinet funding? Which is a bit of an awkward thing, because I would hope that this would go forward. Is this not a way where then the director of the RTO is able to obtain, in accordance with the regulations, legal counsel to provide legal advice to both landlords and tenants?

**Hon. Mr. Mostyn:** Yes, the act does enable that to be done. The RTO could then seek to move into this realm. At this point, there is no intention of doing that, but the act is structured — because we heard people — it is structured to enable that if there is a need in the future that actually manifests itself.

**Ms. White:** I would suggest, based on my experience with the residential tenancies office, that the need exists, and if Cabinet funded the position, it would be great.

We have heard concerns from those operating supportive or transitional housing units about the lack of regulation for these types of units. Will they continue to fall under the hotel act?

**Hon. Mr. Mostyn:** Right out of the gate — I'm going to look to make sure if transitional housing is exempt. Okay, so transitional housing is exempt. It has been carved out. The question remains: How is supportive housing dealt with? Permanent supportive housing is rental housing under the act. If you're speaking of residential institutional accommodation with 24-hour supports, then it's exempt from the act, and if it is transitional housing designed for someone to live on a temporary basis and programming is provided to help people transition to other housing, then it is exempt from the act. The exemptions from the act are captured in section 2 of the act and section 1 of the regulations.

I hope that answers my colleague's questions this afternoon. I appreciate the questions that I have heard this afternoon. Deputy Chair, seeing the time, I move that you report progress.

**Deputy Chair:** It has been moved by the Member for Whitehorse West that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Streicker:** Deputy Chair, I move that the Speaker do now resume the Chair.

**Deputy Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Speaker do now resume the Chair.

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

May the House have the report from the Deputy Chair of Committee of the Whole?

### **Chair's report**

**MLA Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 46, *Residential Tenancies Act*, and directed me to report progress.

**Speaker:** You have heard the report from the Deputy Chair of Committee of the Whole.

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

**Hon. Mr. Streicker:** Mr. Speaker, I move that the House do now adjourn.

**Speaker:** It has been moved by the Government House Leader that the House do now adjourn.

*Motion agreed to*

**Speaker:** This House now stands adjourned until 1:00 p.m. tomorrow.

*The House adjourned at 5:25 p.m.*

**The following legislative returns were tabled March 18, 2025:**

35-1-162

Response to Written Question No. 59 re: lots released through lotteries and tenders process (Streicker)

35-1-163

Response to Written Question No. 60 re: Eagle Gold mine (Streicker)