

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW R-400  
RESPECTING REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

**Short Title**

1. This By-law may be cited as the “*Registration of Residential Rental Properties By-law*”.

**Interpretation**

2. In this By-law,

(a) “Chief Administrative Officer” means the Chief Administrative Officer of the Municipality;

(b) “dwelling unit” means a dwelling unit as defined under clause 3(z) of the *Halifax Regional Municipality Charter*;

(c) “Inspector” means a person appointed by the Municipality as a building official or a municipal fire inspector;

(d) “Municipality” means the Halifax Regional Municipality;

(e) “operator” means a superintendent or property manager of rental housing who may take on some of the roles relating to permitting occupancy, but does not include an owner;

(f) “owner” includes, as it refers to the owner of property:

(i) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building,

(ii) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or person having the care or control of the land or building, and

(iii) in the absence of proof to the contrary, the person assessed for the property;

(g) “Registrar” means the person designated by the Chief Administrative Officer to be the Registrar, and includes their designate;

(h) “rent” means money or other value payable in consideration of the right to possess or occupy residential premises;

(i) “rental housing” means a residential property, or a portion of a residential property, occupied by someone other than the owner, for which an occupant pays rent to the Owner and includes a short-term rental; and

(j) “short term rental” means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.

### **Application**

3. (1) Subject to subsection 3(2), this By-law applies to all rental housing in the municipality.

(2) This By-law does not apply to property licensed by the Province of Nova Scotia under the *Homes for Special Care Act*, RSNS 1989, c 203, or owner-occupied dwelling units within a land-leased community.

(3) All rental housing shall be registered in accordance with this By-law on or after April 1, 2024.

### **General**

4. No person shall:

- (a) offer to rent or operate rental housing that is not registered under this By-law;
- (b) hold out unregistered rental housing as being registered under this By-law;
- (c) contravene, or fail to comply with, a requirement of registration under this By-law.

### **Application for Registration**

5. (1) An owner of rental housing shall submit an application for registration to the Registrar in a form and manner satisfactory to the Registrar.

(2) An application to register rental housing shall require the following information for each property:

- (a) the rental housing owner’s name and contact information, including a mailing address, email address, and telephone number;
- (b) where the rental housing is managed, in whole or in part, by an operator, the operator’s name and contact information, including a mailing address, email address, and telephone number;
- (c) the address of the rental housing;
- (d) a description of the rental housing;
- (e) proof of insurance for the rental housing;
- (f) any fee prescribed by Administrative Order 15; and
- (g) any additional information required by the Registrar to assist in registering the rental housing.

(3) Council may, by Administrative Order, prescribe one or more fees for registration.

### **Registration**

6. (1) The Registrar may register rental housing if the owner has completed the application form with all required information included.
- (2) An incomplete application for registration is deemed to be refused.
- (3) A registration is not transferable or assignable.
- (4) An owner shall ensure that the information provided under section 5, including mailing address, email address, and phone number of the owner and operator, where applicable, is accurate at all times.
- (5) Any written communication or notification to an owner or operator from the Municipality shall be deemed received by the owner or operator three days after it was sent.

### **By-Laws of the Municipality**

7. Rental housing shall comply with all applicable legislation, by-laws, including land use by-laws, of the Municipality and any applicable development agreement.

### **Maintenance Plan**

8. (1) An owner or operator of rental housing shall have and keep current a maintenance plan for rental housing.
- (2) A maintenance plan shall include a list of all of the elements of the rental housing that are regulated by *By-law M-200 Respecting Standards for Residential Occupancies*, including a list of those elements that are scheduled to be repaired or replaced within the next five years and a date indicating when the repair or replacement will be done.
- (3) The Inspector may request a copy of a maintenance plan from an owner or operator of rental housing. The owner or operator shall provide a copy of the maintenance plan to the Inspector within seven (7) days of the request.

### **Inspections**

9. (1) The Inspector may conduct inspections of rental housing to determine compliance with this By-law.
- (2) An inspection conducted under this By-law shall be carried out in accordance with section 367(3) of the *Halifax Regional Municipality Charter*.

### **Offence and Penalty**

10. (1) A person who:
- (a) violates a provision of this By-law;
  - (b) fails to do anything required by this By-law;
  - (c) permits anything to be done in violation of this By-law; or

(d) obstructs or hinders any person in the performance of their duties under this By-law,

is guilty of an offence.

(2) Every person who commits an offence under this By-law shall be liable, upon summary conviction, to a penalty of not less than:

(a) for the first offence to a penalty of not less than one hundred and fifty dollars (\$150.00) and not more than ten thousand dollars (\$10,000);

(b) for the second offence to a penalty of not less than two hundred and fifty dollars (\$250.00) and not more than ten thousand dollars (\$10,000);

(c) for the third offence or any subsequent offence to a penalty of not less than four hundred and fifty dollars (\$450.00) and not more than ten thousand dollars (\$10,000).

(3) Every day during which an offence pursuant to subsection (1) continues is a separate offence.

**Effective Date**

13. This By-Law shall be effective on and after June 12, 2023.

Done and passed in Council this 4<sup>th</sup> day of April, 2023.

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MAYOR

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MUNICIPAL CLERK

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on April 4, 2023.

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Iain Maclean  
Municipal Clerk

Notice of Motion:	January 10, 2023
First Reading:	January 24, 2023
Notice of Second Reading Publication:	March 18, 2023
Second Reading:	April 4, 2023
Approval of Minister of Municipal Affairs & Housing:	N/A
Effective Date:	June 12, 2023