

# Bulletin

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## NATIONAL STUDY CHAMPIONS TENANTS

Tenants in Canada still have a long way to go to obtain equality with landlords before the law, according to a national study of landlord-tenant legislation released in Ottawa in February by the Canadian Council on Social Development.

The study, the first of its kind, shows that there are still serious gaps in the rights of tenants, even in the five provinces (British Columbia, Manitoba, Ontario, Nova Scotia and Alberta) that changed their laws last year, in areas such as rent-regulation, rent-increases, *vis-à-vis* the landlord, the obligation to repair, restrictions on children, discrimination (among other reasons, for personal appearance and the size of family), standardized leases, legal aid — 25 specific “functions” in all. These have been detailed in a report entitled *Tenant Rights in Canada*, prepared by Michael Audain and Chris Bradshaw of the Council’s housing staff.

The authors do not apologize for their study’s frank bias in favour of tenants, particularly low-

income tenants: “We have little trouble justifying this,” they write, “given the long history of landlord domination. We are also conscious that the owners of rental property (with increasing frequency these are large developer-builder-landlord corporations) have considerably greater financial resources and expertise at their command than the tenants whose cause we seek to advance.”

### PROVINCIAL LAWS COMPARED

The Audain-Bradshaw report compares landlord-tenant legislation in the ten provinces. It ranks Manitoba first in its enlightened interpretation of tenant-rights. Manitoba’s laws, recognizing these rights, are integrated into one lucid piece of legislation; according to the report, this province has a broader and firmer statement of tenant-rights than any other, and it has introduced the idea of “rentalsman” (rental ombudsman). It has also publicized the new legislation widely. The report points out that governments must make known changes in legislation and the rights and benefits these confer on citizens, since injustice often results merely from ignorance of the law.

Nova Scotia is ranked second, because of the thoroughness of its legislation, which includes the regulation of rent, and provides for a residential-tenancies board. Such a board, says the report, is preferable to the present courts in landlord-tenant dealings because it can respond quicker and work in a less complicated way. It can deal with any dispute between landlord and tenant and can also advise.

British Columbia and Ontario rank third and fourth, for the legislative reforms they made in 1970. The authors note however, that, although B.C. allows tenant cases to be handled in the simpler small debts-courts, it allows municipal bylaws to supersede its legislation on tenants’ security deposits. Ontario still has no provision for rent-regulation.

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The other provinces rank in degree of fair and enlightened legislation, as follows: Quebec, Alberta, Newfoundland, Saskatchewan, New Brunswick and Prince Edward Island. The Quebec law, the authors note, was difficult to analyze. Its landlord-tenant regulations fall within the Civil Code's section on hiring and leasing. Quebec's rent-control is the strongest, but excludes large numbers of needy tenants. Of New Brunswick and P.E.I. the report states: "Neither of these provinces has made any recent changes in their antiquated landlord and tenant legislation."

#### SERIOUS FLOWS PERSIST

In the five provinces that have reformed their landlord-tenant laws during the past year, the report still finds some serious shortcomings. There are severe problems in using the ordinary courts in landlord-tenant disputes. For example: they work too slowly; lawyers are required and they are expensive; the courts exemplify an "adversary" approach and tenants do not see themselves a match for a big, well-financed landlord. Certain types of tenant are excluded from the effect of the new landlord-tenant laws, notably personnel living in armed forces housing, students-in-residence, "roomers" and boarders, and persons in institutions. The authors also raise some questions about the provision giving an apartment landlord the prerogative to deny access, for example, to tenant association organizers. Access, they say should be determined by the tenants of the building.

The only change in the laws that the authors feel might eventually prove detrimental to tenants is the abolition of security deposits. They see landlords increasing discrimination against young tenants and families.

#### RECOMMENDATIONS

The report has the following specific recommendations for action if tenants are going to exercise their "right to good housing whether they can afford it or not" (as declared by the 1968 Canadian Conference on Housing):

- Government should supervise the delivery of housing services to consumers, which presupposes recognition that housing is neither a business nor an industry but a social program.
- Landlord-tenant courts should be established at the local level, modelled on present family courts. Emphasis should be on seeking solutions to problems, not finding fault or guilt.
- Better information services are needed to inform tenants and landlords of the provisions of the law and its remedies - specialized agencies as well as general, centralized community information services.
- Standardized leases should be introduced. These are crucial for the advancement of tenant-rights and should be mandatory in all jurisdictions.

- Rent-regulation schemes must be established in rapidly-expanding urban areas, which would still allow housing investors a fair return on their capital.
- Citizen-participation is required to balance pressure on governments from financiers and developers. There are a number of avenues citizens can use to press for action.
- A publicly-funded foundation should be set up to support citizen action in housing and other community development across Canada.

#### CANADA-ISRAEL AIR PACT

Mr. Mitchell Sharp, Secretary of State for External Affairs, recently signed on behalf of the Government of Canada an Air Services Agreement with Israel. Ambassador Ephraim Evron of Israel signed the pact on behalf of his Government.

The Agreement provides for the operation of scheduled air-services between Canada and Israel through intermediate points in Europe by the designated carriers, CP Air and El Al Israel Airlines.

The new service will begin at the end of this month, the two airlines offering between them five return trips a week. By the end of April a total of eight round trips will be provided by the two companies.

#### CARIBBEAN DEVELOPMENT AID

Canada will contribute \$5 million (U.S.) to the special development fund of the Caribbean Development Bank. Under an agreement signed on February 17 in Bridgetown, Barbados, by Sir Arthur Lewis, President of the Bank, and the Canadian High Commissioner to Barbados, Mr. G.A. Rau, the contribution will be added in five equal yearly instalments to the special fund from which the Bank makes low-interest development loans.

"This soft-loan window," said Mr. Rau, "could prove particularly helpful to the economically less-advanced member countries of the region by providing them with funds for sound development purposes, while at the same time imposing the least possible strain on their balance of payments."

The Caribbean Development Bank was established last year to promote economic growth in the Commonwealth Caribbean member countries, with an initial capitalization equivalent to \$50 million (U.S.) including contributions from its two non-regional members, Britain and Canada. Canada subscribed \$10 million (U.S.) to the Bank's ordinary capital in January 1970, of which half is being paid in and half will remain callable.

Regional banks have become an important part of the effort toward international development. Canada is also a charter member of the Asian Development Bank, and co-operates with the African Development Bank and the Inter-American Development Bank.

## HBC STORY TOLD IN SILVER

A unique silver centrepiece candelabrum of considerable Canadian historical importance has been acquired by the National Museum of Man. This elegant piece of silver was presented to John Henry Pelly in 1824 by the Hudson's Bay Company "for his great and important exertions in the service of the company". At the time of its presentation, it was valued at 500 guineas.

Pelly, who was a governor of the Hudson's Bay Company from 1822 until his death 30 years later, had just the year before concluded the complicated negotiations for amalgamation of his company with the North West Company.

The candelabrum is stamped with the mark of William Edwards, Hallmark London on each one of the 14 separate pieces. Engravings mark two sides of the tripod base, with the arms of the Hudson's Bay Company and the crest of the Pelly family. On the third side the presentation inscription is recorded. The piece stands 20¾ inches high and weighs 281 ounces.

John Pelly is remembered as one of the most energetic HBC governors. Under his direction, a heroic attempt to discover the North-West Passage was organized. Geographers are indebted to this expedition for completing the tracing of the north of America.

Several places in Canada have been named after Pelly, notably the town of Pelly in western Manitoba (founded in 1824 as Fort Pelly), Pelly Lake on Back River in the Northwest Territories, and Pelly Islet in Victoria Harbour in British Columbia.

The presentation piece serves a dual purpose —

as a candelabrum when the tulip-shaped candleholders are used and as an epergne when the slightly concave dishes are in place.

Rarely can such a large and important piece of historical silver be purchased in such fine condition. It has been in the Pelly family continuously since it was presented to Governor John Pelly in 1824.



*The Pelly epergne-candelabrum, now in the National Museum of Man, is shown here as a centrepiece. The shallow bowls are interchangeable with candle sockets.*

## CANADA-SOVIET SCIENCE AGREEMENT

*On February 4, the day following his return from a nine-day visit to the U.S.S.R., the Minister of Industry, Trade and Commerce, Mr. Jean-Luc Pepin, tabled in the House of Commons copies of an agreement between Canada and the Soviet Union concerning co-operation in the industrial application of science and technology, the protocol of the first meeting of the Canadian-Soviet Mixed Commission, and the communiqué issued at the end of those talks.*

*Mr. Pepin's statement to the House follows:*

I had the honour of leading the Canadian delegation composed of civil servants and businessmen. The purpose of this visit was to sign the agreement referred to, and to hold the first meeting of the Canadian-Soviet Mixed Commission set up under the agreement.

We were greeted warmly, our discussions were constructive, and everything seems to indicate that they will lead to mutual benefits.

The agreement aims at encouraging co-operation between the two countries in the field of industrial science and technology. That co-operation could take the form of exchanges of information, and visits of businessmen and experts. It could also lead to licensing agreements in specific areas of technology.

It might lead to all kinds of "joint ventures". I suggest it will also lead to increases in two-way trade between the two countries.

### WORKING GROUPS SET UP

Numerous meetings were held in Moscow between members of the Canadian delegation and their opposite numbers in various industrial and research sectors of the Soviet administration. These discussions identified a considerable range of subjects of mutual interest to the two countries. As a result, six working groups have been established in order to further identify prospects for mutually beneficial ex-

changes. The groups are as follows: architecture, construction and building materials; forest-based industry; non-ferrous metals industry; electric power industry; oil industry and gas industry. Formation of an additional group to consider airport-design facilities and servicing is under consideration.

Certain features which emerged from the discussion are worthy of special mention.

(1) Problems arising from severe climatic and permafrost conditions are of considerable interest to both countries and have been identified for study by the working groups in construction, electric power, the oil industry and the gas industry.

(2) The naming of the six working groups I have mentioned does not, of course, exhaust the area of possible co-operation in the industrial application of science and technology. In addition to working groups, other contacts will continue, and further working groups may be established by agreement.

I was impressed by the speed with which our Canadian businessmen and experts were able to get down to specifics with their Soviet counterparts.

The next session of the Mixed Commission will be held in Ottawa early in 1972.

While I was in Moscow I met separately with Mr. Patolichev, the Soviet Minister of Foreign Trade. We engaged in a useful review of trade developments and of prospects for the further expansion of trade. I was invited also to call on Mr. Polyansky, Deputy Premier of the Soviet Union. Our discussions covered the broad range of relations between Canada and the Soviet Union. Mr. Polyansky particularly asked me to convey to the Governor General of Canada and to the Prime Minister the greetings of Mr. Podgorny, President of the Soviet Union, Premier Kosygin and First Secretary Brezhnev. He also asked me to tell the Canadian Prime Minister — and I do so now — how much the Soviet Government is looking forward to welcoming him to the Soviet Union later this year.

## INVESTMENT IN PANARCTIC OILS

The Federal Government intends to maintain its 45 percent equity interest in Panarctic Oils Ltd. with a further investment in the company of \$11,700,000. Mr. Jean Chrétien, Minister of Indian Affairs and Northern Development, announced recently.

At a special meeting of shareholders in Montreal, the Government voted its shares in favour of increasing Panarctic's authorized capital by an additional 2,600,000 par \$10 preferred shares, and plans to subscribe on the pro-rated 45 percent basis to the new shares as issued this year and next.

Panarctic Oils Ltd., a consortium of 20 companies, including the Government's interest, was formed in 1967 to explore for oil and gas in the Canadian Arctic and maintain national equity interest in northern resource development. It holds, through agreements with other companies and individuals and

by direct acquisition, over 55 million acres of potential oil and gas lands on the Arctic Islands and, if it exercises all its options, it could earn over 39 million acres, or 79.5 per cent, of the land committed.

The \$26 million in new financing will enable Panarctic to maintain an active drilling program and meet its commitments. Of seven exploratory wells drilled to date two significant natural gas strikes have been made, one on Melville Island in 1969, and the second last year on King Christian Island.

The Government's original investment in Panarctic was \$9 million in return for 45 per cent of issued common and preferred shares against an \$11-million investment by the consortium of private companies. Panarctic required further financing of \$10 million in 1969 and \$20 million in 1970, and on each occasion the Government subscribed to its pro-rated shares, bringing its present investment in the company to about \$22.5 million. The new additional financing will raise the Government's investment to about \$34,200,000 and the consortium's to about \$41,800,000.

The Minister stated that Panarctic must still be classified as a risk venture but he was greatly encouraged by the two gas-well strikes made so far in the company's drilling program. He said that maintenance of Government equity interest in the company assured Canadian ownership and control of extensive and dominant oil and gas holdings in the Canadian Arctic.

## MR. SHARP IN AFRICA

The Secretary of State for External Affairs, Mr. Mitchell Sharp, is visiting five African countries this month.

The visits to the Ivory Coast, Nigeria, Congo (Kinshasa), Tanzania and Zambia are providing Mr. Sharp with the opportunity to discuss matters of common interest with the governments concerned, in particular the progress of Canadian aid activities. The tour is also enabling Mr. Sharp to assess at first hand some of the problems of that part of the world.

Mr. Sharp left Ottawa on March 5. He will return to Canada on March 21.

## SPORTS GRANT TO ALBERTA INDIANS

A \$65,000-federal grant for the Indian Association of Alberta to help defray initial costs of establishing a sports and recreational program for Indians in Alberta was announced recently by Agriculture Minister Bud Olson on behalf of National Health and Welfare Minister John Munro. He said that the one-year Fitness and Amateur Sport grant would permit Alberta's native population to create a sports and recreation program that would reflect the needs of the Indian community.

## MAN IN THE NORTH

To complement its traditional involvement in the physical and earth sciences, the Arctic Institute of North America (AINA) has initiated a number of social and economic programs for northern situations.

One such program, Man in the North (MIN), was launched recently to provide scientific back-up to a three-year study of community planning and development. The objects on MIN are to identify the various elements of northern community development, to indicate priorities, and to set up implementation guidelines for the 1970-1980 decade.

### METHOD

First, an area was chosen in Canada (the Mackenzie Delta). Local residents, mainly Eskimos and Indians, held meetings during September, October and November 1970 to decide the various issues to be debated at a MIN-sponsored conference to be held at Inuvik, Northwest Territories, in November 1970. Thirty-five delegates of the dozen communities involved met at Inuvik, from November 18 to 22, 1970, with 12 specialists (including MIN staff) from Canada and the United States. This gathering permitted the participants to identify the main factors in community development in the North, to weigh their respective importance in the light of the aspirations of northern residents and to determine the feasibility of attaining them.

Working on the findings of the Inuvik Conference, the specialists who were present at Inuvik will lead a number of task forces and sub-task forces to study the technical aspects of the problems uncovered at the Conference, and ways of implementing proposed solutions. Broad terms of reference will be: architecture and town planning; education; health; communication and transportation; socioeconomic and cross-cultural relations. Each of these topics will be further subdivided.

### MOTOR-CAR POLLUTION

A new regulation governing exhaust emission by vehicles powered by gasoline has been proposed by the Minister of Transport, Mr. Don Jamieson.

An amendment is proposed to the section of the Motor Vehicle Safety Regulations governing exhaust emission from vehicles of this kind manufactured after July 1, 1971. The theoretical flow method of measuring exhaust hydrocarbons and carbon monoxide emission that has been used up to now will be replaced by the newer approved true mass, or weight, measurement, which is a more accurate and a fairer method of measuring hydrocarbon emission when applied to automobiles and other vehicles of the light-duty class. Accordingly, new test methods have been developed for the 1972 model year, which will

Before publication, most of the findings of the task forces will be presented and discussed at two more conferences, planned for 1971 and 1972. These meetings will bring together users, specialists, and planners from industry and government.

### ORGANIZATION

The headquarters of the MIN project are in the Montreal office of the Arctic Institute, where a small permanent staff is under the direction of Eric Gourdeau — an economist and engineer who has been deeply involved in Arctic problems, both in Canada and in the other circumpolar countries during the past ten years. As the work progresses, a sizable number of specialists will participate in the task forces for various periods of time. The autochthonous people of North America will be continuously involved in the research work.



*Participants in the Man in the North Conference, Inuvik, N.W.T., in November 1970: Dr. Elizabeth Cass, Inuvik, Mr. Isador Yukon and Mr. Victor Beyonne, Fort Franklin, and Mr. Peter Anderson, Fort Rae.*

measure the actual concentration of pollutants and the actual volume of emissions from a vehicle.

The Motor Vehicle Safety Regulations, which came into effect on January 1 this year, were first published in the *Canada Gazette* on November 25, 1970. The proposed amendments were included in Part I of the *Canada Gazette* issued on January 30.

### OTHER VEHICLES

In other proposals, snowmobiles used in competitions, and motor-cycles, are more definitely defined and, as these machines are suited only for use in competition, they will not be required to be equipped with headlights and mufflers, which are absolutely necessary on recreational vehicles or on those used only for transportation. Further, the proposals define "minibikes" and exclude this type

of vehicle from the motor-cycle definition. Minibikes, competition snowmobiles and motor-cycles must bear a label reflecting their restricted usage.

Several other minor amendments to the Regulations, relative to such items as the operation of windshield wipers and rear-view mirrors are also proposed.

### PEACE-ATHABASCA DELTA STUDY

A major project to investigate the water-levels and ecological problems of the Peace-Athabasca Delta and to recommend early remedial measures is being undertaken by the Government of Canada in co-operation with the provinces of British Columbia, Alberta and Saskatchewan.

The Minister of Fisheries and Forestry, Mr. Jack Davis, stated that the preliminary hydrological studies indicated that the filling of the Williston Reservoir (created by the construction of the Bennett Dam in British Columbia), appeared to be partly responsible for reduced water-levels in Lake Athabasca and ecological changes in the Athabasca Delta.

Lake Athabasca lies in Alberta and Saskatchewan; the Delta area is located at the west end of Lake Athabasca in Alberta, while most of the Delta lies within Wood Buffalo National Park.

#### LIVELIHOOD OF INHABITANTS AT STAKE

The Federal Government is particularly concerned because much of the problem area lies within a national park and affects the livelihood of the local inhabitants, most of whom are Indians, by reduced trapping and fishing.

Ecologists say that a continuation of low water-levels in the Athabasca Delta may permanently change the vegetation and, in turn, the animal life of the region. They say that it is specially necessary that high-level flood flows cover the Delta not later than the spring of 1972, in order to avoid permanent ecological changes.

"The basic purpose of Canada's system of national parks - to preserve examples of our national environment - is imperilled in this case," says Mr. Davis.

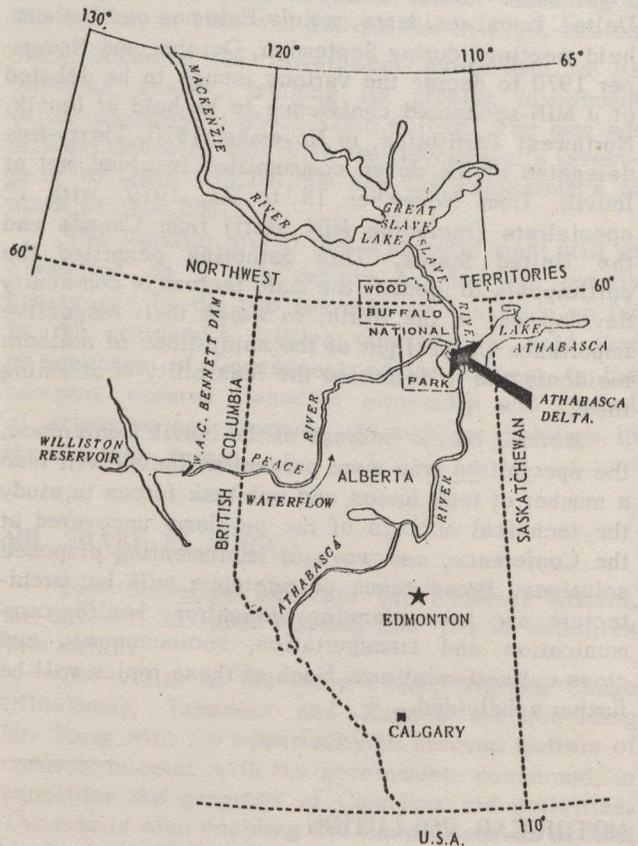
Answers are needed to three questions:

What water-levels does Lake Athabasca require to maintain and enhance the natural habitat and the fish and wildlife populations of the Delta?

What are the most appropriate stream-flows and water-levels for the Delta area, in the light of the ecological requirements?

What remedial measures or works are necessary to nullify the changes and obtain an acceptable flow regime in the Delta?

To unite the efforts of the governments in attacking these problems, a joint federal-provincial liaison team and a senior technical committee have been established to guide the work. The headquarters for the study will be the Baker Centre in Edmonton.



Arrow shows Peace-Athabasca Delta.