

CONSUMER INFOSHEET



Inspection Reports

April 2009

This publication is intended to provide general information only and is not a substitute for legal advice.

Section 19 of the *Residential Tenancies Act (RTA)* requires landlords and tenants to inspect residential premises within one week before or after a tenant takes or gives up possession of the premises. The landlord must give the tenant a copy of the report immediately following the inspection.

Incoming and outgoing inspection reports must contain specific statements and must be signed in accordance with the requirements in section 4 of the Residential Tenancies Ministerial Regulation.

It is an offence for a landlord to make a deduction for damages from the security deposit when the tenant moves out if the inspection reports are not completed, the inspection reports do not contain all the correct statements and signatures, or a copy of the reports are not provided to the tenant or tenant's agent.

Section 4(2) states: Each inspection report must contain the following statement:

Inspections should be conducted when the premises are vacant unless the landlord and tenant or their agents otherwise agree.

Section 4(3) states: When an inspection has been conducted by the landlord and the tenant or their agents, the inspection report

(a) must contain the following statement and the landlord or the landlord's agent must sign the statement:

The inspection of the premises was conducted on (date) by (landlord or landlord's agent) and by (tenant or the tenant's agent) and

(b) must contain **both** of the following statements and the tenant or the tenant's agent must sign **one** of the statements:

(i) I, (name of tenant or tenant's agent), agree that this report fairly represents the condition of the premises or

(ii) I, (name of tenant or tenant's agent), disagree that this report fairly represents the condition of the premises for the following reasons:

Section 4(4) requires: Where the tenant or the tenant's agent refuses to sign one of the statements referred to in subsection (3), the inspection report must contain the following statement and be signed by the landlord or the landlord's agent:

The tenant or tenant's agent present at the inspection refused to sign the tenant's statement.

Section 4(5) requires: Where an inspection is conducted by the landlord or the landlord's agent without the tenant or tenant's agent being present, after 2 failed attempts to do the inspection together as outlined in section 19(3) of the Act, the report must contain the following statement and the landlord or the landlord's agent must sign the statement:

The inspection of the premises was conducted on (date) by (landlord or landlord's agent) without the tenant or the tenant's agent being present.

FOR MORE INFORMATION

For more information about inspection reports you may consult the *RTA Voluntary Code of Practice* online at: www.servicealberta.ca (click Landlords & Tenants).

Consumer Contact Centre:

Edmonton: (780) 427-4088

Toll-free in Alberta: 1-877-427-4088

Inspection Report Forms

Inspection Report forms are available at nominal cost from the Landlord and Tenant Advisory Boards, the Calgary Apartment Association or the Edmonton Apartment Association.

The forms are useful because they contain all the statements required by the Regulation; they have both the move-in and move-out inspections contained in the one form for ease of comparison; and they are often printed in triplicate so that there are copies for both the landlord and the tenant.