

# NOTICE OF CHANGES TO ALBERTA'S HUMAN RIGHTS LEGISLATION



The Government of Alberta has amended the *Alberta Human Rights Act* (the *Act*) as described below, effective **January 1, 2018**.

## Amendments related to age

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### **Definition of age under the *Alberta Human Rights Act* has not changed**

The *Alberta Human Rights Act* continues to define age as “18 years or older.” Individuals under the age of 18 remain protected from discrimination based on all of the protected grounds except the ground of age. The Alberta Human Rights Commission can accept complaints about discrimination experienced by a person under 18 years of age if the alleged discrimination is based on one or more of the protected grounds of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status, and sexual orientation.

### **1. Age discrimination is now prohibited in the protected area of goods, services, accommodation or facilities (referred to as “services” below)**

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#### **Exceptions that allow specific types of age restrictions in the area of services**

While age is now a protected ground under the area of services, there are three exceptions that allow specific types of age restrictions to continue without violating the *Act*: benefits for seniors and minors; seniors-only housing; and existing age-restricted condominiums, co-operative housing units and mobile home sites.

#### **Benefits for seniors and minors**

- Programs that provide benefits to minors or seniors, such as discounted movie tickets and reduced bus fares, can continue.
- Seniors can be defined by the service provider offering the benefit as 55 years or any older age.
- Minors are considered to be under 18 years of age.

### **Seniors-only housing**

- Seniors-only housing will continue to be allowed so that older Albertans can choose to live together in a community of people at a similar life stage.
- The minimum age cut-off for seniors-only housing is 55 years of age. Communities can set age restrictions that are older than 55 as well.
- This applies to housing where all units are reserved for one or more people, at least one of whom is 55.

### **Existing age-restricted condominiums, co-operative housing units and mobile home sites**

The *Act* protects members of the public against discrimination by condominium corporations, co-operatives and mobile home landlords, which are included under the protected area of services.

- Existing age-restricted condominiums, co-operatives and mobile home sites will be allowed for a 15-year transition period, which ends on December 31, 2032.
- Existing age-restricted condominiums, co-operatives and mobile home sites may change to seniors-only housing during the transition period, even though there may still be residents who do not meet the new age restriction.
- The transition period applies to condominium units, co-operative housing units and mobile home sites whether they are owner-occupied or rented.

## **2. Age discrimination is now prohibited in the protected area of tenancy**

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Age restrictions will not be permitted in rental buildings after **January 1, 2018**, unless they meet the exception for seniors-only housing, which is described above.

## **Amendments related to ameliorative policies, programs and activities**

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The *Act* is also amended to protect ameliorative policies, programs and activities that are designed to improve the conditions of disadvantaged persons and that achieve or are reasonably likely to achieve that objective.

For example, this protection covers programs that support inclusive and diverse workplaces, including programs for those who are disadvantaged because of their race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. An example of such a program is an employment or internship program for a specific disadvantaged group such as Indigenous youth.

# Important information about making a human rights complaint relating to age in the areas of services and tenancy

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1. The Commission cannot accept complaints on the ground of age in the areas of services and tenancy until the amendments come into force on **January 1, 2018**.
2. Only incidents that occur on or after **January 1, 2018** will be covered by the new protection.

The Commission is in the process of updating its publications and website to reflect the amendments to the legislation. In the meantime, if you are reading a Commission publication or web page that is dated before **January 1, 2018**, please note that the amendments have not yet been incorporated into the publication or web page.

## Contact us

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The Alberta Human Rights Commission is an independent commission of the Government of Alberta. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

**Hours of operation: 8:15 a.m. to 4:30 p.m., Monday to Friday (holidays excluded)**

### **Northern Regional Office (Edmonton)**

800 – 10405 Jasper Avenue NW  
Edmonton, Alberta T5J 4R7  
780-427-7661 Confidential Inquiry Line  
780-427-6013 Fax

### **Southern Regional Office (Calgary)**

200 J.J. Bowlen Building  
620 – 7 Avenue SW  
Calgary, Alberta T2P 0Y8  
403-297-6571 Confidential Inquiry Line  
403-297-6567 Fax

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

### **TTY service for persons who are deaf or hard of hearing**

1-800-232-7215 Toll-free within Alberta

**Email:** [humanrights@gov.ab.ca](mailto:humanrights@gov.ab.ca)

**Website:** [albertahumanrights.ab.ca](http://albertahumanrights.ab.ca)

**Please note:** The Commission must receive your completed complaint form or letter within one year after the alleged contravention of the *Alberta Human Rights Act*. The one-year period starts the day after the date on which the alleged contravention of the *Act* occurred. For help calculating the one-year period, contact the Commission.

The Commission will make this publication available in accessible formats upon request for people with disabilities who do not read conventional print. 