

# Hoarding and Tenancy Situations

## What is hoarding?

Hoarding is a mental health condition where a person has a hard time getting rid of things and has a strong desire to accumulate things. It results in a highly cluttered living space and impairs daily functioning.

Hoarding can show up in different ways and vary in severity. For example, a hoarding tenant may have too much clutter or animals. Sometimes, hoarding is so severe that it creates health and safety risks. It can lead to fire hazards, mould, insects, rodent infestations, or noxious odours. In extreme cases, a property may become unfit or unsafe for human habitation.



## As a landlord, what can I do about hoarding?

Under the *Residential Tenancies Act (RTA)*, a tenant has the right to peacefully enjoy their property, and a landlord must respect that right. However, tenants must keep their homes in a “reasonably clean condition.” If you think a tenant is hoarding, you can serve them a 24-hour Notice of Entry to inspect the premises.

If a tenant’s hoarding relates to a mental disability, you may need to accommodate them. Under the *Alberta Human Rights Act*, landlords cannot discriminate against tenants with a mental disability and have a duty to accommodate them to the point of undue hardship.

**Tip:** The Alberta Human Rights Commission’s website has more information about the *Alberta Human Rights Act* and a landlord’s duty to accommodate.

## How can I accommodate a hoarder?

Accommodation means adjusting rules, standards, or physical spaces so they don’t negatively affect someone because of their disability or any other protected ground. With hoarding, reasonable accommodation may include:

- Allowing tenants to have more clutter than those without disabilities
- Helping tenants address any health and safety concerns
- Providing extra storage space for tenants who can’t get rid of their belongings if other solutions don’t work

*Content in list adapted from Sarah Eadie, “Human Rights in Residential Tenancies and the RTDRS” (May 8, 2012), online (blog): The Access Review*

## What if accommodation doesn’t work?

If accommodation doesn’t work, eviction may be an option. Under the *RTA*, a landlord can evict a tenant with a 14-day Eviction Notice. If the tenant opposes or does not move out, the landlord can apply to the RTDRS or the Alberta Court of Justice for an order terminating the tenancy.

While eviction is an option, it is challenging to balance a tenant’s right to enjoy their property with a landlord’s right to preserve it and allow other tenants to enjoy it. The situation can be complicated when a tenant has a mental disability. Landlords should speak with a lawyer before evicting a hoarding tenant.

**What can I do if animal hoarding is involved?  
My tenant is hoarding animals, and I'm  
concerned about their welfare.**

You can contact your local Humane Society or SPCA. Different agencies will investigate concerns based on the animal's location, type and the nature of the problem. For more information, refer to the Edmonton Humane Society's webpage on reporting animal concerns in Alberta:  
[www.edmontonhumanesociety.com/services/report-animal-concerns/](http://www.edmontonhumanesociety.com/services/report-animal-concerns/)

## Community resources for hoarding

If you are renting to a tenant with a hoarding disorder, you can refer them to the following resources:

### **Seniors Association of Greater Edmonton (SAGE)**

This Full House Program (program for individuals aged 55 and over who are struggling with compulsive hoarding disorder)

[www.mysage.ca/help/this-full-house](http://www.mysage.ca/help/this-full-house)  
587.773.1764

### **Edmonton Hoarding Coalition**

[www.edmontonhoardingcoalition.ca/](http://www.edmontonhoardingcoalition.ca/)

### **Carya (Calgary)**

Making Room A Hoarding Support Group  
[caryacalgary.ca/program/making-room/](http://caryacalgary.ca/program/making-room/)

### **Hoarding Disorder Foundation of Alberta**

[www.hdfa.ca](http://www.hdfa.ca)

### **Mental Health Help Line**

24/7 telephone service for Albertans, which provides information about mental health programs and services and referrals to other agencies  
1.877.303.2642 (Toll-free)

## Information on hoarding disorder

**My.Health.Alberta.ca**

[myhealth.alberta.ca/Health/Pages/conditions.aspx?hwid=abq2245&#abq2246](http://myhealth.alberta.ca/Health/Pages/conditions.aspx?hwid=abq2245&#abq2246)

**Anxiety Canada**

[www.anxietycanada.com/adults/hoarding-disorder](http://www.anxietycanada.com/adults/hoarding-disorder)

**eMentalHealth.ca**

[www.ementalhealth.ca/Alberta/Hoarding/index.php?m=article&ID=13330](http://www.ementalhealth.ca/Alberta/Hoarding/index.php?m=article&ID=13330)

## Other resources

To find a lawyer, the Law Society's online Lawyer Directory is available:

### **Law Society of Alberta Lawyer Directory**

This database allows people to find a lawyer using certain search criteria. Individuals can find a lawyer by name, location, practice areas, language(s) spoken, gender, and whether a lawyer offers limited-scope retainers.

[www.lawsociety.ab.ca/public/findalawyer/](http://www.lawsociety.ab.ca/public/findalawyer/)

### **Laws for Landlords and Tenants in Alberta**

CPLA's plain language website with everything landlords and tenants need to know about renting law in Alberta.

[www.landlordandtenant.org](http://www.landlordandtenant.org)

Email: [info@cplea.ca](mailto:info@cplea.ca)

### **Alberta Human Rights Commission**

An independent commission who has responsibility for human rights issues. The Commission protects human rights in Alberta by resolving and settling complaints made under the *Alberta Human Rights Act*.

[www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)

Northern Office: 780-427-7661

Southern Office: 403-297-6571