

April 28, 2021

Real Property Rights Committee Formed

The committee will examine and make recommendations on several issues related to property rights, including some that may impact municipalities

The Government of Alberta recently formed the [Select Special Committee on Real Property Rights](#). The committee is required to provide recommendations by December 15, 2021. The committee's mandate covers the following areas:

- ◆ Whether the legal remedies available to a real property owner who is deprived of the use of their real property are adequate.
- ◆ Whether the real property rights should be expanded, or in the case of an individual, constitutionally protected.
- ◆ Whether the law of adverse possession should be abolished.
- ◆ Whether the expropriation processes provided under the *Expropriation Act* are adequate.
- ◆ Any other matter that the committee decides is necessary to ensure the completeness of its review.

The formation of the committee is linked to the [UCP's 2019 election platform](#), which included a commitment to further entrench property rights in provincial legislation. The platform commitment included several specific initiatives related to property rights that concerned RMA, including the following:

- ◆ Treat government regulation of real property the same as government expropriation for the purposes of compensation.
- ◆ Allow private property owners to convert government attempts to regulate property into an expropriation action if desired.

While it is unknown if or how these specific initiatives will be considered by the committee, both have the potential to impact municipal land use planning process and municipal autonomy more broadly.

At this point, there is no information on how the committee will consider public input, but RMA plans to monitor the committee's progress and if possible, provide input on the importance of balancing property rights with municipal autonomy.

The committee's first meeting is scheduled for Tuesday, May 4 from 6:15 to 7:15 pm, and can be [viewed virtually](#).

RMA will provide members with further information on the committee when it becomes available.

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