

CALGARY HOUSING COMPANY POLICY:

Cannabis Growth and Use on CHC Managed Property Policy

Policy Number: HS-Cannabis Policy-002
Approved By: Calgary Housing Company Management Team
Effective Date: 2018/04/01
Next Revision Due: 2019/12/02
Policy Owner: Housing Services

BACKGROUND:

Calgary Housing Company (CHC) has encountered an increased numbers of tenants who hold a Medical Marijuana registration for the use of Cannabis products. Additionally, there are tenants who have been approved to grow Medical Marijuana. With Cannabis legalization anticipated in 2018; a continued increase in the use and growth within CHC managed properties can be expected.

CHC has always restricted the use and growth of Cannabis within CHC managed properties. However, considering the increases in medical use and expected legalization of recreational use, a formal written policy is now required to address Cannabis use and growth on CHC managed properties to ensure tenants' understanding and compliance; protect the health and safety of employees, the rights of CHC tenants to enjoy their homes and common areas, and prevent damage in CHC managed assets.

Because Cannabis smoke negatively affects the health and wellbeing of others, restrictions on the use and growth of the product on CHC managed property are necessary.

PURPOSE:

The purpose of this policy, as related to the use and growth of Cannabis, is to protect the health, safety and rights of CHC employees, representatives of CHC such as contractors, all CHC tenants, guests, visitors and agencies who may attend or work from any CHC managed property. This policy is also intended to protect CHC managed assets from damage that can be caused by moisture/humidity from growing Cannabis as well as overuse of utilities at CHC expense.

DEFINITIONS:

In this policy:

- a) "Cannabis" refers to any products composed in whole or in part of Cannabis or any extract of Cannabis, including hashish, oil products, creams and skin applications.
- b) "Ingest" means use by internal consumption, edible products and oils;

- c) "Hold" means placing a unit in a status of being held from active rental for reasons such as extensive damages or for a specific tenant.
- d) "Medical Marijuana" means use of marijuana or Cannabis, for medical purposes with a Government of Canada Registration;
- e) "RLS" means Residential Leasing Services
- f) "RTA" means the *Residential Tenancies Act* of Alberta;
- g) "Smoke" means to inhale, exhale, burn or have control over a lighted cigarette, cigar, pipe, other lighted smoking implement designed to burn Cannabis or Cannabis product for the purpose of inhaling or tasting of its emission.
- h) "Vape" means a method of smoking using a vaporizer;

INTENDED POLICY OUTCOMES:

The Policy will support the health and safety of CHC tenants, employees, and others who may attend a CHC managed property and provide cost effective, consistent management of properties within the framework of the *Residential Tenancies Act* (RTA), other relevant Legislation and Human Rights Law with respect to the use and growing of Cannabis on CHC managed property.

POLICY:

1. SCOPE:

- 1.1. The Policy applies to CHC tenants, guests, visitors and applicants at all CHC managed properties.

2. Non-Compliance Consequences:

- 2.1. Tenant non-compliance with the Policy, including the final decision rendered in an exception request review, will be considered a substantial breach of a tenant's lease agreement, and may result in termination of tenancy.
- 2.2. Upon verification of evidence confirming non-compliance by a tenant, their guests, relatives, visitors and any other household occupants; a letter will be delivered and a conversation held, by the Property Manager, with the tenant about the substantial breach of lease and possible termination.
- 2.3. Verification of continued substantial breaches will result in a 14 day termination notice and possible Court Application requesting an Order for Possession.

3. Policy Detail:

- 3.1. Growing of Cannabis or production of Cannabis products (such as oils/creams) will not be permitted on CHC managed property, whether for medical use or otherwise.
- 3.2. Smoking or vaping of Cannabis will not be permitted on CHC managed property, whether for medical use or otherwise.

4. Exceptions for Medical Use of Cannabis

- 4.1. Exemptions to this Policy to Smoke, Vape or grow Cannabis for medical purposes will be considered; weighing the duty to accommodate the medical needs of the tenant and potential alternative solutions up to a point of undue hardship for CHC.
- 4.2. All requests for exemption from this Policy must be submitted in writing and include the following documentation:
 - 4.2.1. Medical note from prescribing health professional
 - 4.2.2. Medical card or verification from a Government Licensed Producer
 - 4.2.3. Proof of Renters Insurance
- 4.3. Requests for exemptions will be weighed against the safety and reasonable enjoyment of other tenants, as per the *Residential Tenancy Act*, protection and care of the building asset, as well as in consideration of any duty to accommodate pursuant to the *Alberta Human Rights Act*, or otherwise.
- 4.4. A maximum of 30 days will be considered reasonable time for a decision to be made by CHC for a tenant/applicant request for exemption from this Policy. The review will be carried out by the Housing Services Coordinator, with final approval by the Housing Services Manager.
- 4.5. Where a tenant has been approved for exemption to smoke or vape Cannabis for medical purposes and is currently residing in a designated non-smoking property, the tenant will be transferred as per CHC's Tenant Transfer Policy to a smoking building to accommodate that tenant.
- 4.6. For all approved exemptions, a formal agreement must be signed between CHC and the tenant stipulating the approved terms for smoking, vaping or growing of Cannabis and will include any applied restrictions as well as a termination clause.
- 4.7. This exemption agreement will be reviewed and re-signed (if approved) annually as part of the Annual Tenancy Review process.
- 4.8. A decision denying the exemption request may be appealed by the tenant in accordance with CHC's Appeal Process.

SUPPORTING REFERENCES AND RESOURCES:

- [Government of Canada's Access to Cannabis for Medical Purposes Regulations.](#)

REVISION HISTORY

Creation Date	Review Date	Description
Date: November 20, 2017	Date:	