February 9, 2015

Dear [Redacted],

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File SNL-001-2015]:

On January 8, 2015, Service NL received your request for access to the following records/information:

"I am requesting, under the Access to Information and protection of Privacy Act, all briefing notes, prepared in 2014, pertaining to prepaid funerals, payday loans, and residential tenancies."

I am pleased to inform you that access to the records has been granted in part. Access to specific text contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Subsection 18(1)(a)(ix): "In this section "cabinet record" means that portion of a record which contains information about the contents of a record within a class of information referred to in subparagraphs (i) to (viii)."

Subsection 18(2)(a): "The head of a public body shall refuse to disclose to an applicant a Cabinet record, including an official Cabinet record."

Pages 7 – 8 of the records concern a prepaid funeral services matter that may lead to a penalty or sanction being imposed under the Prepaid Funeral Services Act and have been exempted in their entirety. This is in accordance with the following exceptions to disclosure, as specified in the Act:

Subsection 2(i)(ii): "In this Act "law enforcement" means investigations, inspections or proceedings conducted under the authority of or for the purpose of enforcing an enactment which lead to or could lead to a penalty or sanction being imposed under the enactment."

Subsection 22(1)(a): "The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to interfere with or harm a law enforcement matter.

Please be advised that Service NL had no record of briefing notes pertaining to payday loans for 2014. In accordance with your request for a copy of the records, the appropriate copies have been enclosed. As required by subsection 7(2) of the Act, we have severed the information that is exempted from disclosure and have provided you with as much information as possible.
Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
34 Pippy Place  
P. O. Box 13004, Stn. A  
St. John's, NL A1B 3V8  

Telephone: (709) 729-6309  
Facsimile: (709) 729-6500

You may also appeal refusals directly to the Supreme Court Trial Division. In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Records that are refused on the basis of section 21 (legal advice) or section 18(2)(a) (official cabinet record), must be appealed directly to the Supreme Court Trial Division. Section 60 of the Act sets out the process to be followed when filing appeals. You may also contact the Office of the Information and Privacy Commissioner who may decide to initiate an appeal to the Supreme Court Trial Division pursuant to subsection 60(1.1).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the ATIPP Coordinator at 709-729-7437 or by email at ellenhaskell@gov.nl.ca.

Sincerely,

[Signature]

LEIGH PUIDESTER  
Deputy Minister  
Service NL
Information Note
Residential Tenancies Act
Department of SNL

Title: Review of Residential Tenancies Act

Issue: Amendments to the *Residential Tenancies Act* (RTA) based on a review completed by SNL and public consultations.

Background and Current Status:

- The regulation of Residential Tenancies has been a hot topic for the past few years.
- The improvements in the economy in a number of areas of the province have resulted in increases in rental rates and a reduction in the availability of rental units in these areas.
- A number of groups including non-profit organizations, municipal councils and the opposition parties have been asking for increased regulation of residential tenancies, rent control and more access to affordable housing.
- The Department received permission to do public consultations on the *Residential Tenancies Act* in 2012 and consultations were conducted in the fall of 2012.
- In August of 2013 a “What We Heard Document” based on the public consultations was completed and posted on the departmental website.
- Since the public announcement that the Department was doing a comprehensive review of the RTA and completed public consultations there has been increased demand from interested stakeholders to make changes.
- Several non-profit/community groups and municipal councils have been requesting changes to the RTA to address the large increases in rental rates in certain areas of the province, the lack of affordable housing and the need for more rent control. Some have also been asking for more regulation of rentals to ensure condition of rentals for low income people are up to standard. Much of the concern appears to centre around seniors on fixed income, families receiving social assistance, low income workers and students needing affordable rental accommodations.
- The opposition parties, especially the NDP, have been publicly raising the issue of the lack of affordable housing and often refer to it being a “crisis” in areas of the province that are experiencing considerable growth.
- There appears to be a lot of confusion by the public, interested stakeholders and the opposition parties around the purpose and intent of the RTA as it relates to affordable housing. The RTA is intended to regulate the relationship between landlords and tenants, to provide certain protections to both parties and provide for a dispute resolution process. The RTA is not intended to address affordable housing. Affordable housing is the mandate of NLHC.
• There is also confusion between the difference between affordable housing for low income individuals covered by NLHC and the affordability of housing for families above the income limits covered by NLHC.

• The Department has completed the review including a jurisdictional scan, and is in the process of finalizing recommendations for consideration of the Minister.

**Action to be taken:**

• The Department has to finalize its recommendations based on the review and submit changes to Legislative Counsel to draft new legislation.

• Once draft legislation is finalized the Department will submit to Cabinet for approval of changes and to bring forward to the House.

• This issue has been in the media considerably over the last few years with opposition members and municipalities speaking out publicly. The Minister of Service NL has responded to media inquiries and questions raised in the House of Assembly on the matter.

**Prepared by:** Julian McCarthy  
**Approved by:** David Norman  
**Date:** January 30, 2014
Title: Review of Residential Tenancies Act

Issue: Amendments to the Residential Tenancies Act (RTA) based on a review completed by SNL and public consultations.

Background and Current Status:

- The regulation of Residential Tenancies has been a hot topic for the past few years.
- The improvements in the economy in a number of areas of the province have resulted in increases in rental rates and a reduction in the availability of rental units in these areas.
- A number of groups including non-profit organizations, municipal councils and the opposition parties have been asking for increased regulation of residential tenancies, rent control and more access to affordable housing.
- The Department received permission to do public consultations on the Residential Tenancies Act in 2012 and consultations were conducted in the fall of 2012.
- In August of 2013 a “What We Heard Document” based on the public consultations was completed and posted on the departmental website.
- Since the public announcement that the Department was doing a comprehensive review of the RTA and completed public consultations there has been increased demand from interested stakeholders to make changes.
- Several non-profit/community groups and municipal councils have been requesting changes to the RTA to address the large increases in rental rates in certain areas of the province, the lack of affordable housing and the need for more rent control. Some have also been asking for more regulation of rentals to ensure condition of rentals for low income people are up to standard. Much of the concern appears to centre around seniors on fixed income, families receiving social assistance, low income workers and students needing affordable rental accommodations.
- The opposition parties, especially the NDP, have been publicly raising the issue of the lack of affordable housing and often refer to it being a “crisis” in areas of the province that are experiencing considerable growth.
- There appears to be a lot of confusion by the public, interested stakeholders and the opposition parties around the purpose and intent of the RTA as it relates to affordable housing. The RTA is intended to regulate the relationship between landlords and tenants, to provide certain protections to both parties and provide for a dispute resolution process. The RTA is not intended to address affordable housing. Affordable housing is the mandate of NLHCC.
- There is also confusion between the difference between affordable housing for low income individuals covered by NLHCC and the affordability of housing for families above the income limits covered by NLHCC.
- The Department has completed the review including a jurisdictional scan, and is in the process of finalizing recommendations for consideration of the Minister.
Action to be taken:

- The Department has to finalize its recommendations based on the review and submit changes to Legislative Counsel to draft new legislation.
- Once draft legislation is finalized the Department will submit to Cabinet for approval of changes and to bring forward to the House.
- This issue has been in the media considerably over the last few years with opposition members and municipalities speaking out publicly. The Minister of Service NL has responded to media inquiries and questions raised in the House of Assembly on the matter.

Prepared by: Julian McCarthy
Reviewed by: David Norman
Approved by: 
Date: May 26, 2014
Information Note
Service NL

Title: Review of Residential Tenancies Act

Issue: Amendments to the Residential Tenancies Act (RTA).

Background and Current Status:
- The regulation of Residential Tenancies has been a hot topic for the past few years.
- The improvements in the economy in a number of areas of the province have resulted in
increases in rental rates and a reduction in the availability of rental units in these areas.
- SNL received permission to do public consultations on the RTA in 2012 and consultations
were conducted in the fall of 2012.
- In August of 2013 a “What We Heard Document” based on the public consultations was
completed and posted on the departmental website.
- Since the public announcement that SNL was doing a comprehensive review of the RTA and
completed public consultations, there has been increased demand from interested
stakeholders to make changes.
- Several non-profit/community groups and municipal councils have been requesting changes
to the RTA to address the large increases in rental rates in certain areas of the province, the
lack of affordable housing and the need for more rent control. Some have also been asking
for more regulation of rentals to ensure condition of rentals for low income people are up to
standard. Much of the concern appears to center around seniors on fixed income, families
receiving social assistance, low income workers and students needing affordable rental
accommodations.
- The opposition parties, especially the NDP, have been publicly raising the issue of the lack of
affordable housing and often refer to it being a “crisis” in areas of the province that are
experiencing considerable growth.
- There appears to be a lot of confusion by the public, interested stakeholders and the
opposition parties around the purpose and intent of the RTA as it relates to affordable
housing. The RTA is intended to regulate the relationship between landlords and tenants, to
provide certain protections to both parties and provide for a dispute resolution process. The
RTA is not intended to address affordable housing. Affordable housing is the mandate of
NLHC.
- There is also confusion about the difference between affordable housing for low income
individuals covered by NLHC and the affordability of housing for families above the income
limits covered by NLHC.
• SNL has completed the review including a jurisdictional scan, and is in the process of finalizing recommendations for consideration of the Minister.

Action to be taken:
• SNL has to finalize its recommendations based on the review and submit changes to Legislative Counsel to draft new legislation.
• Once draft legislation is finalized, SNL will submit to Cabinet for approval of changes and to bring forward to the House of Assembly.
• This issue has been in the media considerably over the last few years with opposition members and municipalities speaking out publicly. The SNL has responded to media inquiries and questions raised in the House of Assembly on the matter.

Prepared/approved by: J. McCarthy/L. Puddester
Reviewed by:
Ministerial approval: Received from Hon. David Brazil

August 29, 2014