

The Safer Communities and Neighbourhoods Act

being

Chapter S-0.1* of *The Statutes of Saskatchewan, 2004* (Parts I, III and IV effective October 15, 2004 and Parts II and V effective November 15, 2004) as amended by the *Statutes of Saskatchewan, 2005, c 41; 2006, c R-22.0001; 2018, c 42; 2021, c 27; 2022, c 41; 2024, c 4; and 2025, c 15.*

***NOTE:** Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I		DIVISION 3
	Preliminary Matters		Appeals
1	Short title	24	Appeal
2	Interpretation	25	Limitation on other actions and proceedings
3	Appointment of director		DIVISION 4
	PART II		Closure of Property by Director
	Safer Communities and Neighbourhoods	26	Director may enter property
	DIVISION 1	27	Occupants required to leave property
	Interpretation	28	Respondent must pay cost of closing property
4	Interpretation of Part	29	Recovery of director's costs – filing of certificate
	DIVISION 1.1	30	Appeal to court re certificate
	Investigators		DIVISION 5
4.1	Designation of investigators		Role of the Director
	DIVISION 2	30.1	Director may work with agencies and neighbourhood groups
	Community Safety Orders	30.2	Director to notify re children
	SUBDIVISION I	31	Director's authority
Application by Director for Community Safety Order			DIVISION 6
5	Complaint to director		Confidentiality of Complaint
6	Director's actions after receiving complaint	32	Complaint confidential
7	Application for community safety order	33	Non-compellability
8	When court may make community safety order		DIVISION 7
9	Director may apply to vary order		General
10	Court may set aside or vary order	34	Effect of transfer of property
	SUBDIVISION II	35	Offences and penalties
	Application for Variation by Resident of Residential Property	36	Part prevails
11	Interpretation of Subdivision	37	Crown bound
12	Application for variation by resident		PART III
13	When court may vary community safety order		Fortified Buildings
	SUBDIVISION III		DIVISION 1
	Application by Complainant for Community Safety Order		Interpretation and Application of Part
14	Application by complainant for order	38	Interpretation of Part
15	When court may make community safety order		DIVISION 2
16	Service on the director		Inspectors
17	Discontinuance of application by complainant	39	Appointment of inspectors
18	Director may appear in application	40	Identification card
19	Costs on frivolous or vexatious applications	41	Investigation
	SUBDIVISION IV	42	Copies of records
	General	43	Warrant authorizing entry
20	Court must consider merits		DIVISION 3
21	Variation applications		Designation and Orders respecting Fortified Buildings
22	Service	44	Designating fortified building a threat to public safety
23	Registration of an interest based on a community safety order	45	Removal order
		46	Closure order
		47	Service
		48	Registration of an interest based on a removal order or closure order

**DIVISION 4
Appeals**

- 49 Appeal of removal order
- 50 Decision by court
- 51 No further appeal
- 52 Appeal stays operation of removal order
- 53 No appeal of closure order

**DIVISION 5
Closure of Building by Director**

- 54 Director may enter building
- 55 Director to close building
- 56 Responsibility for cost of closure and removal
- 57 Recovery of director's costs – filing of certificate
- 58 Appeal to court re certificate

**DIVISION 6
General**

- 59 Offences and penalties

**PART III.1
Nuisance Properties**

**DIVISION 1
Interpretation**

- 59.1 Definitions for Part

**DIVISION 2
Application by Director**

- 59.11 Application re nuisance property
- 59.12 Preliminary action by director
- 59.13 Factors for consideration by court

**DIVISION 3
Rehabilitation Order**

- 59.2 Application for rehabilitation order
- 59.21 Registration of interest based on application for rehabilitation order
- 59.22 Interim order for restoration
- 59.23 When court shall make a rehabilitation order
- 59.3 Application for variation
- 59.31 Respondent must pay cost of rehabilitation
- 59.32 Recovery of directors costs – filing of certification
- 59.33 Appeal to court re certificate

**DIVISION 4
Forefeiture Order**

- 59.4 Application for forfeiture order
- 59.41 Registration of interest based on application for forfeiture order
- 59.42 Interim order for restoration
- 59.43 When court shall make a forfeiture order
- 59.5 Interest protection order
- 59.51 Protected holders or prior registered interests
- 59.52 Other persons entitled to interest protection order

**DIVISION 5
Appeals**

- 59.53 Appeal
- 59.6 Appeal stays operation of rehabilitation order or forfeiture order
- 59.61 Limitation on other actions and proceedings

**DIVISION 6
Investigation**

- 59.62 Designation of investigators
- 59.63 Investigation
- 59.7 Copies of records
- 59.71 Warrant authorizing entry
- 59.72 Director's authority

**DIVISION 7
General**

- 59.73 Effect of transfer of property
- 59.8 Services
- 59.81 Failure of respondent to comply
- 59.82 Non-compellability
- 59.83 Assistance from peace officer
- 59.9 Engagement of persons by director
- 59.91 Offences and penalties
- 59.92 Part prevails

**PART IV
General**

- 60 Assistance of peace officer
- 60.01 Evidence based on information and belief
- 60.1 Repealed
- 60.2 Presumption re offences
- 61 Limitation on prosecution
- 62 Other remedies preserved
- 63 Immunity
- 64 Regulations

**PART V
Consequential Amendment and Coming into Force**

- 65 RSS 1978, cR-22 amended
- 66 Coming into force

CHAPTER S-0.1

An Act respecting Safer Communities and Neighbourhoods and to make a consequential amendment to *The Residential Tenancies Act*

PART I Preliminary Matters

Short title

1 This Act may be cited as *The Safer Communities and Neighbourhoods Act*.

Interpretation

2 In this Act:

- (a) “**building**” means a structure of any kind, or part of a structure, including:
 - (i) apartments;
 - (ii) co-operative housing units;
 - (iii) condominium units; or
 - (iv) mobile homes;
- (a.1) “**business day**” means a day other than a Saturday, Sunday or holiday;
- (b) “**court**” means the Court of King’s Bench;
- (b.1) “**criminal organization**” means a criminal organization as defined in the *Criminal Code*;
- (b.2) “**criminal organization offence**” means a criminal organization offence as defined in the *Criminal Code*.
- (c) “**director**” means the director of community operations appointed pursuant to clause 3(a) and includes any deputy director appointed pursuant to clause 3(b);
 - (c.1) “**gang**” means a group of individuals, usually identified by a group name or designation, who associate with each other for criminal or other unlawful purposes;
- (d) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
 - (d.1) **Repealed.** 2021, c 27, s 3.
 - (d.2) **Repealed.** 2021, c 27, s 3.
- (e) “**person**” includes a partnership, limited partnership or unincorporated organization of persons;
- (f) “**prescribed**” means prescribed in the regulations.

2004, cS-0.1, s 2; 2005, c 41, s 3; 2021, c 27, s 3;
2024, c 4, s 32.

Appointment of director

- 3 For the purposes of this Act, the minister may appoint:
- (a) a director of community operations; and
 - (b) one or more deputy directors of community operations.

2004, cS-0.1, s3.

PART II
Safer Communities and Neighbourhoods

DIVISION 1
Interpretation

Interpretation of Part

4(1) In this Part:

- (a) **“complainant”** means a person who has made a complaint to the director pursuant to section 5;
- (b) **“intoxicating substance”** means:
 - (i) glues, adhesives, cements, cleaning solvents, thinning agents and dyes containing toluene or acetone;
 - (ii) petroleum distillates or products containing petroleum distillates, including naphtha, mineral spirits, Stoddard solvent, kerosene, gasoline, mineral seal oil and other related distillates of petroleum;
 - (iii) fingernail or other polish removers containing acetone, aliphatic acetates or methyl ethyl ketone;
 - (iv) any substance that is required pursuant to the *Hazardous Products Act* (Canada) or the regulations pursuant to that Act to bear the label “Vapour Harmful”, “Vapour Very Harmful” or “Vapour Extremely Harmful”;
 - (v) aerosol disinfectants and other aerosol products containing ethyl alcohol; or
 - (vi) any other product or substance that is prescribed in the regulations as an intoxicating substance;
- (c) **“owner”** means, in relation to property:
 - (i) a person who is the registered owner of title to the property pursuant to *The Land Titles Act, 2000*, and if there is more than one registered owner of title to the property, any of them;
 - (ii) a person who is entitled to be the registered owner of title to the property pursuant to *The Land Titles Act, 2000*;
 - (iii) a person shown as the owner of the property in the municipal assessment or tax roll records for the property;

- (iv) a person who manages or receives rents from the property, whether on his or her behalf or as agent or trustee for another person; or
- (v) any of the following persons in whom the property or any estate or interest in the property is vested or with whom decision-making responsibility legally resides:
 - (A) a guardian;
 - (B) a property decision-maker or personal decision-maker as defined in *The Adult Guardianship and Co-decision-making Act*;
 - (C) an executor, administrator or trustee;
 - (D) an attorney under a power of attorney;
- (d) **“property”** means:
 - (i) a building and the land on which it is located; and
 - (ii) land on which no building is located;
- (e) **“respondent”** means the owner named as a respondent in an application made pursuant to section 7 or 14;
- (f) **“specified use”** means, in relation to property, the use of property for:
 - (i) the use, consumption, sale, transfer or exchange of a substance mentioned in section 90 of *The Alcohol and Gaming Regulation Act, 1997*, in contravention of that Act and the regulations made pursuant to that Act;
 - (ii) the use, consumption, sale, transfer or exchange of beverage alcohol, as defined in *The Alcohol and Gaming Regulation Act, 1997*, in contravention of that Act and the regulations made pursuant to that Act;
 - (ii.1) the possession, growth, use, consumption, sale, transfer or exchange of cannabis, as defined in *The Cannabis Control (Saskatchewan) Act*, in contravention of that Act and the regulations made pursuant to that Act;
 - (iii) the use or consumption as an intoxicant by any person of an intoxicating substance, or the sale, transfer or exchange of an intoxicating substance if there is a reasonable basis to believe that the recipient will use or consume the substance as an intoxicant, or cause or permit the intoxicating substance to be used or consumed as an intoxicant;
 - (iv) the possession, growth, use, consumption, sale, transfer or exchange of a controlled substance, as defined in the *Controlled Drugs and Substances Act (Canada)*, in contravention of that Act;
 - (iv.1) the possession, growth, use, consumption, sale, transfer or exchange of cannabis, as defined in the *Cannabis Act (Canada)*, in contravention of that Act;
 - (v) child sexual abuse or activities related to child sexual abuse;
 - (vi) prostitution or activities related to prostitution;
 - (vi.1) the commission or promotion of a criminal organization offence;

- (vi.2) the accommodation, aid, assistance or support of any nature of a gang or criminal organization or any of its activities or the facilitation of any of its activities;
 - (vi.3) ongoing incidents of graffiti that the owner does not take reasonable steps to remove or otherwise address;
 - (vi.4) the storage, sale or exchange of stolen goods; or
 - (vii) any other prescribed use;
- (g) **“tenancy agreement”** means a tenancy agreement as defined in *The Residential Tenancies Act, 2006*.
- (2) For the purposes of this Part, a community or neighbourhood is adversely affected by activities if the activities:
- (a) negatively affect the health, safety or security of one or more persons in the community or neighbourhood; or
 - (b) interfere with the peaceful enjoyment of one or more properties in the community or neighbourhood, whether the property is privately or publicly owned.

2004, cS-0.1, s 4; 2005, c41, s 4; 2006,
cR-22.0001, s 100; 2021, c27, s 4; 2025, c 15, s 3.

DIVISION 1.1 Investigators

Designation of investigators

- 4.1(1) The director may designate persons as investigators for the purposes of this Part, subject to any terms and conditions set out by the director.
- (2) The director may authorize investigators to:
- (a) conduct investigations on behalf of the director pursuant to section 6; and
 - (b) carry out any other powers and duties of the director pursuant to this Part.
- (3) The director shall provide to each investigator an identification card for the purposes of this Part.
- (4) An investigator who is acting pursuant to this Part shall produce the investigator’s identification card if requested to do so.

2021, c27, s5.

DIVISION 2
Community Safety Orders

SUBDIVISION I
Application by Director for Community Safety Order

Complaint to director

- 5(1)** A person may make a complaint pursuant to this Part to the director if:
- (a) the person believes that:
 - (i) a community or neighbourhood is being adversely affected by activities on or near a property in the community or neighbourhood; and
 - (ii) the activities indicate that the property is being habitually used for a specified use; or
 - (b) the person believes that activities on or near a property create a serious and immediate threat to the health, safety and security of one or more occupants of the property or other persons in the community or neighbourhood in which the property is located.
- (2)** A complaint pursuant to subsection (1) must:
- (a) be made in a form and manner acceptable to the director; and
 - (b) contain any other information that the director may require.

2021, c27, s6.

Director's actions after receiving complaint

- 6(1)** At any time after receiving a complaint, the director may do any or all of the following:
- (a) investigate the complaint;
 - (b) require the complainant to provide further information;
 - (c) send a warning letter to the owner of the property or its occupant, or to anyone else the director considers appropriate;
 - (d) attempt to resolve the complaint by agreement or informal action;
 - (e) apply to the court for a community safety order;
 - (f) decide not to act on the complaint;
 - (f.1) with the approval of a landlord, serve a demand to vacate, in accordance with any prescribed requirements, that requires any or all persons to vacate the property;

- (f.2) with the approval of a landlord, commence any proceedings pursuant to *The Residential Tenancies Act, 2006* on behalf of the landlord respecting the property, and represent the landlord in those proceedings;
 - (f.3) post a community safety warning in accordance with any prescribed requirements;
 - (g) take any other action that the director considers appropriate.
- (2) The director shall take reasonable steps to notify the complainant, in the manner determined by the director, if the director decides not to act on a complaint or not to continue acting on a complaint.
- (3) The director is not required to give reasons for any decision made pursuant to this section.

2004, cS-0.1, s6; 2021, c27, s7.

Application for community safety order

- 7(1) If the director applies to the court for a community safety order, the application shall name the owner of the property as the respondent.
- (2) The factual allegations in the application may be different from those in the complaint.
- (3) An application pursuant to this section may be made on three days' notice to the respondent if there are pressing or emergency circumstances that require the application to be heard on an urgent basis.

2004, cS-0.1, s7; 2021, c27, s8.

When court may make community safety order

- 8(1) The court may make a community safety order if:
- (a) it is satisfied that:
 - (i) activities have been occurring on or near the property named in the application that give rise to a reasonable inference that it is being habitually used for a specified use; and
 - (ii) the community or neighbourhood is adversely affected by the activities; or
 - (b) it is satisfied that the activities about which an application is made are a serious and immediate threat to the health, safety and security of one or more occupants of the property or persons in the community or neighbourhood.
- (1.1) For the purposes of clause (1)(a), if the court is satisfied that the property named in the application is being habitually used for a specified use, there is a rebuttable presumption that the community or neighbourhood is adversely affected by the activities.
- (2) A community safety order shall:
- (a) describe the property and the activities with respect to which the order is made;
 - (b) enjoin all persons from causing, contributing to, permitting or acquiescing in the activities;

- (c) require the respondent to do everything reasonably possible to prevent the activities from continuing or reoccurring, including anything specifically ordered by the court pursuant to clause (3)(e);
 - (d) fix the date on which the order ceases to be in effect; and
 - (e) contain a statement of the right to appeal the order pursuant to Division 3.
- (3) A community safety order may:
- (a) require any or all persons to vacate the property on or before a date specified by the court, and enjoin any or all of them from re-entering or reoccupying it;
 - (b) terminate the tenancy agreement or lease of any tenant of the property on the date specified pursuant to clause (a);
 - (c) require the director to close the property from use and occupation on a specified date and keep it closed for up to 90 days;
 - (d) limit the order to part of the property about which the application was made, or to particular persons;
 - (e) make any other provision that the court considers necessary for the effectiveness of the community safety order, including, but not limited to, an order of possession in favour of the respondent.
- (4) The court shall consider the following when deciding the length of a period of closure pursuant to clause (3)(c):
- (a) the extent to which the respondent's failure, if any, to exercise due diligence in supervising and controlling the use and occupation of the property contributed to the activities;
 - (b) the impact of the activities on the community or neighbourhood.
- (5) Before the date specified for closure pursuant to clause (3)(c), the respondent may apply to the court to set aside the portion of the community safety order requiring the property to be closed.
- (6) In the case of a lease other than a tenancy agreement, before the date specified for termination of the lease of any tenant pursuant to clause (3)(b), a tenant may apply to the court to set aside the portion of the community safety order terminating the lease.

2004, cS-0.1, s8; 2025, c15, s4.

Director may apply to vary order

9(1) The director may apply to the court to vary a community safety order made pursuant to this Part if the order is still in effect and:

- (a) one of the following circumstances applies:
 - (i) the order did not contain a provision requiring the property to be closed;
 - (ii) the provision requiring the property to be closed was set aside or varied pursuant to section 10;
 - (iii) the closure period for the property has expired; or
- (b) the director considers it appropriate.

(2) The director may apply to vary a community safety order pursuant to this section more than once.

2004, cS-0.1, s9.

Court may set aside or vary order

10 On the application of a respondent pursuant to subsection 8(5), a tenant pursuant to subsection 8(6) or the director pursuant to section 9, the court may do one or more of the following:

- (a) set aside the order, if the court is satisfied that the activities about which an order was made have ceased and are not likely to resume;
- (b) set aside or vary the order made pursuant to clause 8(3)(a), if the court is satisfied that it is necessary to allow the property to be used again;
- (c) vary the order to include any of the things mentioned in subsection 8(3).

2004, cS-0.1, s10.

SUBDIVISION II

Application for Variation by Resident of Residential Property

Interpretation of Subdivision

11 In this Subdivision, “**resident**” means an individual who has a right to occupy residential property as his or her residence, or had a right to occupy it as his or her residence, when he or she is required by a community safety order to vacate it, but who does not own the property.

2004, cS-0.1, s11.

Application for variation by resident

12(1) A resident may apply to the court for an order varying a provision in a community safety order that:

- (a) requires the resident and, if applicable, members of the resident’s household to vacate residential property that is their residence and enjoins them from re-entering or reoccupying it;
- (b) terminates the resident’s tenancy agreement for the residential property;
or
- (c) requires the director to close the residential property.

(2) The resident shall apply within 14 days after he or she is served with a community safety order to vary it.

(3) The resident shall serve the director with a copy of the application to vary a community safety order.

(4) The director is a party to the application to vary and is entitled to be heard, by counsel or otherwise, on the application.

(5) The court may extend the time for applying if the court is satisfied that the extension is in the interests of justice.

2004, cS-0.1, s12.

When court may vary community safety order

13(1) The court may make an order varying a community safety order if it is satisfied:

- (a) that the applicant is a resident;
 - (b) that neither the resident nor any member of the resident's household for whom the resident is seeking a variation caused or contributed to any of the activities with respect to which the order was made;
 - (c) that no person who caused or contributed to any of the activities is still present at or occupying the property;
 - (d) that the resident or a member of the resident's household for whom the resident is seeking a variation will suffer undue hardship if the order is not varied; and
 - (e) if the order was varied pursuant to section 10, that neither the resident nor any member of the resident's household for whom the resident is seeking a variation was an occupant of the property when the order was varied.
- (2) In a variation order, the court may:
- (a) fix a later date for:
 - (i) the resident's tenancy agreement to be terminated;
 - (ii) the resident and members of the resident's household to vacate the property; or
 - (iii) the director to close the property;
 - (b) set aside the termination of the resident's tenancy agreement, or reinstate the tenancy agreement if the date of termination has already passed;
 - (c) set aside the requirement to vacate or close the property;
 - (d) if the resident and members of the resident's household have already vacated the property, authorize them to re-enter and reoccupy it, and, if applicable, require the respondent to allow them to re-enter and reoccupy it;
 - (e) if the property has already been closed, require the respondent to open it for the purpose of clause (d) and make it ready for occupation;
 - (f) make any other provision that the court considers appropriate.
- (3) The court may consider the following factors respecting an application for an order to vary:
- (a) whether the respondent will suffer undue hardship if the requested order is made;
 - (b) whether there is a tenancy agreement between the resident and the respondent, or whether there was a tenancy agreement when the resident was required to vacate the property;
 - (c) if the order would authorize a resident who does not or did not have a tenancy agreement to re-enter and reoccupy the property, whether the respondent is opposed to the requested order;
 - (d) any other factors that the court considers relevant.

SUBDIVISION III

Application by Complainant for Community Safety Order**Application by complainant for order**

14(1) A complainant may apply to the court for a community safety order if:

- (a) the complainant has made a complaint to the director pursuant to section 5; and
- (b) the director:
 - (i) has decided not to act or continue to act on the complaint; or
 - (ii) has discontinued any application to the court.

(2) Repealed. 2025, c 15, s 5.

2004, cS-0.1, s 14; 2025, c 15, s 5.

When court may make community safety order

15(1) Subject to subsection (2), subsections 7(1) and (2), clause 8(1)(a), subsections 8(2) to (6), sections 9 to 14, and sections 20, 22 and 23 apply, with any necessary modification, to an application by a complainant.

(2) If a community safety order made pursuant to this subdivision contains a provision requiring the property to be closed, the court shall order the director to close the property.

(3) In an application by a complainant, the court shall not draw an adverse inference from the fact that:

- (a) the director did, or did not do, any of the things set out in subsection 6(1); or
- (b) the director discontinued the application.

2004, cS-0.1, s 15.

Service on the director

16 A complainant shall:

- (a) serve the director with an application for a community safety order;
- (b) serve the director with an application to vary a community safety order;
- (c) as soon as possible after a community safety order is made or varied, serve a copy of the order on the director; and
- (d) as soon as possible after an application is dismissed, serve a notice on the director stating that the application has been dismissed.

2004, cS-0.1, s 16.

Discontinuance of application by complainant

17(1) A complainant shall serve notice on the director at least 10 days before filing a notice with the court discontinuing an application.

(2) An application shall not be discontinued by a complainant unless the complainant files with the court the director's written confirmation that the director does not intend to apply to continue the application pursuant to subsection (3).

(3) If the director is served with a complainant's notice of discontinuance and the director applies to the court to have the application continued in the director's name, the court may order a complainant's application be continued in the director's name.

2004, cS-0.1, s17.

Director may appear in application

18 The director is entitled as of right to appear and be heard, either in person or through counsel, in a complainant's application for a community safety order or application for variation to request that it be dismissed if the director believes that the application:

- (a) is frivolous or vexatious; or
- (b) is not in the public interest.

2004, cS-0.1, s18.

Costs on frivolous or vexatious applications

19 If the court finds that a complainant's application is frivolous or vexatious, the court may order the complainant to pay costs to the director in addition to any other order for costs.

2004, cS-0.1, s19.

**SUBDIVISION IV
General**

Court must consider merits

20 Notwithstanding the fact that the respondent consents to an order or does not oppose an application, the court shall not grant a community safety order, or variation to that order, unless the court is satisfied that the order should be made.

2004, cS-0.1, s20.

Variation applications

21 Any application to vary a community safety order does not stay the operation of the order.

2004, cS-0.1, s21.

Service

22(1) The director shall, as soon as possible after a community safety order is made:

- (a) serve a copy of the order on the respondent; and
- (b) post a copy of the order in a conspicuous place on the property with respect to which the order is made.

(1.1) A community safety order is valid notwithstanding any failure of the director to comply with subsection (1).

- (2) The director, or a person acting on behalf of the director, may enter the property to post a copy of the order in accordance with clause (1)(b) if he or she is accompanied by a peace officer.
- (3) Any notice or document that is required to be served pursuant to this Part must be served:
- (a) by personal service made:
 - (i) in the case of an individual, on that individual;
 - (ii) in the case of a partnership, on any partner; or
 - (iii) in the case of a corporation, on any officer or director of the corporation; or
 - (b) by registered mail addressed to the person to be served.
- (3.1) Notwithstanding subsection (3), a demand to vacate property pursuant to clause 6(1)(f.1) must be served:
- (a) in accordance with clause (3)(a); or
 - (b) by posting a copy of the demand in a conspicuous place on the property with respect to which the demand is made and by serving the demand by registered mail addressed to the person to be served.
- (4) A notice or document sent by registered mail is deemed to have been served on the third business day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the notice or document or received it at a later date.
- (5) **Repealed.** 2025, c 15, s 6.
- (6) After the respondent is served with a community safety order, the respondent shall, as soon as possible, serve a copy of the order on every other person who is lawfully occupying the property or who has a right to occupy it.

2004, cS-0.1, s 22; 2021, c 27, s 9; 2025, c 15, s 6.

Registration of an interest based on a community safety order

- 23(1)** The director may apply to the Registrar of Titles to register an interest based on a community safety order against the affected title.
- (2) An application pursuant to subsection (1) must be accompanied by a copy of the community safety order.
- (3) After an interest based on a community safety order is registered, the director:
- (a) may, at any time, apply to the Registrar of Titles to discharge the registration of the interest; and
 - (b) shall apply to the Registrar of Titles to discharge the registration of the interest if the community safety order is no longer in effect.
- (4) The registration of an interest may be discharged pursuant to subsection (3) with respect to:
- (a) all of the parcels of land described in the community safety order by applying for discharge in accordance with subsection (3); or
 - (b) any portion of the parcels of land described in the community safety order by applying to amend the registration of the interest.

(5) Without limiting the generality of section 63, no action lies or shall be commenced against the director for any loss or damage suffered by any person by reason of:

- (a) the registration of an interest pursuant to this section;
- (b) the amendment of an interest pursuant to this section; or
- (c) the failure of the director to:
 - (i) register an interest pursuant to this section; or
 - (ii) discharge an interest pursuant to this section.

2004, cS-0.1, s23.

DIVISION 3 Appeals

Appeal

24(1) An order of the court made pursuant to this Part may be appealed to the Court of Appeal:

- (a) on a question of law; and
- (b) with leave of a judge of the Court of Appeal.

(2) An application for leave to appeal must be made within 14 days after the day the order of the court is pronounced or within any further time that a judge of the Court of Appeal may allow.

2004, cS-0.1, s24.

Limitation on other actions and proceedings

25(1) Subject to subsection (2), no action or proceeding shall be commenced or maintained:

- (a) to prevent the making of a community safety order;
- (b) to prevent a community safety order from being carried out;
- (c) to set aside or vary a community safety order made pursuant to section 10;
- (d) for judicial review of a community safety order; or
- (e) to obtain relief from forfeiture with respect to a tenancy agreement or lease that is ordered to be terminated.

(2) Subsection (1) does not apply to:

- (a) an application pursuant to subsection 8(5), subsection 8(6) or section 12; or
- (b) an appeal pursuant to section 24.

2004, cS-0.1, s25.

DIVISION 4
Closure of Property by Director

Director may enter property

26(1) If a community safety order that includes a provision to close a property is in effect, the director may enter the property without the consent of the owner or occupant to close it and keep it closed.

(2) The director may employ any tradespersons and workers that the director considers necessary to safely and effectively close the property and keep it closed.

(3) The director may take any measures that the director considers necessary to safely and effectively close the property and keep it closed, including:

- (a) ordering any occupants still occupying the property and any other persons at the property to leave it immediately;
- (b) attaching locks, hoarding or other security devices;
- (c) erecting fences;
- (d) changing or terminating utility services; and
- (e) making interior or exterior alterations to the property so that it is not a hazard while it is closed.

(4) The director may, for any purpose that the director considers appropriate, allow others access to property that is closed pursuant to a community safety order.

(5) The director is not responsible, whether at the end of the period of closure or otherwise, for the removal or cost of removal of anything attached to or erected at the property, or the reversal or cost of reversal of anything done to or at the property, to close it or keep it closed.

2004, cS-0.1, s26.

Occupants required to leave property

27(1) If a community safety order requires the director to close a property, all occupants of the property and any other persons at the property shall leave it immediately on request of the director, even if they have not been previously served with the order that requires the director to close the property.

(1.1) If a community safety order requires any or all persons to vacate a property on or before a date specified by the court, those persons shall leave immediately on request of the director, even if they have not been previously served with the order that requires them to vacate the property.

(2) If an occupant of the property and any other persons at the property do not comply with a request to leave, the director may obtain the assistance of a peace officer to remove them from the property.

(3) Subject to any order made pursuant to section 13, after leaving the property and while the community safety order mentioned in subsection (1) or (1.1) is in effect, no occupant or other person who is subject to the community safety order shall enter or occupy the property without the director's consent.

2004, cS-0.1, s27; 2021, c27, s10.

Respondent must pay cost of closing property

28(1) The respondent shall, on demand from the director, pay to the Minister of Finance the cost of closing and keeping the property closed, in the amount certified by the director pursuant to section 29.

(2) An amount payable pursuant to subsection (1) is a debt due and owing to the Crown in right of Saskatchewan.

2004, cS-0.1, s28; 2025, c 15, s 7.

Recovery of director's costs – filing of certificate

29(1) If the director undertakes any work for the purposes of this Division and incurs any costs and expenses as a result, the director may file in the office of the local registrar of the court at the judicial centre nearest to the place where the work or the greatest portion of the work was done a certificate that is signed by the director and that sets out:

- (a) the amount of the costs and expenses incurred pursuant to this Division;
- (b) the respondent from whom the costs and expenses are recoverable; and
- (c) the director's address for service.

(2) If the director files a certificate pursuant to subsection (1), the director shall serve a copy of the certificate on the respondent.

(3) The certificate filed pursuant to subsection (1) is conclusive evidence of the amount of the debt due to the Crown in right of Saskatchewan by the respondent.

(4) A certificate filed pursuant to this section has the same effect as if it were a judgment obtained in the court for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.

(5) A respondent who has been served with a copy of a certificate pursuant to subsection (2) may, within 30 days after receiving the copy, make written representations to the director requesting the director to reconsider the amount of the costs and expenses.

(6) On receipt of written representations pursuant to subsection (5), the director may:

- (a) withdraw the certificate;
- (b) vary the amount of the costs and expenses and, for that purpose, withdraw the certificate and file a new certificate with the new costs and expenses; or
- (c) confirm the certificate.

(7) The director shall notify the respondent of the director's decision as soon as is reasonably practicable after making the decision.

2004, cS-0.1, s29.

Appeal to court re certificate

30(1) A respondent may appeal against the amount of the costs and expenses set out in the certificate to the court:

- (a) within 30 days after the date of the filing of the certificate; or

- (b) if the respondent has made representations to the director pursuant to section 29, within 30 days after the director has notified the respondent of the decision.
- (2) On hearing an appeal pursuant to this section, the court may issue an order:
- (a) confirming the amount of costs and expenses set out in the certificate;
 - (b) amending or varying the amount of costs and expenses set out in the certificate;
 - (c) quashing the certificate; or
 - (d) doing any other thing that the court considers appropriate.
- (3) In an order issued pursuant to subsection (2), the court may specify the period within which the order must be complied with.

2004, cS-0.1, s 30.

DIVISION 5 Role of the Director

Director may work with agencies and neighbourhood groups

30.1 The director may consult with and work in cooperation with governments and any agencies and neighbourhood organizations or groups to promote and encourage the development of safe and peaceful communities.

2021, c27, s 11.

Director to notify re children

30.2 If the director has reason to believe that there are children residing in a building that is the subject of an investigation or application pursuant to this Part, and the director has reason to believe that the health or safety of those children is at risk, the director shall notify the director appointed pursuant to *The Child and Family Services Act* without delay.

2021, c 27, s 11.

Director's authority

31(1) For the purposes of carrying out a responsibility or exercising a power pursuant to this Part, the director is authorized:

- (a) to collect information from a government institution, as defined in *The Freedom of Information and Protection of Privacy Act*, or a local authority, as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*, about a person who owns or occupies property with respect to which an application pursuant to this Act may be made, including:
 - (i) the person's name and address;
 - (ii) the whereabouts of the person; and
 - (iii) the person's place of employment;

- (b) to collect information from any source about the ownership of property with respect to which an application pursuant to this Part may be made;
 - (c) to collect information from any source about the occurrence of activities with respect to which an application pursuant to this Part may be made;
 - (d) to make and maintain written, recorded, electronic or videotaped records of any information received pursuant to clause (a), (b) or (c) or of the occurrence of activities with respect to which an application pursuant to this Part may be made; and
 - (e) to disclose information obtained pursuant to clause (a), (b) or (c) and records made pursuant to clause (d), to a person, court, government institution, local authority or law enforcement agency.
- (2) If the director requests information pursuant to clause (1)(a), (b) or (c), the person, government institution, local authority or law enforcement agency shall provide the information that is within its knowledge or is in any record in their possession or control, and give the director a copy of the record in which the information is contained, if applicable.
- (3) The director may disclose information obtained pursuant to clause (1)(a), (b) or (c), or records made pursuant to clause (1)(d):
- (a) to a person, to assist that person in serving or posting a community safety order; or
 - (b) to a peace officer, to enable that peace officer to carry out a community safety order.
- (4) The director may contract with or authorize any person to investigate a complaint.
- (5) In addition to the disclosures authorized pursuant to clause (1)(e) and subsection (3), the director may disclose information collected pursuant to clause (1)(a), (b) or (c), or records made pursuant to clause (1)(d), to a government institution, local authority or law enforcement agency if the director is of the opinion that the disclosure of the information or records:
- (a) would be in the public interest with respect to public health, public safety or the protection of the environment; or
 - (b) may disclose a contravention of the *Criminal Code*.

2004, cS-0.1, s 31; 2021, c27, s 12.

DIVISION 6

Confidentiality of Complaint

Complaint confidential

- 32(1)** No person, including the director, shall, without the prior written consent of the complainant:
- (a) disclose the identity of the complainant, or any information by which the complainant may be identified, to another person or to a court, government institution, local authority or law enforcement agency; or

(b) disclose, provide access to or produce the complaint, or another document or thing by which the complainant may be identified, to another person or to a court, government institution, local authority or law enforcement agency without severing any information by which the complainant may be identified.

(2) Subsection (1) applies notwithstanding *The Freedom of Information and Protection of Privacy Act* or *The Local Authority Freedom of Information and Protection of Privacy Act*.

2004, cS-0.1, s32.

Non-compellability

33(1) The director, and any person acting for or under the direction of the director, is not compellable in a court or in any other proceeding:

(a) to identify the complainant or give evidence about information or produce a document or thing by which the complainant may be identified;

(b) to give evidence about other information obtained by or on behalf of the director for the purposes of this Part; or

(c) to produce any other document or thing obtained by or on behalf of the director for the purposes of this Part.

(2) Clauses (1)(b) and (c) do not apply to an application by the director or to an application continued in the director's name.

2004, cS-0.1, s33.

DIVISION 7 General

Effect of transfer of property

34(1) A person who transfers a legal or beneficial interest in property to another person, or gives a right of occupancy of property to another person, after being served with an application or becoming aware of an application with respect to the property shall fully inform the other person about the application before completing the transfer or giving the right of occupancy.

(2) A person who transfers a legal or beneficial interest in property to another person, or gives a right of occupancy of property to another person, while a community safety order with respect to the property is in effect shall fully inform the other person about the order before completing the transfer or giving the right of occupancy.

(3) A person who receives an interest in property that is the subject of an application is deemed to be a respondent to the application when the transfer of the interest is complete, and any order made by the court is binding on that person.

2004, cS-0.1, s34.

Offences and penalties

35(1) No person shall:

- (a) without the director's consent, remove, deface or interfere with a copy of a community safety order or any other order posted in accordance with this Part;
 - (b) without the director's consent:
 - (i) fail to vacate a property that is closed under a community safety order; or
 - (ii) enter or re-enter a property that is closed under a community safety order; or
 - (c) fail to comply with a community safety order.
- (2) Every person who contravenes subsection (1), section 27, subsection 31(2), section 32, subsection 34(1) or (2), or an order of the director is guilty of an offence.
- (3) Every person who is guilty of an offence is liable on summary conviction:
- (a) for a first offence:
 - (i) in the case of an individual, to a fine of not more than \$10,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$25,000; and
 - (b) for a second or subsequent offence:
 - (i) in the case of an individual, to a fine of not more than \$25,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$100,000.
- (4) If a corporation commits an offence pursuant to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

2004, cS-0.1, s35.

Part prevails

36 Unless another Act expressly states otherwise, if any provision of this Part, the regulations made for the purposes of this Part or an order made pursuant to this Part conflicts with *The Residential Tenancies Act, 2006*, the provision of this Part, the regulations made for the purposes of this Part or the order prevails.

2004, cS-0.1, s36; 2006, cR-22.0001, s100.

Crown bound

37 The Crown is bound by this Part.

2004, cS-0.1, s37.

PART III
Fortified BuildingsDIVISION 1
Interpretation and Application of Part

Interpretation of Part

38(1) In this Part:

- (a) **“closure order”** means a closure order made pursuant to section 46;
- (b) **“fortified building”** means a building protected by one or more of the following:
 - (i) bulletproof material or material designed to be resistant to explosives on a door or window;
 - (ii) protective metal plating on the interior or exterior of the building that is not required for the structural integrity of the building;
 - (iii) armoured or specially reinforced doors;
 - (iv) metal bars on exterior doors or windows;
 - (v) any other method or material prescribed in the regulations;
- (c) **“inspector”** means a person appointed as an inspector pursuant to section 39;
- (d) **“owner”** means, in relation to a building:
 - (i) a person who is the registered owner of title to the property on which the building is located pursuant to *The Land Titles Act, 2000*, and if there is more than one registered owner of title to the property, any of them;
 - (ii) a person who is entitled to be the registered owner of title to the property on which the building is located pursuant to *The Land Titles Act, 2000*;
 - (iii) a person shown as the owner of the building or the property on which the building is located in the municipal assessment or tax roll records for the property;
 - (iv) a person who manages or receives rents from the building, whether on his or her behalf or as agent or trustee for another person; or
 - (v) any of the following persons in whom the building or the property on which the building is located or any estate or interest in the building or the property is vested or with whom decision-making responsibility legally resides:
 - (A) a guardian;
 - (B) a property decision-maker or personal decision-maker as defined in *The Adult Guardianship and Co-decision-making Act*;
 - (C) an executor, administrator or trustee;
 - (D) an attorney under a power of attorney;
- (e) **“removal order”** means a removal order made pursuant to section 45.

(2) This Part applies to every building in Saskatchewan whether the building was fortified before, on or after the coming into force of this Part.

2004, cS-0.1, s38.

DIVISION 2 Inspectors

Appointment of inspectors

39 The minister may appoint any person or class of persons as an inspector or inspectors for the purposes of this Part, subject to any terms and conditions set out by the minister.

2004, cS-0.1, s39.

Identification card

40(1) The minister shall provide to each inspector an identification card for the purposes of this Part.

(2) An inspector who is acting pursuant to this Part shall produce his or her identification card if requested to do so.

2004, cS-0.1, s40.

Investigation

41(1) In this section and sections 42 and 43, “**record**” means a book, paper, document or thing, whether in electronic form or otherwise, that may contain information relevant to the administration or enforcement of this Part.

(2) An inspector may conduct an investigation with respect to any matter that he or she considers necessary respecting the administration or enforcement of this Part or the regulations made for the purposes of this Part.

(3) For the purposes of an investigation pursuant to this section, the inspector may, at any reasonable time:

(a) subject to subsection (4), enter and inspect any building that the inspector believes on reasonable grounds is a fortified building;

(b) take measurements and photographs of, and conduct any tests or any type of audio or visual recordings in or on, a building or on the property on which the building is located that the inspector considers necessary to determine if a building is a fortified building; and

(c) require any person to produce for inspection and copying any record that the inspector believes on reasonable grounds contains any information relevant to the administration or enforcement of this Part.

(4) An inspector may enter a dwelling place only:

(a) with the occupant’s consent;

(b) pursuant to the authority of a warrant issued pursuant to section 43; or

(c) pursuant to the right of inspection set out in subsection 45(4).

(5) No person shall obstruct or hinder, or make a false or misleading statement to, an inspector who is acting pursuant to this Part.

2004, cS-0.1, s 41.

Copies of records

42(1) The inspector may make copies of a record that has been inspected pursuant to section 41.

(2) A copy of a record certified by the inspector to be a copy made pursuant to this section:

- (a) is admissible in evidence without proof of the office or signature of the person purporting to have signed the certificate; and
- (b) has the same probative force as the original record.

(3) The inspector shall ensure that, after copies of any records inspected pursuant to section 41 are made, the originals are promptly returned to:

- (a) the place they were removed from; or
- (b) any other place that may be agreed to by the inspector and the person who had custody, possession or control of the record.

2004, cS-0.1, s 42.

Warrant authorizing entry

43(1) If the inspector, pursuant to section 41, requires entry to a building and the owner or occupant of the building refuses or neglects to permit investigation, or there are reasonable grounds to believe that entry will not be provided, the inspector may apply without notice to a justice of the peace or a judge of the provincial court for a warrant authorizing a person named in the warrant to:

- (a) enter and search any building named in the warrant for the purposes of administering and enforcing this Part; and
- (b) seize and take possession of any record or other thing that the inspector believes on reasonable grounds contains any information relevant to the administration and enforcement of this Part.

(2) A justice of the peace or judge of the provincial court may issue a warrant authorizing an inspector and any other person named in the warrant to enter and inspect the building and the property on which the building is located and to seize and take possession of any record if the justice of the peace or judge of the provincial court is satisfied by information on oath or affirmation of the inspector that there are reasonable grounds to believe that:

- (a) a building is a fortified building;
- (b) entry to the building or the property on which the building is located is necessary for a purpose relating to the administration or enforcement of this Part; and

(c) entry to the building or the property on which the building is located has not been provided or there are reasonable grounds to believe that entry will not be provided.

2004, cS-0.1, s 43; 2018, c 42, s 65; 2025, c 15, s 8.

DIVISION 3
Designation and Orders respecting Fortified Buildings

Designating fortified building a threat to public safety

44(1) Subject to subsection (4), the director may designate a fortified building as a threat to public safety.

(2) In determining whether a fortified building is a threat to public safety, the director may take into account:

- (a) the number and type of fortifications in or on the building or on the property on which the building is located;
- (b) whether the fortifications could significantly impair the ability of emergency response personnel and law enforcement officials to gain access to the building;
- (c) whether the fortifications could significantly impair the ability of people inside the building to escape in an emergency;
- (d) the nature of the neighbourhood or area in which the building is located;
- (e) the proximity of the building to schools, playgrounds and other places where children are likely to be present;
- (f) the proximity of the building to other buildings;
- (g) the purpose for which the building is being used;
- (h) whether the fortifications are reasonably necessary given the purpose for which the building is being used;
- (i) the persons who own, occupy or visit the building;
- (j) whether any criminal activity or other disruptive behaviour has previously taken place in or around the building; and
- (k) any other factor that the director considers reasonable.

(3) The director may make a designation pursuant to subsection (1) without giving prior notice to the owner or occupant of the building and without holding a hearing.

(4) The director shall not designate a fortified building as a threat to public safety pursuant to subsection (1) if it has been fortified in a manner that does not exceed reasonable security measures commonly taken for:

- (a) the type of business being operated in the fortified building; or
- (b) a residential dwelling.

2004, cS-0.1, s 44.

Removal order

45(1) If the director designates a fortified building as a threat to public safety pursuant to section 44, the director shall issue a removal order:

- (a) specifying the fortifications that must be removed from the building or the property on which the building is located; and
 - (b) requiring the owner or occupant of the building, or both, to remove the specified fortifications by a date that must be at least 21 days after the removal order is made.
- (2) A removal order issued pursuant to subsection (1) must contain:
- (a) a provision stating that a closure order for the building may be issued if the specified fortifications are not removed by the date set out in the removal order;
 - (b) a statement of the right to appeal the removal order pursuant to Division 4; and
 - (c) any other information the director considers appropriate.
- (3) The director shall serve the removal order on the owner and any occupant of the building to whom the removal order is made.
- (4) If a removal order has been issued for a building, an inspector has the right to enter and inspect the building to determine if the specified fortifications have been removed.

2004, cS-0.1, s 45; 2025, c 15, s 9.

Closure order

46(1) If the fortifications specified in a removal order are not removed by the date set out in that order, the director may issue an order closing the building for a period of not more than 90 days to allow for the removal of the specified fortifications in accordance with Division 5.

- (2) A closure order issued pursuant to subsection (1) must contain:
- (a) a provision requiring all persons to vacate the building and not to re-enter it until the closure order ceases to be in effect; and
 - (b) any other information the director considers appropriate.
- (3) The director shall serve the closure order on the owner and any occupant of the building to whom the closure order is made.
- (4) The director shall post a copy of the closure order in a conspicuous place on the building that is the subject of the closure order.
- (5) The director shall terminate a closure order as soon as all fortifications specified in a removal order have been removed.
- (6) If a closure order is terminated, the director shall advise the owner of the building that the closure order is no longer in effect.

2004, cS-0.1, s 46.

Service

- 47(1)** Any removal order or closure order must be served:
- (a) by personal service made:
 - (i) in the case of an individual, on that individual;
 - (ii) in the case of a partnership, on any partner; or
 - (iii) in the case of a corporation, on any officer or director of the corporation;
 - (b) by registered mail addressed to the person to be served; or
 - (c) if service cannot be effected by one of the methods described in clauses (a) and (b):
 - (i) by publishing a copy of the order in two issues of a newspaper having general circulation in the area where the fortified building is located; and
 - (ii) by posting a copy of the order in a conspicuous place on the building with respect to which the order is made.
- (2) A removal order or closure order sent by registered mail is deemed to have been served on the third business day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the removal order or closure order or received it at a later date.
- (3) A removal order or closure order served in accordance with clause (1)(c) is deemed to have been served on the date it is published in the newspaper for the second time or on the third day following the date it is posted on the building, whichever is the later.
- (4) A removal order or a closure order is effective on the date it is served.

2004, cS-0.1, s 47; 2021, c27, s 13.

Registration of an interest based on a removal order or closure order

- 48(1)** The director may apply to the Registrar of Titles to register an interest based on a removal order or closure order against the affected title.
- (2) An application pursuant to subsection (1) must be accompanied by a copy of the removal order or closure order, as the case may be.
- (3) After an interest based on a removal order or closure order is registered, the director:
- (a) may, at any time, apply to the Registrar of Titles to discharge the registration of the interest; and
 - (b) shall apply to the Registrar of Titles to discharge the registration of the interest if the removal order or closure order is no longer in effect.

- (4) The registration of an interest may be discharged pursuant to subsection (3) with respect to:
- (a) all of the parcels of land described in the removal order or closure order by applying for discharge in accordance with subsection (3); or
 - (b) any portion of the parcels of land described in the removal order or closure order by applying to amend the registration of the interest.
- (5) Without limiting the generality of section 63, no action lies or shall be commenced against the director for any loss or damage suffered by any person by reason of:
- (a) the registration of an interest pursuant to this section;
 - (b) the amendment of an interest pursuant to this section; or
 - (c) the failure of the director to:
 - (i) register an interest pursuant to this section; or
 - (ii) discharge an interest pursuant to this section.

2004, cS-0.1, s 48.

DIVISION 4 **Appeals**

Appeal of removal order

- 49(1)** An owner or occupant of a fortified building that is the subject of a removal order may appeal the order to the court.
- (2) A notice of appeal must be served on the director within 14 days after a removal order has been served.
- (3) The director is a party to any appeal and is entitled to be heard, by counsel or otherwise, on the appeal.
- (4) The court shall hear and determine an appeal by way of a hearing and the court may hear evidence and submissions respecting the removal order subject to appeal.

2004, cS-0.1, s 49.

Decision by court

- 50(1)** On hearing an appeal, the court shall take into account the considerations set out in subsection 44(2) and may:
- (a) dismiss the appeal;
 - (b) allow the appeal;
 - (c) allow the appeal subject to terms;
 - (d) vary the order of the director;
 - (e) refer the matter back to the director for further consideration and order; or
 - (f) make any other order that the court considers appropriate.
- (2) The court may make any order as to costs that it considers appropriate.

2004, cS-0.1, s 50.

No further appeal

51 There is no further appeal pursuant to this Part.

2004, cS-0.1, s51.

Appeal stays operation of removal order

52 If a notice of appeal has been filed in accordance with this Part, the operation of a removal order is stayed and no further action may be taken with respect to the order except in accordance with an order of the court hearing the appeal.

2004, cS-0.1, s52.

No appeal of closure order

53 There is no appeal of a closure order.

2004, cS-0.1, s53.

DIVISION 5
Closure of Building by Director

Director may enter building

54(1) If a closure order is in effect, the director or a person authorized by the director may enter the building without the consent of the owner or occupant to:

- (a) remove the fortifications specified in the removal order; and
- (b) secure the closure of the building.

(2) The director may employ any tradespersons and workers that the director considers necessary to:

- (a) remove the fortifications specified in the removal order; and
- (b) secure the closure of the building.

(3) The director may take any measures that the director considers necessary to safely and effectively secure the closure of the building, including:

- (a) attaching locks, hoarding or other security devices;
- (b) erecting fences;
- (c) changing or terminating utility services; and
- (d) making interior or exterior alterations to the building so that it is not a hazard while it is closed.

(4) The director is not responsible, whether at the end of the period of closure or otherwise, for the removal or cost of removal of anything attached to or erected on a building, or the reversal or cost of reversal of anything done to a building pursuant to this section.

2004, cS-0.1, s54.

Director to close building

55(1) If a closure order is in effect, the director shall secure the closure of a building, and all occupants of the building and any other persons at the building shall leave it immediately on the order of the director, even if they have not been previously served with the closure order.

(2) If an occupant of a building and any other persons at the building do not comply with a request to leave, the director may obtain the assistance of a peace officer to remove them from the building.

2004, cS-0.1, s55.

Responsibility for cost of closure and removal

56(1) The owner of a building that is the subject of a closure order shall, on demand from the director, pay to the Minister of Finance the cost of removing all fortifications and closing the building, in the amount certified by the director pursuant to section 57.

(2) An amount payable pursuant to subsection (1) is a debt due and owing to the Crown in right of Saskatchewan.

2004, cS-0.1, s56.

Recovery of director's costs – filing of certificate

57(1) If the director undertakes any work for the purposes of this Division and incurs any costs and expenses as a result, the director may file in the office of the local registrar of the court at the judicial centre nearest to the place where the work or the greatest portion of the work was done a certificate that is signed by the director and that sets out:

- (a) the amount of the costs and expenses incurred pursuant to this Division;
- (b) the owner from whom the costs and expenses are recoverable; and
- (c) the director's address for service.

(2) If the director files a certificate pursuant to subsection (1), the director shall cause a copy of the certificate to be served on the owner.

(3) The certificate filed pursuant to subsection (1) is conclusive evidence of the amount of the debt due to the Crown in right of Saskatchewan by the owner.

(4) A certificate filed pursuant to this section has the same effect as if it were a judgment obtained in the court for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.

(5) An owner who has been served with a copy of a certificate pursuant to subsection (2) may, within 30 days after receiving the copy, make written representations to the director requesting the director to reconsider the amount of the costs and expenses.

- (6) On receipt of a written representation pursuant to subsection (5), the director may:
- (a) withdraw the certificate;
 - (b) vary the amount of the costs and expenses and, for that purpose, withdraw the certificate and file a new certificate with the new costs and expenses; or
 - (c) confirm the certificate.
- (7) The director shall notify the owner of the director's decision as soon as is reasonably practicable after making the decision.

2004, cS-0.1, s 57.

Appeal to court re certificate

58(1) An owner with respect to whom a certificate has been entered as a judgment pursuant to section 57 may appeal against the amount of the costs and expenses set out in the certificate to the court:

- (a) within 30 days after the date of the filing of the certificate; or
 - (b) if the owner has made representations to the director pursuant to section 57, within 30 days after the director has notified the respondent of the decision.
- (2) On hearing an appeal pursuant to this section, the court may issue an order:
- (a) confirming the amount of costs and expenses set out in the certificate;
 - (b) amending or varying the amount of costs and expenses set out in the certificate;
 - (c) quashing the certificate; or
 - (d) doing any other thing that the court considers appropriate.
- (3) In an order issued pursuant to subsection (2), the court may specify the period within which the order must be complied with.

2004, cS-0.1, s 58.

DIVISION 6
General

Offences and penalties

59(1) No person shall:

- (a) without the director's consent, remove, deface or interfere with a copy of a closure order posted in accordance with subsection 46(4) or clause 47(1)(c);
- (b) without the director's consent:
 - (i) fail to vacate a building that is closed under a closure order; or
 - (ii) enter or re-enter a building that is closed under a closure order; or
- (c) fail to comply with a removal order or a closure order.

- (2) Every person who contravenes subsection (1), subsection 41(5) or an order of the director is guilty of an offence.
- (3) Every person who is guilty of an offence is liable on summary conviction:
- (a) for a first offence:
 - (i) in the case of an individual, to a fine of not more than \$10,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$25,000; and
 - (b) for a second or subsequent offence:
 - (i) in the case of an individual, to a fine of not more than \$25,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$100,000.
- (4) If a corporation commits an offence pursuant to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

2004, cS-0.1, s 59.

PART III.1 Nuisance Properties

DIVISION 1 Interpretation

Definitions for Part

59.1 In this Part:

- (a) **“investigator”** means a person designated as an investigator pursuant to section 59.62;
- (b) **“land titles registry”** means the land titles registry as defined in *The Land Titles Act, 2000*;
- (c) **“nuisance property”** means real property that:
 - (i) is unfit for human habitation, occupation or use; and
 - (ii) negatively affects the health, safety, economic well-being or security of one or more persons within the community or neighbourhood in which the property is located;
- (d) **“owner”** means, in relation to nuisance property, any of the following:
 - (i) a person who is the registered owner of title to the property pursuant to *The Land Titles Act, 2000*, and if there is more than one registered owner of title to the property, any of them;
 - (ii) a person who is entitled to be the registered owner of title to the property pursuant to *The Land Titles Act, 2000*;

(iii) a person shown as the owner of the property in the municipal assessment or tax roll records for the property;

(iv) any of the following persons in whom the property or any estate or interest in the property is vested or with whom decision-making responsibility legally resides:

(A) a guardian;

(B) a property decision-maker or personal decision-maker as defined in *The Adult Guardianship and Co-decision-making Act*;

(C) an executor, administrator or trustee;

(D) an attorney under a power of attorney;

(v) any other prescribed person;

(e) **“prior registered interest”** means an interest that was registered against property in accordance with *The Land Titles Act, 2000* or any former *Land Titles Act* before an interest based on an application for a forfeiture order is registered pursuant to section 59.41;

(f) **“Registrar of Titles”** means the Registrar of Titles appointed pursuant to section 6 of *The Land Titles Act, 2000*;

(g) **“respondent”** means a person named as a respondent in an application made pursuant to Division 3 or 4 of this Part.

2025, c 15, s 10.

DIVISION 2 Application by Director

Application re nuisance property

59.11 If the director has reason to believe that a property is a nuisance property, the director may apply to the court for either of the following respecting the nuisance property:

(a) a rehabilitation order pursuant to Division 3 of this Part;

(b) a forfeiture order pursuant to Division 4 of this Part.

2025, c 15, s 10.

Preliminary action by director

59.12(1) The director may do any of the following before making an application to the court pursuant to this Part:

(a) send a warning letter to the owner demanding that the owner restore the property to a state that is not a nuisance property;

(b) make arrangements with the owner to restore the property to a state that is not a nuisance property, either by agreement or informal action;

(c) take any other action that the director considers appropriate to assist the owner to restore the property to a state that is not a nuisance property.

(2) The director is not required to take any action pursuant to subsection (1) before making an application to the court pursuant to this Part.

2025, c 15, s 10.

Factors for consideration by court

59.13 In determining whether a property is a nuisance property for the purposes of an application pursuant to Division 3 or 4 of this Part, the court may take into account all or any of the following:

- (a) whether the property remains open to unauthorized entry despite being vacant;
- (b) whether the property is subject to vandalism, loitering or criminal conduct;
- (c) any physical destruction or deterioration of the property;
- (d) whether the deteriorating condition of the property increases the risk of fire to the property or adjacent properties;
- (e) whether gas, power, water or other utility services to the property have been terminated;
- (f) any of the following at the property that create potential health or safety hazards:
 - (i) the presence of vermin;
 - (ii) the accumulation of trash or debris;
 - (iii) uncut vegetation;
 - (iv) physical deterioration of any structure or the grounds;
- (g) whether any windows or entrances to the property are:
 - (i) boarded up or closed off;
 - (ii) smashed or broken; or
 - (iii) unhinged or continuously unlocked;
- (h) the presence of hazardous, noxious or unhealthy substances or materials on the property;
- (i) any incomplete construction on the property that leaves the property unsuitable for human habitation, occupation or use;
- (j) whether the appearance or condition of the property materially affects the welfare, including the economic welfare, of the residents of the area near the property;
- (k) the presence of unauthorized persons who reside or otherwise occupy the property in a temporary or permanent manner;
- (l) frequent attendance to the property by police or other emergency service providers;
- (m) any other factor the court considers appropriate;
- (n) any other prescribed factor.

DIVISION 3
Rehabilitation Order

Application for rehabilitation order

59.2 An application for a rehabilitation order must:

- (a) be made by way of notice of application;
- (b) contain the legal description of the property for which the order is sought;
- (c) describe the condition of the property for which the order is sought; and
- (d) name the owner as the respondent.

2025, c 15, s 10.

Registration of interest based on application for rehabilitation order

59.21(1) The director shall, after filing an application for a rehabilitation order, apply to the Registrar of Titles to register an interest based on the application for rehabilitation against the affected title or interest in the land titles registry.

(2) An application pursuant to subsection (1) must be accompanied by a copy of the application for a rehabilitation order containing the legal description of the property affected by the order.

(3) After an interest based on an application for a rehabilitation order is registered, the director:

- (a) may, at any time, apply to the Registrar of Titles to discharge the registration of the interest; and
- (b) shall apply to the Registrar of Titles to discharge the registration of the interest if the application is dismissed or discontinued.

(4) The registration of an interest may be discharged pursuant to subsection (3) with respect to:

- (a) all the titles or interests described in the application for a rehabilitation order; or
- (b) any portion of the titles or interests described in the application for a rehabilitation order.

(5) Without limiting the generality of section 63, no action lies or shall be commenced against the director for any loss or damage suffered by any person by reason of:

- (a) the registration of an interest pursuant to this section;
- (b) the amendment of an interest pursuant to this section; or
- (c) the failure of the director:
 - (i) to register an interest pursuant to this section; or
 - (ii) to discharge an interest pursuant to this section.

(6) An application for a rehabilitation order filed by the director is valid notwithstanding any failure to comply with this section.

2025, c 15, s 10.

Interim order for restoration

59.22(1) If the court finds that the property that is the subject of the application for a rehabilitation order is a nuisance property, the court may make an interim order granting the respondent a period, not exceeding 6 months after the date of that order, to restore the property that is the subject of the application to a state that is not a nuisance property.

(2) The onus rests on the respondent to demonstrate to the court that the respondent has complied with an order mentioned in subsection (1).

(3) If the respondent complies with an order mentioned in subsection (1), the court shall dismiss the application for a rehabilitation order.

(4) If the respondent does not comply with an order mentioned in subsection (1), section 59.23 applies.

2025, c 15, s 10.

When court shall make a rehabilitation order

59.23(1) Subject to section 59.22, if the court finds that the property that is the subject of the application for a rehabilitation order is a nuisance property, the court shall make a rehabilitation order unless it clearly is not in the interests of justice to do so.

(2) A rehabilitation order must:

(a) provide a legal description of the nuisance property with respect to which the order is made;

(b) subject to subsections (3) and (4), grant the director authority to:

(i) demolish any structure on the nuisance property;

(ii) take any action the director considers necessary to prepare for the demolition of any structure on the nuisance property, including:

(A) ordering any occupants still occupying the property and any other persons at the property to leave it immediately;

(B) attaching locks, hoarding or other security devices;

(C) erecting fences;

(D) changing or terminating utility services; and

(E) making interior or exterior alterations to the property so that it is not a hazard;

(iii) take any action the director considers necessary to restore the site of the nuisance property to a state that is not a nuisance property; and

(iv) enter properties, other than dwelling places, that are adjacent to the nuisance property where it is reasonably necessary for the purposes of carrying out the actions mentioned in subclauses (i) to (iii);

(c) require the respondent to do everything reasonably necessary to allow the director to carry out a demolition on the nuisance property and take any other action mentioned in clause (b);

- (d) fix a date, that is at least one year after the date on which the order is made, by which the director shall complete the demolition of the nuisance property;
 - (e) contain a statement of the right to appeal the order pursuant to Division 5 of this Part; and
 - (f) contain any other prescribed terms.
- (3) A rehabilitation order may:
- (a) subject to subsection (4), order the termination of any lease agreement respecting the nuisance property; and
 - (b) include any other terms the court considers appropriate.
- (4) If a lease agreement respecting a nuisance property is terminated pursuant to subsection (3), the Crown in right of Saskatchewan does not assume, and is not bound by, any covenants or other obligations contained in the lease agreement, including any term, penalty or obligation respecting the termination of the lease agreement.
- (5) If a rehabilitation order is made pursuant to subsection (1), the order becomes effective as of the date the rehabilitation order is registered against the affected title or interest in the land titles registry.

2025, c 15, s 10.

Application for variation

- 59.3(1)** The director may apply to the court to vary a rehabilitation order made pursuant to this Division if the order is still in effect and the director considers it appropriate.
- (2) The director may apply to vary a rehabilitation order pursuant to this section more than once.
- (3) If the court grants an order to vary a rehabilitation order pursuant to this section:
- (a) the variation order becomes effective as of the date on which the variation order is registered against the affected title or interest in the land titles registry; and
 - (b) the duties and powers of the director to act pursuant to this Part with respect to the rehabilitation order are continued, subject to the terms of the variation order.

2025, c 15, s 10.

Respondent must pay cost of rehabilitation

- 59.31(1)** The respondent shall, on demand from the director, pay to the Minister of Finance the cost of demolishing and restoring the nuisance property pursuant to a rehabilitation order, in the amount set out in the certificate filed by the director pursuant to section 59.32.
- (2) An amount payable pursuant to subsection (1) is a debt due and owing to the Crown in right of Saskatchewan.

2025, c 15, s 10.

Recovery of director's costs – filing of certificate

59.32(1) If the director undertakes any work for the purposes of this Division pursuant to a rehabilitation order and incurs any costs and expenses as a result, the director may file in the office of the local registrar of the court at the judicial centre nearest to the place where the work or the greatest portion of the work was done a certificate that is signed by the director and that sets out:

- (a) the amount of the costs and expenses incurred pursuant to this Division;
- (b) the respondent from whom the costs and expenses are recoverable; and
- (c) the director's address for service.

(2) If the director files a certificate pursuant to subsection (1), the director shall serve a copy of the certificate on the respondent.

(3) The certificate filed pursuant to subsection (1) is conclusive evidence of the amount of the debt due to the Crown in right of Saskatchewan by the respondent.

(4) A certificate filed pursuant to this section has the same effect as if it were a judgment obtained in the court for the recovery of a debt in the amount specified in the certificate, together with any reasonable costs and charges with respect to its filing.

(5) A respondent who has been served with a copy of a certificate pursuant to subsection (2) may, within 30 days after receiving the copy, make written representations to the director requesting the director to reconsider the amount of the costs and expenses.

(6) On receipt of written representations pursuant to subsection (5), the director may:

- (a) withdraw the certificate;
- (b) amend or vary the amount of the costs and expenses and, for that purpose, withdraw the certificate and file a new certificate with the new costs and expenses; or
- (c) confirm the certificate.

(7) The director shall notify the respondent of the director's decision as soon as is reasonably practicable after making the decision.

2025, c 15, s 10.

Appeal to court re certificate

59.33(1) A respondent may appeal against the amount of the costs and expenses set out in the certificate to the court:

- (a) within 30 days after the date of the filing of the certificate; or
- (b) if the respondent has made representations to the director pursuant to section 59.32, within 30 days after the director has notified the respondent of the decision.

(2) On hearing an appeal pursuant to this section, the court may issue an order:

- (a) confirming the amount of costs and expenses set out in the certificate;

- (b) amending or varying the amount of costs and expenses set out in the certificate;
 - (c) quashing the certificate; or
 - (d) doing any other thing that the court considers appropriate.
- (3) In an order issued pursuant to subsection (2), the court may specify the period within which the order must be complied with.

2025, c 15, s 10.

DIVISION 4 **Forfeiture Order**

Application for forfeiture order

59.4 An application for a forfeiture order must:

- (a) be made by way of notice of application;
- (b) contain the legal description of the property for which the order is sought;
- (c) describe the condition of the property for which the order is sought; and
- (d) name the following as respondents:
 - (i) the owner;
 - (ii) any person with a prior registered interest in the property;
 - (iii) any other person the director has reason to believe has an interest in the property.

2025, c 15, s 10.

Registration of interest based on application for forfeiture order

59.41(1) The director shall, after filing an application for a forfeiture order, apply to the Registrar of Titles to register an interest based on the application for a forfeiture order against the affected title or interest in the land titles registry.

(2) An application pursuant to subsection (1) must be accompanied by a copy of the application for a forfeiture order containing the legal description of the property affected by the order.

(3) After an interest based on an application for a forfeiture order is registered, the director:

- (a) may, at any time, apply to the Registrar of Titles to discharge the registration of the interest; and
- (b) shall apply to the Registrar of Titles to discharge the registration of the interest if the application is dismissed or discontinued.

(4) The registration of an interest may be discharged pursuant to subsection (3) with respect to:

- (a) all of the titles or interests described in the application for a forfeiture order; or
- (b) any portion of the titles or interests described in the application for a forfeiture order.

(5) Without limiting the generality of section 63, no action lies or shall be commenced against the director for any loss or damage suffered by any person by reason of:

- (a) the registration of an interest pursuant to this section;
- (b) the amendment of an interest pursuant to this section; or
- (c) the failure of the director:
 - (i) to register an interest pursuant to this section; or
 - (ii) to discharge an interest pursuant to this section.

(6) An application for a forfeiture order filed by the director is valid notwithstanding any failure to comply with this section.

2025, c 15, s 10.

Interim order for restoration

59.42(1) If the court finds that the property that is the subject of the application for a forfeiture order is a nuisance property, the court may make an interim order granting the respondent a period, not exceeding 6 months after the date of that order, to restore the property that is the subject of the application to a state that is not a nuisance property.

(2) The onus rests on the respondent to demonstrate to the court that the respondent has complied with an order mentioned in subsection (1).

(3) If the respondent complies with an order mentioned in subsection (1), the court shall dismiss the application for a forfeiture order.

(4) If the respondent does not comply with an order mentioned in subsection (1), section 59.43 applies.

2025, c 15, s 10.

When court shall make a forfeiture order

59.43(1) Subject to sections 59.42 and 59.5, if the court finds that the property that is the subject of the application for a forfeiture order is a nuisance property, the court shall make an order forfeiting the property to the Crown in right of Saskatchewan unless it clearly is not in the interests of justice to do so.

(2) If a forfeiture order is made pursuant to subsection (1), the property is forfeited to the Crown in right of Saskatchewan as of the date a transfer based on the forfeiture order is registered in the land titles registry.

(3) Notwithstanding any other Act or law, the Crown in right of Saskatchewan does not assume, and is not bound by, any covenants or other obligations under a mortgage, lease or other interest affecting the forfeited property.

2025, c 15, s 10.

Interest protection order

59.5(1) Subject to subsection (3), if the court finds that property is a nuisance property, the court shall make an order to protect interests in the property held by persons entitled to an interest protection order pursuant to section 59.51 or 59.52.

(2) Without limiting the generality of subsection (1), an interest protection order may:

- (a) sever or partition any interest in the property or require any interest in the property to be sold or otherwise disposed of by any person;
 - (b) subject to subsection 59.43(3), provide that the Crown in right of Saskatchewan takes the property subject to the interest of a person;
 - (c) direct that any proceeds of the sale of the property be applied to any debt secured by a prior registered interest in the property; or
 - (d) direct that any other measures be taken that the court considers necessary to reasonably protect any interest in the property.
- (3) The court may refuse to issue an interest protection order if the court considers that it is not in the interests of justice to do so or that it is otherwise not economically feasible.

2025, c 15, s 10.

Protected holders of prior registered interests

59.51(1) The following holders of a prior registered interest in property that is found to be a nuisance property are entitled to an interest protection order:

- (a) a trust corporation, a loan corporation or a financing corporation licensed pursuant to *The Trust and Loan Corporations Act, 1997*;
 - (b) a bank;
 - (c) a credit union, Credit Union Deposit Guarantee Corporation or Credit Union Central of Saskatchewan;
 - (d) an insurance company licensed pursuant to *The Insurance Act*;
 - (e) a retail association to which the *Cooperative Credit Associations Act* (Canada) applies;
 - (f) the Crown in right of Canada, the Crown in right of Saskatchewan or a municipality;
 - (g) the holder of any other prescribed right or interest;
 - (h) any class of prescribed persons whose members are similar to the holders set out in clauses (a) to (e).
- (2) Subject to subsection 59.5(3), if property is found to be a nuisance property, any person who acquired the property or an interest in the property from a person mentioned in subsection (1) is entitled to an interest protection order.

2025, c 15, s 10.

Other persons entitled to interest protection order

59.52 Subject to subsection 59.5(3), if property is found to be a nuisance property, a person who owns or has an interest in the property is entitled to an interest protection order if the person proves that the person:

- (a) acquired the property or an interest in the property before an interest was registered pursuant to section 59.41; and
- (b) did all that the person could reasonably have done in the circumstances to prevent the property from becoming a nuisance property.

2025, c 15, s 10.

DIVISION 5
Appeals**Appeal**

59.53(1) An order of the court made pursuant to this Part may be appealed to the Court of Appeal:

- (a) on a question of law; and
- (b) with leave of a judge of the Court of Appeal.

(2) An application for leave to appeal must be made within 14 days after the day on which the order of the court is made or within any further period that a judge of the Court of Appeal may allow.

2025, c 15, s 10.

Appeal stays operation of rehabilitation order or forfeiture order

59.6 If an application for leave to appeal is made in accordance with this Division, the operation of a rehabilitation order or forfeiture order that is the subject of the appeal is stayed and no further action may be taken with respect to the order except in accordance with an order of the Court of Appeal or a judge of the Court of Appeal.

2025, c 15, s 10.

Limitation on other actions and proceedings

59.61(1) Subject to subsection (2), no action or proceeding shall be commenced or maintained:

- (a) to prevent the making of a rehabilitation order or forfeiture order;
- (b) to prevent a rehabilitation order or forfeiture order from being carried out;
- (c) for judicial review of the director's application for a rehabilitation order or forfeiture order;
- (d) for judicial review of a rehabilitation order or forfeiture order; or
- (e) to obtain relief with respect to a tenancy agreement or lease that is ordered to be terminated.

(2) Subsection (1) does not apply to an appeal pursuant to section 59.53.

2025, c 15, s 10.

DIVISION 6
Investigation**Designation of investigators**

59.62(1) The director may designate persons as investigators for the purposes of this Part, subject to any terms and conditions set out by the director.

(2) The director may authorize investigators to:

- (a) conduct investigations on behalf of the director pursuant to section 59.63; and
- (b) carry out any other powers and duties of the director pursuant to this Part.

- (3) The director shall provide each investigator an identification card for the purposes of this Part.
- (4) An investigator who is acting pursuant to this Part shall produce the investigator's identification card if requested to do so.

2025, c 15, s 10.

Investigation

- 59.63(1)** In this section and sections 59.7, 59.71 and 59.72, “**record**” means a book, paper, document or thing, whether in electronic form or otherwise, that may contain information relevant to the administration or enforcement of this Part.
- (2) An investigator may conduct an investigation with respect to any matter that the investigator considers necessary respecting the administration or enforcement of this Part or the regulations made for the purposes of this Part.
- (3) For the purposes of an investigation pursuant to this section, the investigator may, at any reasonable time:
 - (a) subject to subsection (4), enter and inspect any property that the investigator believes on reasonable grounds is a nuisance property;
 - (b) take measurements and photographs of, and conduct any tests or any type of audio or visual recordings in or on, any property that the investigator considers necessary to determine if the property is a nuisance property; and
 - (c) require any person to produce for inspection and copying any record that the investigator believes on reasonable grounds contains any information relevant to the administration or enforcement of this Part.
- (4) An investigator may enter a dwelling place only:
 - (a) with the owner's consent;
 - (b) pursuant to the authority of a warrant issued pursuant to section 59.71; or
 - (c) pursuant to an order of the court pursuant to this Part.
- (5) The director may contract with or authorize any person to investigate a matter for the purposes of this Part.
- (6) No person shall obstruct or hinder, or make a false or misleading statement to, an investigator who is acting pursuant to this Part.

2025, c 15, s 10.

Copies of records

- 59.7(1)** An investigator may make copies of a record that has been inspected pursuant to section 59.63.
- (2) A copy of a record certified by an investigator to be a copy made pursuant to this section:
 - (a) is admissible in evidence without proof of the office or signature of the person purporting to have signed the certificate; and
 - (b) has the same probative force as the original record.

(3) An investigator shall ensure that, after copies of any records inspected pursuant to section 59.63 are made, the originals are promptly returned to:

- (a) the place they were removed from; or
- (b) any other place that may be agreed to by the investigator and the person who had custody, possession or control of the record.

2025, c 15, s 10.

Warrant authorizing entry

59.71(1) If an investigator, pursuant to section 59.63, requires entry to a property and the owner of the property refuses or neglects to permit investigation, or there are reasonable grounds to believe that entry will not be provided, the investigator may apply without notice to a justice of the peace or judge of the provincial court for a warrant authorizing a person named in the warrant to:

- (a) enter and search any property named in the warrant for the purposes of administering and enforcing this Part; and
- (b) seize and take possession of any record that the investigator believes on reasonable grounds contains information relevant to the administration and enforcement of this Part.

(2) A justice of the peace or judge of the provincial court may issue a warrant authorizing an investigator and any other person named in the warrant to enter and inspect the property and to seize and take possession of any record if the justice of the peace or judge of the provincial court is satisfied by information on oath or affirmation of the investigator that there are reasonable grounds to believe that:

- (a) the property is a nuisance property;
- (b) entry to the property is necessary for a purpose relating to the administration or enforcement of this Part; and
- (c) entry to the property has not been provided or there are reasonable grounds to believe that entry will not be provided.

2025, c 15, s 10.

Director's authority

59.72(1) For the purposes of carrying out a responsibility or exercising a power pursuant to this Part, the director is authorized:

(a) to collect information from a government institution, as defined in *The Freedom of Information and Protection of Privacy Act*, or a local authority, as defined in *The Local Authority Freedom of Information and Protection of Privacy Act*, about a person who owns property with respect to which an application pursuant to this Part may be made, including:

- (i) the person's name and address;
- (ii) the whereabouts of the person; and
- (iii) the person's place of employment;

(b) to collect information from any source about the ownership of the property with respect to which an application pursuant to this Part may be made;

(c) to collect information from any source about the state of the property with respect to which an application pursuant to this Part may be made;

- (d) to make and maintain written, recorded, electronic or videotaped records of any information received pursuant to clause (a), (b) or (c) or of the state of the property with respect to which an application pursuant to this Part may be made; and
 - (e) to disclose information obtained pursuant to clause (a), (b) or (c) and records made pursuant to clause (d) to a person, court, government institution, local authority or law enforcement agency.
- (2) If the director requests information pursuant to clause (1)(a), (b) or (c), the government institution, local authority or other source shall provide the information that is within its knowledge or is in any record in its possession or control, and give the director a copy of the record in which the information is contained, if applicable.
- (3) The director may disclose information obtained pursuant to clause (1) (a), (b) or (c), or records made pursuant to clause (1)(d):
- (a) to a person for the purpose of assisting that person in serving or posting a rehabilitation order or forfeiture order; or
 - (b) to a peace officer or other person to enable that peace officer or other person to carry out any actions under a rehabilitation order or forfeiture order.
- (4) In addition to the disclosures authorized pursuant to clause (1)(e) and subsection (3), the director may disclose information collected pursuant to clause (1) (a), (b) or (c), or records made pursuant to clause (1)(d), to a government institution, local authority or law enforcement agency if the director is of the opinion that the disclosure:
- (a) is in the public interest with respect to public health, public safety or the protection of the environment; or
 - (b) discloses a possible contravention of the *Criminal Code*.

2025, c 15, s 10.

DIVISION 7 General

Effect of transfer of property

59.73(1) A person who transfers a legal or beneficial interest in property to another person, or gives a right of occupancy of property to another person, after being served with an application pursuant to this Part or becoming aware of an application pursuant to this Part with respect to the property shall fully inform the other person about the application before completing the transfer or giving the right of occupancy.

(2) A person who receives an interest in property that is the subject of an application pursuant to this Part is deemed to be a respondent to the application when the transfer of the interest is complete, and any order made by the court is binding on that person.

2025, c 15, s 10.

Service

59.8(1) The director shall, as soon as possible after a rehabilitation order or forfeiture order is made:

- (a) serve a copy of the order on each respondent; and
- (b) post a copy of the order in a conspicuous place on the property with respect to which the order is made.

(2) A rehabilitation order or forfeiture order is valid notwithstanding any failure of the director to comply with subsection (1).

(3) Any notice or document that is required to be served pursuant to this Part must be served:

- (a) by personal service made:
 - (i) in the case of an individual, on that individual;
 - (ii) in the case of a partnership, on any partner; or
 - (iii) in the case of a corporation, on any officer or director of the corporation;
- (b) by registered mail addressed to the person to be served; or
- (c) if service cannot be effected by one of the methods described in clauses (a) and (b), by publishing a copy of the order on a website that is accessible to the public.

(4) A notice or document sent by registered mail is deemed to have been served on the third business day following the date of its mailing unless the person to whom it was mailed establishes that, through no fault of the person, the person did not receive the notice or document or received it at a later date.

2025, c 15, s 10.

Failure of respondent to comply

59.81 A respondent, other than a person listed in subsection 59.51(1), is deemed to waive the respondent's right to property if the respondent fails, without reasonable excuse, to do any of the following:

- (a) to attend or be represented at a hearing or other proceeding respecting an application for a rehabilitation order or forfeiture order;
- (b) to answer any question put to the respondent during questioning or cross-examination;
- (c) to provide, as directed by the court, or pursuant to an undertaking given by the respondent, any information or document, whether in writing or electronic form.

2025, c 15, s 10.

Non-compellability

59.82(1) The director and any person acting for or under the direction of the director are not compellable in a court or in any other proceeding:

- (a) to give evidence about information obtained by or on behalf of the director for the purposes of this Part; or
- (b) to produce any other document or thing obtained by or on behalf of the director for the purposes of this Part.

(2) Subsection (1) does not apply to an application by the director or to an application continued in the director's name.

2025, c 15, s 10.

Assistance from peace officer

59.83 If a person at a property that is subject to a rehabilitation order or forfeiture order does not comply with a request to leave, the director may obtain the assistance of a peace officer to remove the person from the property.

2025, c 15, s 10.

Engagement of persons by director

59.9 The director may engage any tradespersons and workers that the director considers necessary for the purposes of carrying out a rehabilitation order or forfeiture order, or for any other purpose related to this Part.

2025, c 15, s 10.

Offences and penalties

59.91(1) No person shall:

- (a) remove, deface or interfere with a copy of an order posted in accordance with this Part;
- (b) without the director's consent:
 - (i) fail to vacate a property that is subject to a rehabilitation order or forfeiture order; or
 - (ii) enter or re-enter a property that is subject to a rehabilitation order or forfeiture order;
- (c) fail to comply with a rehabilitation order or forfeiture order; or
- (d) obstruct or interfere with the exercise of any powers pursuant to this Part by the director or any other person.

(2) A person who, without reasonable excuse, contravenes subsection (1) is guilty of an offence and liable on summary conviction:

- (a) for a first offence:
 - (i) in the case of an individual, to a fine of not more than \$10,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$25,000; and

- (b) for a second or subsequent offence:
 - (i) in the case of an individual, to a fine of not more than \$25,000, to imprisonment for a term of not more than one year or to both; and
 - (ii) in the case of a corporation, to a fine of not more than \$100,000.
- (3) If a corporation commits an offence pursuant to this Part, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

2025, c 15, s 10.

Part prevails

59.92 Unless another Act expressly states otherwise, if a provision of this Part, the regulations made for the purposes of this Part or an order made pursuant to this Part conflicts with *The Residential Tenancies Act, 2006*, the provision of this Part, the regulations made for the purposes of this Part or the order prevails”.

2025, c 15, s 10.

**PART IV
General**

Assistance of peace officer

60 Any of the following persons may request the assistance of a peace officer in the performance of that person’s duties pursuant to the Act, and if so requested, the peace officer shall provide any assistance required:

- (a) the director;
- (b) persons designated as investigators pursuant to this Act, or who have been contracted with or are authorized by the director pursuant to this Act to investigate a matter;
- (c) an inspector as defined in section 38.

2021, c 27, s 14; 2025, c 15, s 11.

Evidence based on information and belief

60.01 Evidence based on information and belief is admissible with respect to any application pursuant to this Act.

2021, c 27, s 11.

60.1 Repealed. 2021, c 27, s 15.

Presumption re offences

60.2 In an application made pursuant to this Act:

- (a) there is a rebuttable presumption that a person is a member of a criminal organization if he or she has been found guilty or convicted of a criminal organization offence;

- (b) evidence that a person was found guilty, convicted or found not criminally responsible on account of mental disorder with respect to an offence is admissible in evidence as proof that the person committed the offence; and
- (c) evidence that a person was charged with and acquitted of an offence, or that a charge respecting an offence was withdrawn or stayed, is not relevant in making a finding of fact.

2005, c 41, s 5.

Limitation on prosecution

61 No prosecution for a contravention of this Act is to be commenced more than two years from the date the facts on which the alleged contravention is based first come to the knowledge of the director.

2004, cS-0.1, s 61; 2025, c 15, s 12.

Other remedies preserved

62 The right to commence any action or proceeding pursuant to this Act is in addition to, and does not derogate from, the right to commence any other action or proceeding that exists at common law or pursuant to any other Act.

2004, cS-0.1, s 62; 2025, c 15, s 12.

Immunity

63 No action or proceeding lies or shall be commenced against the Crown, the minister, the director, an inspector or any other person if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

2004, cS-0.1, s 63.

Regulations

64 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (c) for the purposes of subclause 4(1)(f)(vii), prescribing other uses as specified uses;
- (c.1) for the purposes of clause 6(1)(f.1), prescribing the form and contents of a demand to vacate;
- (c.2) for the purposes of clause 6(1)(f.3), prescribing the form and contents of a community safety warning;
- (d) for the purposes of subclause 38(1)(b)(v), prescribing other methods or materials of fortification;

- (d.1) for the purposes of Part III.1:
- (i) prescribing persons for the purposes of subclause 59.1(d)(v);
 - (ii) prescribing additional factors for the purposes of section 59.13;
 - (iii) prescribing additional terms of a rehabilitation order for the purposes of subsection 59.23(2); and
 - (iv) prescribing additional rights, interests or classes of persons for the purposes of subsection 59.51(1);
- (e) respecting any other matter or thing the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

2004, cS-0.1, s 64; 2021, c 27, s 16; 2025, c 15,
s 13.

PART V Consequential Amendment and Coming into Force

65 **Dispensed.** This section makes consequential amendments to another Act. The amendments have been incorporated into the corresponding Act.

Coming into force

66 This Act comes into force on proclamation.

2004, cS-0.1, s 66.