



Heat Sub-metering

This publication is intended to provide general information only and is not a substitute for legal advice.

November 2009

HIGHLIGHTS

- 1 ABOUT THE REGULATION
- 2 OFFENCES & PENALTIES
- 2 WHERE CAN I GET A COPY OF THE REGULATION?
- 2 FOR MORE INFORMATION

This tipsheet provides information about heat sub-meters. These sub-meters have been installed in some rental properties as a tool to measure the heat used by tenants. Landlords have used readings from the heat sub-meters to charge their tenants for heat.

The Government of Alberta introduced new rules for residential heat sub-meters on November 18, 2009 as part of the *Fair Trading Act*. These rules apply to businesses, including landlords, who supply residential heat sub-meters. The rules require landlords to only use certified heat sub-meters and to disclose meter readings and billing details to their tenants. The rules are detailed in the *Energy Marketing and Residential Heat Sub-metering Regulation*.

This regulation protects tenants who pay for heat as a separate charge from their rent. Tenants whose heat is included in their rent payment will not be affected by the regulation.

A heat sub-meter is a device that measures the units of energy to a rental unit for the purpose of heating. It does not include a master meter for the whole building.

The new regulation applies despite any contract, whether made before or after the coming into force of this regulation.

ABOUT THE REGULATION

The *Energy Marketing and Residential Heat Sub-metering Regulation* applies to everyone including landlords that provide heat services to rental units occupied by a tenant. The regulation applies only to residential units not to businesses.

For buildings currently using heat sub-meters, heat used before the regulation came into force can still be billed by the supplier. Heat used after the regulation became law cannot be billed using a heat sub-meter.

OFFENCES & PENALTIES

The *Energy Marketing and Residential Heat Sub-metering Regulation* does not allow anyone to charge a tenant for heat based on readings taken from a heat sub-meter unless the heat sub-meter is approved for use under the Canada's *Weights and Measures Act*. It is an offence to charge a tenant for heat using readings from an uncertified heat sub-meter.

If anyone uses a sub-meter that is approved under Canada's *Weights and Measures Act* there are rules that must be followed. They must disclose in writing to the tenant:

- sub-meter readings
- amount being charged from the sub-meter reading
- amount being charged for administrative or other fees
- the method used to calculate an amount from the reading, and calculate administrative or other fees.

Under the *Fair Trading Act* the penalty for an offence is a maximum fine of \$100,000, up to two years in prison, or both.

WHERE CAN I GET A COPY OF THE REGULATION?

The *Energy Marketing and Residential Heat Sub-metering Regulation* and the *Fair Trading Act* are posted on Service Alberta's website: www.servicealberta.ca.

A print copy of the legislation can be ordered by calling the Queen's Printer Bookstore at 780-427-4952 or toll-free at 310-0000 and following the instructions. The bookstore also accepts online orders at www.qp.gov.ab.ca.

FOR MORE INFORMATION

For more information about heat sub-meters contact:

Consumer Contact Centre

Edmonton: 780-427-4088

Toll free in Alberta: 1-877-427-4088

www.servicealberta.ca

The tipsheet *Sub-meters for Rental Units - Electricity and Natural Gas* has additional information about sub-metering.

A current version of this and other consumer tipsheets are available at the Service Alberta website www.servicealberta.ca. Most public libraries have Internet access if you don't have access at home.

If you need more copies of this tipsheet, you have permission to photocopy.