

Client Advisory

The Prohibition on the Purchase of Residential Property by Non-Canadians Act

The purpose of this advisory is to alert you to pending Canadian legislation, called the Prohibition on the Purchase of Residential Property by Non-Canadians Act, which goes into effect on January 1, 2023. This new legislation will prohibit non-Canadians, individuals and corporations from purchasing any residential property in Canada for two (2) years.

Under this Act, “Non-Canadian” is defined as:

- individuals who are not Citizens or Permanent Residents of Canada
- corporations that are not incorporated under Canadian provincial or federal laws
- corporations that are incorporated under Canadian provincial or federal laws but are controlled by foreign individual(s) and/or foreign corporation, and whose shares are not listed on a Canadian stock exchange.

This new legislation could mean that a relocating employee arriving in Canada may be prohibited from purchasing a home in Canada unless they are a Canadian national or have obtained permanent residency status versus only having a work permit.

While Weichert Workforce Mobility Canada ULC is a longtime registered corporation in Canada, we may not be considered a Canada-resident entity within the definition of this new law. As a result, we have actively sought direction from experienced Canadian real estate counsel to ensure that we are able to continue managing your Canadian homesale transactions.

We are also working with the Canadian Employee Relocation Council (CERC) in seeking exemptions to (or seeking deferred application of) the new law for Relocation Management Companies and employees who are being asked to relocate on behalf of their employers.

We will be able to maintain business as usual as of January 1, 2023, but will continue to monitor the Federal Government’s progression of this legislation.



In the interim, we recommend that you consult with your corporate legal and tax advisors on your corporate structure to confirm that you are able to direct Weichert Workforce Mobility Canada ULC to continue to act as your agent in the purchase of Canada residential real estate related to your relocating population.