



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 595

An Act to create the Rent Register

Introduction

**Introduced by
Mr. Andrés Fontecilla
Member for Laurier-Dorion**

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EXPLANATORY NOTES

This bill creates the Rent Register, which allows a lessee to know the rent paid in the last five years for a dwelling.

The Civil Code is amended so that a lessor is required to register any lease to which the lessor is a party in the Rent Register and to disclose the rent stipulated in the lease. The lessor must send the Rent Registrar a notice of update of the rent when any modification is made to the rent.

Lastly, the bill provides that the Rent Register is kept by the Rent Registrar, who is a member of the personnel of the Administrative Housing Tribunal.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec;
- Act respecting the Régie du logement (chapter R-8.1).

Bill 595

AN ACT TO CREATE THE RENT REGISTER

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 1896 of the Civil Code of Québec is amended by replacing “12 months” by “five years”.

2. The Code is amended by inserting the following article after article 1903:

“1903.1. Within 30 days after the beginning of the lease, the lessor is bound to enter it in the Rent Register.

The lease is entered in the Register by sending a notice accompanied by a copy of the lease to the Rent Registrar. The notice identifies the lessor and includes, in particular, the description of the leased premises, the date on which the lease begins and the rent. If an application to have the rent fixed has been filed, the application must also be mentioned in the notice.

If the leased premises are alienated, the new lessor must, within 10 days of the alienation, send a notice of change of lessor to the Rent Registrar.”

3. The Code is amended by inserting the following article after article 1945:

“1945.1. Within 30 days after the coming into force of a modification in the rent, the lessor must send a notice of update of the rent to the Rent Registrar. The notice states the new rent, the date on which it comes into force and whether an application to have the rent fixed has been filed under article 1947 or 1950.

The lessor may indicate the reasons for modifying a rent that has not been fixed by the court.”

ACT RESPECTING THE RÉGIE DU LOGEMENT

4. Section 5 of the Act respecting the Régie du logement (chapter R-8.1), amended by section 106 of chapter 28 of the statutes of 2019, is again amended by adding the following subparagraph at the end of the second paragraph:

“(5) making the Rent Register available on its website.”

5. The Act is amended by inserting the following chapter after section 107:

“CHAPTER V.1

“RENT REGISTRAR

“107.1. The chairman of the Tribunal designates, from among the members of the personnel of the Tribunal, a rent registrar responsible for keeping the Rent Register.

The Rent Register is public and may be consulted free of charge.

For all leased premises for which a lease is entered, the following information must appear:

- (1) the description of the leased premises;
- (2) the lessor’s name;
- (3) the rent agreed upon or fixed by the court;
- (4) the rents paid in the last five years and the periods during which they were in force; and
- (5) the reasons entered by the lessor on a notice to justify a modification of the rent, if applicable.

The Register must identify the rents that were fixed by the court.

“107.2. The Registrar verifies whether the notices sent contain all the required information and whether they are presented in the prescribed form and manner.

The Registrar refuses any notice not containing the required information or not presented in the prescribed form and manner. The Registrar informs the lessor of the reasons for the refusal of the notice and, if practicable in the circumstances, may allow the lessor to make the required corrections.

“107.3. The Registrar may remove from the Register any information that has been entered for more than five years.”

6. Section 108 of the Act is amended by inserting the following subparagraph after subparagraph 6 of the first paragraph:

“(7) establishing standards concerning the presentation of notices, the keeping of the Rent Register, procedures for consulting notices, the schedule for preserving notices, as well as any other rules needed to set up and run the Register, including the applicable tariffs.”

7. Section 113 of the Act is amended

- (1) by inserting “1903.1,” after “1899,”;
- (2) by inserting “, 1945.1” after “1935”.

8. Section 114 of the Act is amended by replacing “in a form” by “in a form, notice”.

TRANSITIONAL AND FINAL PROVISIONS

9. Within six months after the coming into force of this Act, a lessor must enter in the Rent Register any lease of a dwelling in force to which the lessor is a party.

The lease is entered in the Register by presenting a notice containing the following information:

- (1) the description of the leased premises;
- (2) the rent agreed upon between the parties and the date on which it comes into force; and
- (3) the rents paid in the five years preceding the beginning of the lease or, if the leased premises were alienated during that period, the rents paid since the acquisition of the leased premises by the lessor.

10. This Act comes into force on (*insert the date of assent to this Act*).

