



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-SECOND LEGISLATURE

Bill 892

**An Act to broaden a lessee's right to
have the rent fixed and to have other
conditions of the lease modified by
the Administrative Housing Tribunal**

Introduction

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

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EXPLANATORY NOTES

This bill abolishes the exception stating that neither the lessor nor the lessee of a dwelling situated in a recently erected immovable or an immovable used for rental as a result of a recent change of destination may apply to the Administrative Housing Tribunal to have the rent fixed or any other condition of the lease modified within five years after the date on which the immovable is ready for its intended use. However, the bill maintains that exception for a dwelling leased by a housing cooperative.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec.

REGULATION AMENDED BY THIS BILL:

- Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter T-15.01, r. 3).

Bill 892

AN ACT TO BROADEN A LESSEE'S RIGHT TO HAVE THE RENT FIXED AND TO HAVE OTHER CONDITIONS OF THE LEASE MODIFIED BY THE ADMINISTRATIVE HOUSING TRIBUNAL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 1955 of the Civil Code of Québec is amended by inserting “leased by a housing cooperative to a non-member and” after “of a dwelling” in the second paragraph.

REGULATION RESPECTING MANDATORY LEASE FORMS AND THE PARTICULARS OF A NOTICE TO A NEW LESSEE

2. The form appearing in Schedule 1 to the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter T-15.01, r. 3) is amended

(1) by striking out Section F;

(2) by striking out “, **except when one of the two boxes in Section F is checked off.**” in Section G;

(3) by striking out the fourth paragraph of particular No. 44.

3. The form appearing in Schedule 3 to the Regulation is amended

(1) by striking out Section F;

(2) by striking out the fourth paragraph of particular No. 41;

(3) by striking out the following sentence in the model of reply: “**If the lease mentions that the land was developed for residential purposes or underwent a change of destination five years ago or less, and if the lessee refuses one or more modifications, the lessee must move upon termination of the lease (see Section F of your lease)** (arts. 1945 and 1955 C.C.Q.).”

4. The form appearing in Schedule 5 to the Regulation is amended

(1) by striking out Section F;

(2) by striking out “, **except when one of the two boxes in Section F is checked off.**” in Section G;

(3) by striking out the fourth paragraph of particular No. 41;

(4) by inserting “, if the lessee is a non-member,” after “a member, or” in the model of reply.

FINAL PROVISION

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