



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 494

**An Act to amend the Civil Code to
render without effect the clauses of a
lease of a dwelling tending to prohibit
companion animals**

Introduction

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

**Québec Official Publisher
2023**

EXPLANATORY NOTES

This bill amends the Civil Code to render without effect the clauses of a lease of a dwelling tending to prohibit companion animals.

The bill provides that the Government must, within 30 days of its coming into force, remove from mandatory lease forms any mention prohibiting animals that has lapsed by the operation of this bill.

The bill also contains a transitional provision under which it applies to leases in effect.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec.

Bill 494

AN ACT TO AMEND THE CIVIL CODE TO RENDER WITHOUT EFFECT THE CLAUSES OF A LEASE OF A DWELLING TENDING TO PROHIBIT COMPANION ANIMALS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 1900 of the Civil Code of Québec is replaced by the following article:

“**1900.** Clauses are without effect if they tend to

(1) limit the liability of the lessor or exempt the lessor from liability or render the lessee liable for injury caused without the lessee’s fault;

(2) modify the rights of the lessee by reason of an increase in the number of occupants, unless the size of the dwelling warrants it, or limit the right of the lessee to purchase property or obtain services from such persons as the lessee chooses, and on such terms and conditions as the lessee sees fit; or

(3) prohibit the presence of a companion animal.”

INTERPRETATIVE PROVISION

2. “Companion animal”, for the purposes of article 1900 of the Civil Code, has the same meaning as in the definition in section 1 of the Animal Welfare and Safety Act (chapter B-3.1).

REGULATORY PROVISION

3. The Government must, by regulation, not later than (*insert the date that is 30 days after the date of assent to this Act*), remove any mention that has lapsed by the operation of this Act from the forms referred to in schedules 2 to 5 of the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter R-15.01, r. 3).

TRANSITIONAL AND FINAL PROVISIONS

- 4.** This Act applies to leases in effect on the date of its coming into force.
- 5.** This Act comes into force on (*insert the date of assent to this Act*).