



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 208

(Private)

**An Act respecting certain alienations
involving the maison Robert-Jellard**

Introduction

**Introduced by
Mr. François St-Louis
Member for Joliette**

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(Private)

AN ACT RESPECTING CERTAIN ALIENATIONS INVOLVING THE MAISON ROBERT-JELLARD

AS the immovable located at 24, rue Sainte-Ursule, in the city of Québec, was classified on 12 December 1963 under the Historic Monuments Act (Revised Statutes, 1964, chapter 62);

AS the house is now designated as “maison Robert-Jellard”;

AS, on 8 July 1972, the Historic Monuments Act was replaced by the Cultural Property Act (chapter B-4);

AS the first paragraph of section 20 of the Cultural Property Act states that no person shall alienate recognized cultural property without giving the Minister at least 60 days’ previous written notice and, in the case of an immovable, without having given copy of such notice to the clerk or the secretary-treasurer of the local municipality in whose territory the cultural property is situated;

AS section 23 of the Cultural Property Act states that notice in writing of the alienation of recognized cultural property must be given to the Minister within 30 days of its occurrence;

AS section 34 of the Cultural Property Act states, in particular, that sections 20 and 23 of that Act apply, adapted as required, to classified cultural property;

AS section 56 of the Cultural Property Act states that every alienation of cultural property made contrary to that Act is absolutely null and that the right of action to have such nullity recognized is not subject to prescription;

AS, on 19 October 2012, the Cultural Property Act was replaced by the Cultural Heritage Act (chapter P-9.002);

AS section 242 of the Cultural Heritage Act states that cultural property classified before 19 October 2012 becomes classified heritage property under that Act;

AS section 54 of the Cultural Heritage Act states, in particular, that no person may, without giving the Minister at least 60 days’ prior written notice, sell a classified heritage immovable;

AS section 194 of the Cultural Heritage Act provides that the alienation of classified heritage property in contravention of that Act is absolutely null and that the right of action to have such nullity recognized is not subject to prescription;

AS, on 29 January 2002, a declaration of co-ownership was filed in the land register of the registration division of Québec, under number 1 780 237, to subject to a divided co-ownership system the maison Robert-Jellard and the neighbouring building as well as their respective land, located at 24 and 26, rue Sainte-Ursule, in the city of Québec, and such immovables are now designated as lots 2 500 959 to 2 500 968, inclusively, of the cadastre of Québec, in that registration division;

AS the common portions of the divided co-ownership are designated as lot 2 500 959 of the cadastre of Québec, registration division of Québec, are part of the maison Robert-Jellard, a classified heritage immovable;

AS the five divided co-ownership fractions composed of the private portions of the immovable located at 26, rue Sainte-Ursule, in the city of Québec, that are designated as lots 2 500 964, 2 500 965, 2 500 966, 2 500 967, 2 500 968 of the cadastre of Québec, registration division of Québec, as well as the shares of the common portions that are appurtenant to them and confer undivided rights of ownership in the common portions, were the subject of several alienations;

AS, on 8 February 2002, Richard Labbé sold to Jean-Paul Talbot fraction 1 of the divided co-ownership, the private portion of which is designated as lot 2 500 964 of the cadastre of Québec, registration division of Québec, by a deed of sale published in the land register of the Land Registry Office of that registration division on 11 February 2002 under number 1 781 051;

AS, on 19 December 2012, Jean-Paul Talbot sold that fraction 1 to François Vigneault, conseillers en administration inc. and Corporation immobilière F.P.H. by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 20 December 2012 under number 19 654 486;

AS, on 3 July 2017, François Vigneault, conseillers en administration inc. and Corporation immobilière F.P.H. sold that fraction 1 to Carl-David Yannick Redburn by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 3 July 2017 under number 23 209 754;

AS, on 14 December 2018, Carl-David Yannick Redburn sold that fraction 1 to 9264-8526 Québec inc. by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 17 December 2018 under number 24 332 212;

AS, on 25 October 2022, 9264-8526 Québec inc. sold that fraction 1 to Michel Sirois by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 26 October 2022 under number 27 650 748;

AS, on 8 February 2002, Richard Labbé sold to Jean-Paul Talbot fraction 2 of the divided co-ownership, the private portion of which is designated as lot 2 500 967 of the cadastre of Québec, registration division of Québec, by a deed of sale published in the land register of the Land Registry Office of that registration division on 11 February 2002 under number 1 781 051;

AS, on 19 December 2012, Jean-Paul Talbot sold that fraction 2 to Jean-Robert Turcotte by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 20 December 2012 under number 19 655 632;

AS, on 7 August 2019, Jean-Robert Turcotte sold that fraction 2 to Martin Plante and Geneviève Ménard by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 8 August 2019 under number 24 815 157;

AS, on 8 February 2002, Richard Labbé sold to Jean-Paul Talbot fraction 3 of the divided co-ownership, the private portion of which is designated as lot 2 500 968 of the cadastre of Québec, registration division of Québec, by a deed of sale published in the land register of the Land Registry Office of that registration division on 11 February 2002 under number 1 781 051;

AS, on 3 July 2002, Jean-Paul Talbot sold that fraction 3 to Louise Couture by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 4 July 2002 under number 1 800 383;

AS, on 30 August 2004, Louise Couture sold that fraction 3 to Martin Delord and Dominique Malgat by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 31 August 2004 under number 11 657 344;

AS, on 12 May 2011, Martin Delord and Dominique Malgat sold that fraction 3 to André Bossé and Gisèle Boucher by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 12 May 2011 under number 18 116 099;

AS, on 7 January 2017, André Bossé and Gisèle Boucher sold that fraction 3 to Mariana Carolina Gomez by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 11 January 2017 under number 22 839 688;

AS, on 11 January 2022, Mariana Carolina Gomez sold that fraction 3 to Sébastien Mathieu by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 12 January 2022 under number 26 939 902;

AS, on 28 February 2002, Richard Labbé sold to Ginette Talbot and Pascal Gagné fraction 4 of the divided co-ownership, the private portion of which is designated as lot 2 500 965 of the cadastre of Québec, registration division of Québec, by a deed of sale published in the land register of the Land Registry Office of that registration division on 1 March 2002 under number 1 782 478;

AS, on 8 March 2012, Pascal Gagné sold his share of that fraction 4 to Ginette Talbot by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 9 March 2012 under number 18 886 696;

AS, on 25 June 2015, Ginette Talbot sold that fraction 4 to Michel Sirois by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 25 June 2015 under number 21 650 310;

AS, on 28 February 2002, Richard Labbé sold to Ginette Talbot and Pascal Gagné fraction 5 of the divided co-ownership, the private portion of which is designated as lot 2 500 966 of the cadastre of Québec, registration division of Québec, by a deed of sale published in the land register of the Land Registry Office of that registration division on 1 March 2002 under number 1 782 478;

AS, on 11 July 2011, Ginette Talbot and Pascal Gagné sold that fraction 5 to Anthony Roy and Mylen Drolet by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 13 July 2011 under number 18 309 848;

AS, on 1 May 2014, Anthony Roy and Mylen Drolet sold that fraction 5 to Sébastien Grégory Bernard and Susa Liina Makinen by a deed of sale published in the land register of the Land Registry Office of the registration division of Québec on 1 May 2014 under number 20 710 354;

AS, at the time of the alienations concerning fractions 1, 2, 3, 4 and 5 made before 19 October 2012, the notices and copies of such notices were not given in accordance with sections 20 and 23 of the Cultural Property Act;

AS, at the time of the alienations concerning fractions 1, 2, 3, 4 and 5 made after 19 October 2012, the notices were not given in accordance with section 54 of the Cultural Heritage Act;

AS it is important to the past and current owners of fractions 1, 2, 3, 4 and 5 of the divided co-ownership that the absolute nullity of alienations resulting from failure to give the notices in accordance with the Cultural Property Act and the Cultural Heritage Act be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite sections 56 of the Cultural Property Act (chapter B-4) and 194 of the Cultural Heritage Act (chapter P-9.002), the alienations of the classified heritage property designated as “maison Robert-Jellard” that were made by deeds of sale published in the land register of the Land Registry Office of the registration division of Québec under numbers 1 781 051, 1 782 478, 1 800 383, 11 657 344, 18 116 099, 18 309 848, 18 886 696, 19 654 486, 19 655 632, 20 710 354, 21 650 310, 22 839 688, 23 209 754, 24 332 212, 24 815 157, 26 939 902 and 27 650 748 are not absolutely null on the ground that the notices required under sections 20 and 23 of the Cultural Property Act and 54 of the Cultural Heritage Act were not given. The right of action to have the nullity of those alienations recognized is, for that reason, prescribed.
- 2.** This Act must be published in the land register of the Land Registry Office of the registration division of Québec and the appropriate entries registered against lots 2 500 959, 2 500 964, 2 500 965, 2 500 966, 2 500 967 and 2 500 968 of the cadastre of Québec, in that registration division.
- 3.** This Act comes into force on (*insert the date of assent to this Act*).

