

Gouvernement du Québec

## O.C. 1733-2024, 4 December 2024

Act respecting the Administrative Housing Tribunal  
(chapter T-15.01)

Civil Code of Québec  
(Civil Code)

Act to limit lessors' right of eviction and to enhance the  
protection of senior lessees  
(2024, chapter 23)

### Mandatory content of a notice of modification of the lease of a dwelling

Regulation respecting the mandatory content of a notice  
of modification of the lease of a dwelling

WHEREAS, under subparagraph 6 of the first paragraph  
of section 108 of the Act respecting the Administrative  
Housing Tribunal (chapter T-15.01), the Government may  
make regulations prescribing, subject to section 85 of the  
Act, what must be prescribed by regulation under the  
Act and articles 1892 to 2000 of the Civil Code;

WHEREAS, under the first paragraph of section 1943  
of the Civil Code, as amended by section 4 of the Act to  
limit lessors' right of eviction and to enhance the protec-  
tion of senior lessees (2024, chapter 23), every notice of  
modification must inform the lessee of the lessee's rights  
and remedies set out in articles 1945 and 1947 of that code  
and must contain any particular prescribed by regulation;

WHEREAS, in accordance with sections 10 and 11 of  
the Regulations Act (chapter R-18.1), a draft Regulation  
respecting the mandatory content of a notice of modifica-  
tion of the lease of a dwelling was published in Part 2 of  
the *Gazette officielle du Québec* of 11 September 2024  
with a notice that it could be made by the Government on  
the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with  
amendments;

IT IS ORDERED, therefore, on the recommendation  
of the Minister Responsible for Housing:

THAT the Regulation respecting the mandatory con-  
tent of a notice of modification of the lease of a dwelling,  
attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### Regulation respecting the mandatory content of a notice of modification of the lease of a dwelling

Act respecting the Administrative Housing Tribunal  
(chapter T-15.01, s. 108, 1st par., subpar. 6).

Civil Code of Québec  
(Civil Code, art. 1943, 1st par.).

Act to limit lessors' right of eviction and to enhance the  
protection of senior lessees  
(2024, chapter 23, s. 4).

**1.** A notice of modification of the conditions of the  
lease of a dwelling must, in addition to the particulars  
prescribed by article 1943 of the Civil Code, amended  
by section 4 of the Act to limit lessors' right of eviction  
and to enhance the protection of senior lessees (2024,  
chapter 23), reproduce the text contained in the schedule I  
to this Regulation.

**2.** This Regulation comes into force on the fifteenth  
day following the date of its publication in the *Gazette  
officielle du Québec*.

#### SCHEDULE I (Section 1)

**1.** A lessee who receives this notice has three options:

(1) I accept the renewal of the lease with its  
modifications;

(2) I object to the proposed modifications and I renew  
my lease;

(3) I do not renew my lease and I will vacate upon  
termination of the lease.

A lessee who objects to the modifications or intends to  
vacate upon termination of the lease must notify the lessor  
within one month after receiving the notice of modifica-  
tion of the lease. If the lessee fails to do so, the lessee is  
deemed to have accepted the renewal of the lease on the  
conditions proposed by the lessor.

**2.** Objection to the proposed modifications requires  
the lessee to vacate the dwelling upon termination of the  
lease in the following cases (arts. 1945 and 1955 C.C.Q):

(1) the section of the lease related to the restrictions  
of the right to fix the rent and the modification of the  
lease indicates that the dwelling is situated in a housing  
cooperative of which the lessee is a member;

(2) the section of the lease related to the restrictions of the right to fix the rent and the modification of the lease indicates that the dwelling is situated in an immovable constructed or whose destination has changed in the past 5 years or less.

In the latter case, if the lease is entered into after 20 February 2024 and the immovable is ready for its intended use after that date, the lessor must also, to set up the restriction of the right to fix the rent against the lessee, indicate in the lease the maximum rent the lessor may impose in the 5 years following the date on which the immovable is ready for habitation.

**3.** If the lessee objects to the proposed modifications, such as a rent increase, the lessor may apply to the Administrative Housing Tribunal, within one month after receiving the notice of objection, to have the rent fixed or for a ruling on any other modification of the lease.

The lessee and the lessor must then comply with the decision of the Tribunal. If the lessor does not apply to the Tribunal within the month following the objection, the lease is renewed at the same rent and on the same other conditions.

The costs related to the lessor's application are borne by the lessor. The Tribunal has the discretion to order the lessee to reimburse the costs, in particular if the Tribunal grants a rent increase at least equal to that requested by the lessor in the notice of modification of the lease and the lessor had, before filing the proceeding, allowed the lessee to have access to the relevant data in order to make an informed decision on the increase.

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