

Necessary information regarding the fixing of rent

For office use only

Bureau

Année

N° de dossier - RN

Codes de juge administratif

1^{re} instance 001

Révision 002

Within 90 days after this form is sent, the lessor must notify a copy of the duly completed form to the lessee and file proof of such notification in the record of the Tribunal. Where the applicant is the lessor and fails to file such proof of notification in the record of the Tribunal, the application expires and the Tribunal closes the record.

Identification

1 Name of lessor

Last name		First name		
No.	Street	Apt.	Municipality	Postal code
Last name		First name		
No.	Street	Apt.	Municipality	Postal code

2 Address of the building for which rent calculation is requested.

No.	Street	Apt.	Municipality	Postal code
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Revenue

Rents for a building

Enter the total amount of rents that apply in December 2020 for each category. Estimate the rents of vacant units or of units occupied by the lessor according to the rents charged for comparable leased units.

3

Dwellings

	Number	Monthly rents
Rented	106	\$.
Vacant	107	\$.
Occupied by the lessor*	108	\$.
Total	130	\$.

4

Non-residential premises

	Number	Monthly rents
	500	\$.
	501	\$.
	502	\$.
	503	\$.

* Including a unit occupied by the lessor's family, an employee or used for the operation of the building.

5 Other revenue from the operation of the building

Enter the total 2020 gross revenue provided by the operation of the building other than rent.

150	\$.
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Lessor's expenditures

6 Taxes

	Year 2021	Year 2020
Municipal property taxes	180 \$.	185 \$.
	Year 2020-2021	Year 2019-2020
School taxes	181 \$.	186 \$.

7 Insurance

Enter the cost for liability and fire insurance.

	Amount of bill pertaining to insurance policy in force on December 31, 2020	Amount of bill pertaining to insurance policy in force on December 31, 2019
190	\$.	195 \$.

Lessors expenditures (continuation)

8 Energy

Enter fuel and electricity costs for the year 2020.

		Year 2020	
Electricity	234	\$.
Gas	232	\$.
Heating oil and other source	230	\$.

9 Maintenance costs

Enter maintenance costs for the year 2020.

Year 2020	
311	\$.

In the case of mobile home park, enter snow removal costs.

Year 2020		Year 2019	
300	\$.	301	\$.

10 Service costs

Enter service costs for the year 2020.

Year 2020	
312	\$.

11 Management costs

If management costs (refer to the Explanatory sheet) are higher than 5% of the annual revenue of the building, enter the total of these costs for the year 2020.

Year 2020	
313	\$.

12 Major repairs or improvements and installation of new services

Enter capital expenditures pertaining to major repairs, major improvements or installation of new services which were made between January 1 and December 31, 2020. Enter also operating expenses related to the installation of a new service, estimated for a full year.

Nature of the expenditure (Enter one expenditure per line)	Date of execution or installation		Number of dwellings affected	Capitals expenditures		Operating expenses resulting from the installation of the new service	
	Year	Month					
1.	450		460	470	\$.	480	\$.
2.	451		461	471	\$.	481	\$.
3.	452		462	472	\$.	482	\$.
4.	453		463	473	\$.	483	\$.
5.	454		464	474	\$.	484	\$.
6.	455		465	475	\$.	485	\$.
7.	456		466	476	\$.	486	\$.
8.	457		467	477	\$.	487	\$.
9.	458		468	478	\$.	488	\$.
10.					\$.		\$.
11.					\$.		\$.
12.					\$.		\$.

13 Subsidy or indemnity pertaining to major repairs or improvements

(refer to the Explanatory sheet)

Amount of subsidy \$.

If an amount has been paid or is owing to you by a third party pertaining to an expense entered in **12**, enter the amount. \$.

IMPORTANT! At the hearing, you must provide, as evidence, all relevant documents, for example, municipal property tax and school tax accounts, insurance-related invoices, invoices for energy costs, maintenance costs and snow removal costs (mobile home park), service costs, management fees (as required) and costs related to major repairs or improvements. Pay close attention to the dates. **If any document is lacking, there may be additional delays in processing the application or the application may be dismissed.**

Date

Signature

Rough Copy

To keep for your file

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(refer to the Explanatory sheet)

Amount of subsidy \$.

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IMPORTANT! At the hearing, you must provide, as evidence, all relevant documents, for example, municipal property tax and school tax accounts, insurance-related invoices, invoices for energy costs, maintenance costs and snow removal costs (mobile home park), service costs, management fees (as required) and costs related to major repairs or improvements. Pay close attention to the dates. **If any document is lacking, there may be additional delays in processing the application or the application may be dismissed.**

Date

Signature

Necessary information regarding the fixing of the rent

Form in use for the calculation of the rent for which the amount is to be determined for the period starting between April 2, 2021 and April 1, 2022.

EXPLANATORY SHEET

You must complete only 1 copy of the form per building, even if there are a number of rents to be fixed.

For each application to fix rent, you must NOTIFY the necessary information form to each lessee appearing on the lease of the dwelling concerned by the application.

The original of this form, duly completed, as well as its proof(s) of notification for each lessee concerned, must be filed with the Tribunal administratif du logement within 90 days following the date on which the form is submitted. With each proof of notification filed with the Tribunal, both the lessee and the case record concerned must be clearly identifiable.

If your form addresses a number of applications, it is important that you clearly indicate on the form the record numbers of all the applications concerned.

Where the applicant is the lessor and fails to file such proof of notification in the record of the Tribunal within that 90-day period, the application expires and the Tribunal closes the record.

If these requirements are met, the Tribunal administratif du logement will summon you to a hearing during which you must be able to provide the accounts and the invoices in support of the amounts that you have entered. However, if you are convened within that time period, you must bring proof of notification to the hearing, if it has not already been filed in the record.

Should there be expenses that apply to non-residential premises, or to certain dwellings only, you will need to be able to provide details in that regard.

If you are a new owner and are unable to obtain the necessary documents, you may ask an administrative judge or a special clerk of the Tribunal to issue a subpoena directing the former owner to appear at the hearing with the documents needed to support your application. The subpoena must be served by a bailiff, at your expense, at least 3 days before the hearing. You can also choose to have your lawyer issue the subpoena.

The term “building” usually means the structure in which is located the dwelling for which the rent is to be fixed. Depending on the case, it could also be a group of adjacent co-managed buildings, a rooming house, a mobile home park or a dwelling held in divided co-ownership.

The numbered explanatory paragraphs in this guide refer to identically numbered sections of the enclosed form.

1 The **lessor** is the person who rents the dwelling to the lessee and whose name generally appears on the lease in that capacity.

2 Enter the **address of the building**. If the building has more than one street address, enter all the addresses.

3 Enter, for each category of dwelling, the total monthly rents that apply for the month of December 2020. Estimate the rents of vacant dwellings and of dwellings occupied by the lessor according to the rents charged for comparable leased dwellings. The rent includes any supplementary charges paid for by the lessees, for instance the charges paid for parking.

If the lease is meant for land intended for the installation of a mobile home, the word **dwelling** has to be replaced by **land**.

4 The **non-residential premises** are those used for commercial, professional, industrial or arts and crafts purposes. If there are such premises in the building, enter the December 2020 rents and estimate a normal rent for the non-rented premises. At the hearing, you must be ready to indicate the proportion of energy costs, maintenance costs and service costs that apply to the non-residential premises.

5 Enter the annual amount of revenue **other than the revenue collected** regularly from the lessees of the building, for instance, revenue from a laundromat or parking spaces (from people other than lessees of the building). Do not include the revenue of operation of non-residential premises for which the rents are declared in section 4.

6 Enter the amount of all **municipal taxes** (including service taxes) and **school taxes** billed for the building.

7 Enter the cost, for a maximum period of 12 months, of the policy for **fire and liability insurance** in force on December 31, 2020 and the cost for the policy in force on December 31, 2019.

8 **Energy costs** are those that are paid by you, for the usage of the dwellings, non-residential premises and common areas of the building, notably for the heating, electricity consumption or hot water.

If energy costs apply to some but not all the dwellings, you must be ready to indicate, at the hearing, which dwellings are affected.

9 **Maintenance costs** are those that are paid by you for minor repairs and upkeep of the building, the dwellings, the groundskeeping and of the installations that benefit the lessees. Consider the products necessary for maintenance, materials used for minor repairs, expenditures related to snow removal (in the case of a mobile home park, enter the costs in the appropriate boxes), minor carpentry and painting work, the maintenance of the grounds, the plumbing, the heating system, electrical wiring, elevators, washers and dryers, stoves and refrigerators, pool and machinery. Consider also the wages of employees who carry out the work and maintain the building (e.g., janitor) as well as fees due in virtue of a service contract (e.g., electrician, plumber).

Enter expenditures for the building as a whole, even if non-residential premises are located in it.

10 The **service costs** are those that are paid by you, and provide the lessees with services included in the lease such as security, food, personal care, etc. These expenditures include the cost of employees providing the services (e.g., security guard, cook, nurse, care giver, doorman) whether the employees work for the lessor or are engaged by way of a service contract. Service costs include the cost of inherently related products (e.g., food, nursing products).

Do not include operating costs for a **new service** put in place during the reference period. These costs must be entered in column "Operating expenses resulting from the installation of the new service" of section 12.

11 **Management costs** will be established, when the rent is calculated, at 5% of the annual revenue of the building, so that the lessor does not have to keep track of minor expenses and assess the value of the time he spends in the administration of the building. You have nothing to enter and no proof to submit for these costs to be considered.

Nevertheless, **upon filing of supporting documentation**, administration costs of up to 10% of the building's revenue may be allowed. These fees apply in particular to management contracts, salaries or administrative personnel, office expenses, advertising and book-keeping.

If you declare such costs, don't include interest and reimbursement of capital, capital cost allowance, cost relating to the sale or acquisition of a building and those pertaining to the mortgage renewal.

12 **Major repairs or improvements** are considered as **capital expenditures**. They are paid by you and are not part of the general operation expenses. They may be expenditures for repairing or modifying the major components of the structure of the building (e.g., roof, plumbing, heating system, insulation, windows), for renovating (e.g., major carpentry and painting work) in the dwellings, common areas or added secondary installations (e.g., parking, pool).

Besides the capital expenditures, it is possible that you have to pay for **new operating expenses** following the installation of a service. For instance, when installing a swimming pool or a garage, new operating expenses apply, or when providing a new service to the lessees, wages of employees must be paid for. You must estimate the cost of these new operating expenses for a full year.

If capital expenditures or new operating expenses apply to some but not all of the dwellings, you must be ready to specify, at the hearing, which dwellings are affected.

As far as possible, enter one expenditure per line. However, if more space is needed, you can group together the expenditures that benefit to the same dwellings.

13 Enter the amount of any **subsidy** that you received for financing **major repairs or improvements** entered in section 12.

If you have benefited from a reduced interest loan concerning these expenditures, you must give the specifics at the hearing namely the amount of the loan and the annual payments.

Useful information may be found in the documents attesting to your agreement with the Canada Mortgage and Housing Corporation (CMHC), the Société d'habitation du Québec (SHQ) or your municipality.

Indicate the amounts of any **subsidies** received or to be received, in connection with a **major repair or renovation** entered in section 12.