Tribunal administratif du logement
Québec

Application regarding unpaid rent

Record number | Application number | ☐ 1863 R ☐ 1971 TS ☐ 1971 RF | Recourse code

ADDRESS OF DWELLING IN QUESTION

No.	Street	Apt.	City / Municipality	Postal code

☐ All or a part of this building is a private seniors' residence (box to be checked off).

Beginning of lease (Year / Month / Day) | **End of lease** (Year / Month / Day) | ☐ Indeterminate term | **Monthly rent** $

IDENTIFICATION OF PARTIES

Plaintiff 1 ☐ Lessor ☐ Lessee ☐ Other (specify)

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

Plaintiff 2 ☐ Lessor ☐ Lessee ☐ Other (specify)

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

Defendant 1 ☐ Lessor ☐ Lessee ☐ Other (specify)

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

Defendant 2 ☐ Lessor ☐ Lessee ☐ Other (specify)

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

OBJECT OF THE APPLICATION (conclusion sought)

- ☐ Resiliation of the lease and eviction of the lessee
- ☐ Recovery of rent owing at the time of the hearing
- ☐ Jointly and solidarily
- ☐ Interest and the additional indemnity provided for in the *Civil Code of Québec*
- ☐ Payment of costs
- ☐ Provisional execution of the decision notwithstanding appeal
- ☐ Other object (specify)

GROUNDS FOR THE APPLICATION

☐ The payment of rent has not been made for the following period:

_____ → $

_____ → $

_____ → $

- ☐ The lessee is over three weeks late in paying the rent.
- ☐ The lessee frequently pays the rent late, thereby causing serious injury to the plaintiff(s).
- ☐ The lease provides for a solidarity clause.
- ☐ Other (specify): _____

NOTIFICATION OF THE APPLICATION TO THE OTHER PARTIES

- ☐ When it is notified, the application will be accompanied by the exhibits.
- ☐ When it is notified, the application will be accompanied by the list of exhibits available on request, at no cost to the other parties.

CONCILIATION

Would you like to participate in a conciliation session (see reverse for details)?

YES ☐ In person * ☐ By phone ☐ By videoconference

**This option is only available at the Tribunal's offices located at 5199 Sherbrooke East in Montreal, and at 1434 boul. Daniel-Johnson in Laval.*

NO ☐

Date of filing

☐ Lawyer ☐ Plaintiff(s)

Year / Month / Day | Block letters | Signature*

Year / Month / Day | Block letters | Signature*

Information clerk code

I understand that my application is deemed to have been made under oath.

Appendix for additional information ☐

INFORMATION ON NOTIFICATION

The plaintiff must, **after filing the application with the Tribunal administratif du logement**, notify a copy to each party. When it is notified, the application must be accompanied by the exhibits supporting it or a list of the exhibits indicating that they are available on request. Proof of notification and a list of the exhibits must be filed in the record of the Tribunal within **45 days after the application is filed**.

The Tribunal may refuse to convene the parties to a hearing as long as the documents (list of exhibits and proof of notification) have not been filed in the record.

However, if you are called to appear within this period, you must bring proof of notification to the hearing, if it has not already been filed in the record. When sending proof of notification to the Tribunal, clearly indicate the record number(s) and the names of the parties concerned on each document.

Notification can be made by registered mail, by bailiff, in person by a courier service, by technological means, or by any appropriate method that provides the notifier with proof that the document was received. If the plaintiff is unable to notify using one of these methods, the Tribunal administratif du logement may authorize another mode of notification at any time.

CHANGE OF ADDRESS

You must notify the Tribunal and the other parties, without delay, of any change of address that occurs during the proceedings.

A party who fails to give notice of his or her change of address may not apply for revocation of a decision rendered against that party by invoking the fact that he or she did not receive the notice of hearing, if this notice was sent to the party's former address.

CONCILIATION OFFER

You must determine if your litigation can be submitted to the *Service de Conciliation* of the Tribunal administratif du logement. This service is free of charge and has several advantages:

- Your participation in conciliation does not mean that you acknowledge any liability or make an admission of any type whatsoever;
- Conciliation does not delay your case from being scheduled before the Tribunal;
- Conciliation allows finding a solution which takes into consideration your interests and needs in order to resolve a dispute;
- A conciliation session is confidential. Negotiations are conducted in a respectful atmosphere which fosters dialogue. You will accordingly be more comfortable to express your point of view;
- The process is simple and quick;
- Sessions are presided by a neutral and impartial conciliator who ensures that discussions between the parties remain respectful and useful for the settlement of the litigation;
- If the parties agree and want to do so, the agreement drafted by the conciliator may be confirmed by the Tribunal to have the same effect as a judgment.

For more details, please read the Conciliation between lessors and lessees page or view the short video dealing with conciliation and our Participant's Guidebook, available at **www.tal.gouv.qc.ca**. Please note that participation in conciliation is voluntary, as the parties are free to withdraw from the process at any time without having to justify anything. If all of the parties agree to participate in a conciliation session and if the circumstances are appropriate, you will receive a convocation to the conciliation session, which will specify the date, the time and the location where you will have to show up and the type of session (parties attending physically, by phone or videoconference). We ask you to be available at the time and on the date specified for the conciliation session. The sessions are held from Monday to Friday from 8:30 a.m. to 4:30 p.m. When litigation concerns only the fixation of rent, you must be available for a period of one hour. For other matters, you must be available for a period of 2 hours.

If mentioned in your application, your email will be used by the *Service de Conciliation* to contact you, for example, to forward you as the case may be, a confirmation of the conciliation session, the automatic reminders of this session or information about the follow up of your conciliation case.

Because the conciliation session is held on a voluntary basis, if you show interest in participating in the process, we must then determine if the other party is also interested in participating in it. **It is only on receipt of a positive answer from the other party and if the circumstances are appropriate, that we will convene you to a conciliation session.**

DISCONTINUANCE

A discontinuance closes the record with the Tribunal.

☐ I am discontinuing the present application.

_____ *Signature - Plaintiff 1* — Year ____ Month ____ Day ____

_____ *Signature - Plaintiff 2* — Year ____ Month ____ Day ____

AGREEMENT

Where the parties reach an agreement, the Tribunal closes the record upon the filing of a copy of the agreement signed by the parties, unless the plaintiff files a written request to have the record suspended. Thereafter, the case will only be placed on the roll upon the written request of a party.

Where an agreement is made or filed at the hearing, it must be signed by the parties. The Tribunal may ratify it, provided it is in accordance with law, in which case it has the same effects as a decision.

We, the undersigned, ☐ have reached the attached agreement. ☐ agree to the following agreement:

Signature - Plaintiff 1 — Year ____ Month ____ Day ____		*Signature - Defendant 1* — Year ____ Month ____ Day ____	
Signature - Plaintiff 2 — Year ____ Month ____ Day ____		*Signature - Defendant 2* — Year ____ Month ____ Day ____	

The filing of the agreement closes the record with the Tribunal, unless the plaintiff requests to have the record suspended (see below).

☐ Further to this agreement, I request that the record be suspended.

_____ *Signature - Plaintiff 1* — Year ____ Month ____ Day ____

_____ *Signature - Plaintiff 2* — Year ____ Month ____ Day ____

At the request of any of the parties, proceedings before the Tribunal will resume.

Date of filing

_____ Information clerk code