Tribunal administratif du logement
Québec

Joint application

Record number | Application number | ☐ 57.0.1DL | ☐ 57.0.1N

ADDRESS OF DWELLING IN QUESTION

Complete in block letters

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 LESSEES

Plaintiff 1

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

☐ **I appoint the following lessee, also a plaintiff, to act as my representative:**

Last name	First name

Plaintiff 2

Last name	First name

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

☐ **I appoint the following lessee, also a plaintiff, to act as my representative:**

Last name	First name

IDENTIFICATION OF THE LESSOR

Defendant

Name of the lessor as indicated in the lease	First and last names of the lessor's representative

No.	Street	Apt.	City / Municipality	Postal code

Telephone (home)	Telephone (work)	Fax	Email

Number of dwellings in the residence: ☐ unknown

GROUNDS AND REASONS FOR THE APPLICATION

☐ Reduce the rent by a monthly amount of $ _____ due to the lessor's failure to provide one or more same services included in the respective leases of the lessees from: (Year / Month / Day)

☐ Reduce the rent by a monthly amount equivalent to _____ % of the rent due to the lessor's failure to provide one or more same services included in the respective leases of the lessees from: (Year / Month / Day)

Description of the service(s):

☐ For reasons of public policy, declare the nullity of clauses whose effect are substantially the same and which are stipulated in the respective lessees' leases (identification of the clauses):

☐ Order the provisional execution of the decision, despite the appeal.
☐ Order the defendant to pay the costs.
☐ Order the defendant to pay the amounts due in the form of a rent reduction.
☐ Order the defendant to pay the interest and additional indemnity provided for in the *Civil Code of Québec* .

NOTIFICATION OF THE APPLICATION TO THE LESSOR

☐ 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. The lessor will have access to exhibits free of charge and on request.

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

☐ Joint application – Additional lessees appendix

☐ Joint application – Additional information appendix

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

INFORMATION ABOUT NOTIFICATION

After filing the application with the Tribunal administratif du logement, the plaintiff must notify a copy to the lessor. **A single notification to the lessor is required for all lessees.** The application must be notified together with the supporting exhibits or a list of such exhibits stating that they are available on request. Proof of notification and a list of the exhibits must be filed with the Tribunal within **45 days after the application is filed**.

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

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. When sending proof of notification to the Tribunal, clearly indicate the case number(s)and the names of the parties concerned on each document.

The application can be notified by registered mail, by court bailiff, by delivering the document in person by messenger, using a technological means or by any appropriate method that gives the notifier proof of receipt of the document. If the plaintiff does not succeed in notifying the other parties using one of these methods, the Tribunal may, at any time, authorize another notification method.

POWER OF ATTORNEY

A lessee may be represented at the hearing by another lessee who is also a party to the joint application. To this end, they must indicate this role on the **Joint Application** form or, failing that, on the **Joint Application – Power of Attorney – Lessee Representing Another Lessee** form.

You may be represented by a mandatary of your choice. However, a professional who has been struck off the roll or declared disqualified from practising, or whose right to engage in professional activities has been restricted or suspended in accordance with the Professional Code (chapter C-26) or any legislation governing a profession may not act as a representative. If you are represented by a mandatary other than a lawyer, the mandatary must provide the Tribunal with a written mandate signed by you.

A lawyer cannot act on your behalf if the application only concerns the recovery of an amount of money which is a small claim. See the Tribunal's website for more information about what a small claim is.

Note : If the application was filed before February 21, 2024, a natural person may be represented by his or her spouse or by a lawyer. They may also be represented by a relative, ally or friend under certain conditions. A corporation may be represented bya director, an executive, an employee solely employed by the corporation, or a lawyer. A party represented by a mandatary other than a spouse or a lawyer must provide the Tribunal with a written mandate, signed and indicating, in the case of a natural person, the reasons that prevent him or her from acting on his or her own behalf. The mandate must be free of charge.

At the hearing, your mandatary acts on your behalf. He or she must have personal knowledge of the facts or be able to prove those facts through witnesses or otherwise, as you would have done.

ASSISTANCE BY A TRUSTED PERSON

A person may also be assisted during the hearing by a trusted person, due to the person's age, state of health, vulnerable situation, or level of proficiency in the language. A community organization to which a mandate to assist lessees of private seniors' residences has been entrusted by the government can also assist a lessee.

The assistance must be provided free of charge. The trusted person reassures the party, helps them handle the documents, read them, and understand them. However, the trusted person cannot represent a party. This person cannot provide legal advice or opinions, nor question or cross-examine witnesses, nor argue before the Tribunal.

Being assisted by a trusted person does not prevent a party from also being represented.

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

One party can fully or partially withdraw from its application. On receipt of a full discontinuance signed by all lessees, the Tribunal will close the file. To do this, please complete the **Discontinuance or Agreement** form.

AGREEMENT

If the parties reach an agreement, the Tribunal closes the case when a copy of that agreement, signed by the parties, is filed, unless the plaintiff requests suspension of the case in writing. In this case, the application will not be put on the roll unless one party requests it in writing.

When an agreement is filed or concluded at the hearing, it must be signed by the parties. The Tribunal can ratify it if it complies with the law, in which case it has the same effect as a decision.

To write the terms of your agreement, you can use the **Discontinuance or Agreement** form.