

Notice of repossession

This notice is given in accordance with article 1960 of the *Civil Code of Québec*. It must be sent to each of the lessees individually. The owner/lessor must keep a copy of the notice and proof that the served notice was received.

Notice to:

(Lessee name)

(Lessee name)

(Address of leased dwelling)

You are hereby notified that, as the owner/lessor, I intend to repossess your dwelling:

upon the expiry of your fixed-term lease ending on

Year	Month	Day

on

Year	Month	Day

, your lease being of indeterminate term.

Your dwelling will be occupied by:

myself

(Beneficiary **name** and **degree of relationship** [or other bond] with the owner/lessor)

Year	Month	Day

(Owner/lessor name – please print) (Owner/lessor signature)

Year	Month	Day

(Owner/lessor name – please print) (Owner/lessor signature)

Confirmation of receipt, if the lessee is served the notice in person

I confirm that I received this notice on:

Year	Month	Day

(Lessee name – please print) (Lessee signature)

Year	Month	Day

(Lessee name – please print) (Lessee signature)

INFORMATION

If the lessee refuses or does not respond to the notice, the owner/lessor may repossess the dwelling with the Tribunal’s authorization. The application for authorization must be filed within one month of the lessee’s refusal or the expiry of the deadline for the lessee to respond, and the lessor must prove that they truly intend to repossess the dwelling for the purpose mentioned in the notice and that the repossession is not a pretext for other purposes. If the Tribunal authorizes the repossession, it may impose any conditions it considers just and reasonable, including payment of compensation equivalent to the lessee’s moving expenses. If the owner/lessor does not apply for or obtain authorization, the lessee retains their right to occupy the dwelling. The owner/lessor’s notice and the lessee’s response must be given by the deadlines in the following table.

Steps in the repossession process and notice deadlines (arts. 1960, 1962 and 1963, C.C.Q.)			
	Step 1: Owner/lessor gives notice	Step 2: Lessee responds	Step 3: Owner/lessor applies to the Tribunal administratif du logement
Lease of more than six months	Six months before the end of the lease	Within one month of receiving the owner/lessor’s notice. If the lessee does not respond, they are presumed to have refused to vacate the dwelling.	Within one month of the lessee’s refusal or the expiry of the deadline for the lessee to respond
Lease of six months or less	One month before the end of the lease		
Lease with an indeterminate term	Six months before the anticipated date of repossession		

The owner/lessor of a dwelling may repossess it as a residence for themselves or for ascendants or descendants in the first degree (e.g., father, daughter) or for any other relative or person connected by marriage or a civil union if the owner/lessor is their main source of support. The owner/lessor may also repossess the dwelling as a residence for a spouse if the owner/lessor remains their main source of support following their separation or divorce.

The owner/lessor of an undivided share of a building cannot repossess one of the dwellings unless there is only one other owner, and that owner is their spouse. However, owners of a building purchased before July 15, 1988, may have acquired rights. If that is the case for you, please contact the Tribunal administratif du logement.

NOTE: An owner/lessor may not repossess a dwelling if the tenant or the tenant’s spouse meets all of the following criteria at the time of repossession:

1. They are 70 years of age or over.
2. They have occupied the dwelling for at least 10 years.
3. Their income is equal to or less than the maximum threshold to qualify for a dwelling in low-rental housing.

However, the owner/lessor may repossess the dwelling in one of the following situations:

1. The owner/lessor is 70 years of age or over and wishes to occupy the dwelling.
2. The beneficiary of the repossession is 70 years of age or over.
3. The lessor is an owner-occupant 70 years of age or over and wishes to have a beneficiary less than 70 years of age reside in the same building as themselves.

The Société d’habitation du Québec’s website provides the maximum thresholds qualifying a lessee for a dwelling in low-rental housing.

The lessee may recover damages resulting from repossession in bad faith, whether they consented to the repossession or not. They may also apply for punitive damages against the person who has repossessed the dwelling.

A response template provided by the Tribunal administratif du logement is available on the Tribunal’s website (www.tal.gouv.qc.ca/en), from your local Tribunal office or by mail.