

Notice of repossession (art. 1960 C.C.Q.)

Notice to _____
(Name of lessee or lessees)

(Address of leased dwelling)

- You are hereby notified, that as the owner-lessor, I intend to repossess your dwelling:
(Check the applicable case.)

at the end of your **fixed term** lease expiring on _____
Day Month Year

on _____, your lease being of **indeterminate term**.
Day Month Year

- Your dwelling will be occupied by:
(Check the applicable case.)

myself

(Name of the beneficiary and **degree of relationship** (or other bond) between the beneficiary and the owner-lessor)

Restrictions on the right to repossess a dwelling

The lessor may not repossess the lessee's dwelling if the lessee or the lessee's spouse, at the time of repossession, is 70 years of age or over, has occupied the dwelling for at least 10 years and has income equal to or less than the maximum threshold qualifying the lessee or spouse for a dwelling in low-rental housing according to the *By-law respecting the allocation of dwellings in low rental housing* (chapter S-8, r. 1).

However, the lessor may repossess the dwelling if:

- the lessor is 70 years of age or over and wishes to repossess the dwelling as a residence for himself;
- the beneficiary of the repossession is 70 years of age or over;
- 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 immovable as himself.

The Société d'habitation du Québec shall publish the maximum income thresholds qualifying a lessee for a dwelling in low-rental housing on its website.

(Name of owner-lessor)

(Telephone No.)

Day Month Year

(Signature)

(Signature of co-owner, if applicable)

RDL-809A-E (17-05)

I, the undersigned, acknowledge receipt of the above notice, on

Day Month Year

(Signature of lessee)

(Signature of co-lessee, if applicable)

Steps for repossessing the dwelling and periods for giving notice

(arts. 1960, 1962 and 1963 C.C.Q.)

	Step 1: Notice by owner-lessor	Step 2: Lessee's reply	Step 3: Application to the Régie du logement by the owner-lessor
Lease of more than 6 months	6 months before termination of the lease	Within 1 month after receiving the owner-lessor's notice. If the lessee fails to reply, he or she is deemed to have refused to vacate the dwelling.	Within 1 month after the refusal or the expiry of the period granted to the lessee to reply.
Lease of 6 months or less	1 month before termination of the lease		
Lease with an indeterminate term	6 months before intended date of repossession		

The owner-lessor of a dwelling may repossess it as a residence for himself or herself 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 of whom the lessor is the main support.

The notice by the owner-lessor and the lessee's reply must be given within the time periods indicated in the table above. If the lessee refuses or does not reply to the notice, the owner-lessor may, with the Régie du logement's authorization, repossess the dwelling. The application to the Régie du logement must be made within one month following receipt of the lessee's refusal or the expiry of the period granted to the lessee to reply.

If the owner-lessor does not request or does not obtain this authorization, the lessee maintains his right to occupy the dwelling.

The owner-lessor of an undivided share of an immovable may not repossess any dwelling in the immovable unless the only other owner is his or her spouse. However, the acquired rights may exist for property acquired before July 15, 1988, in which case, please contact the Régie du logement.

NOTE: The owner-lessor may not repossess a lessee's dwelling if the lessee or the lessee's spouse meets all of the following conditions at the time of the repossession:

1. he or she is 70 years of age or over;
2. he or she has occupied the dwelling for at least 10 years;
3. his or her income is equal to or less than the maximum threshold to qualify for a dwelling in low-rental housing.

Nonetheless, the owner-lessor may repossess the dwelling if:

1. the lessor is 70 years of age or over and wishes to repossess the dwelling as a residence for himself;
2. the beneficiary of the repossession is 70 years of age or over;
1. 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 immovable as himself.