



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 492

(2016, chapter 21)

An Act to amend the Civil Code to protect seniors' rights as lessees

Introduced 21 May 2015
Passed in principle 4 June 2015
Passed 10 June 2016
Assented to 10 June 2016

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EXPLANATORY NOTES

The purpose of this Act is to protect seniors' rights by amending the conditions for repossessing dwellings or evicting lessees under the Civil Code.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec.

Bill 492

AN ACT TO AMEND THE CIVIL CODE TO PROTECT SENIORS' RIGHTS AS LESSEES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Civil Code of Québec is amended by inserting the following article after article 1959:

“**1959.1.** The lessor may not repossess a dwelling or evict a lessee if the lessee or the lessee’s spouse, at the time of repossession or eviction, 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

- (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;
- (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 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.”

2. Article 1961 of the Code is amended

- (1) by inserting the following paragraph after the second paragraph:

“These notices shall reproduce the content of article 1959.1.”;

- (2) by replacing the third paragraph by the following paragraph:

“Repossession or eviction may take effect after the date set forth in the notice, upon application by the lessee and with the authorization of the court.”

3. This Act comes into force on 10 June 2016.