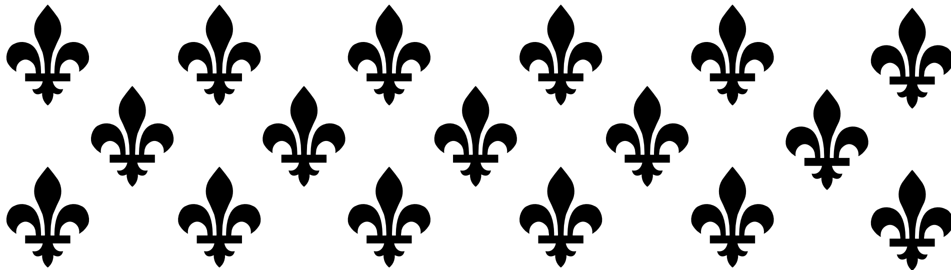

NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION FORTY-SECOND LEGISLATURE

Bill 16
(2019, chapter 28)

An Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs

Introduced 3 April 2019
Passed in principle 16 May 2019
Passed 5 December 2019
Assented to 11 December 2019

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EXPLANATORY NOTES

This Act proposes various measures intended to regulate building inspections and divided co-ownership. It also contains various measures regarding the Régie du logement, the Act respecting the Société d'habitation du Québec and municipal affairs.

The Building Act is amended to grant the Régie du bâtiment du Québec (the Board) new regulatory powers authorizing it to, among other things, regulate building inspections. The Board is also empowered to order the suspension of construction work where the person carrying out the work or having it carried out does not hold the appropriate licence. A proceeding to contest such an order is to be heard and decided by preference by the Administrative Labour Tribunal. Furthermore, new grounds are introduced that allow the Board to render an unfavourable decision for any type of authorization within its purview.

The Civil Code is amended with respect to immovables under divided co-ownership in order to make syndicates of co-owners subject to certain additional obligations, including keeping a maintenance log for each immovable and obtaining a contingency fund study that establishes the sums necessary for the fund to be sufficient to cover major repairs and the replacement of common portions. The co-owners' annual contribution to the contingency fund must be determined on the basis of such a study.

Each syndicate of co-owners must provide certain information on the immovable and the syndicate to a promisor who promises to buy a fraction of an immovable under divided co-ownership. The Government is given the power to determine information other than that required under the Civil Code that must be included in the memorandum or in the preliminary contract.

In addition, a builder or developer must protect the deposits paid by buyers of a fraction of an immovable under co-ownership, and a developer who has underestimated amounts in a budget forecast must pay certain amounts to the syndicate.

Various measures are also introduced concerning the operation of co-ownerships, and certain rules governing general meetings of the co-owners are amended.

The rules governing co-owners' contributions for common portions for restricted use are clarified. Civil Code terminology with regard to common expenses is standardized and certain interpretation difficulties are resolved.

The Act respecting the Régie du logement is amended to rename the Régie du logement the Administrative Housing Tribunal. Other amendments to the Act include changes to certain procedural rules and the introduction of new rules to govern conciliation.

The Act respecting the Société d'habitation du Québec is amended to allow the provisional administration of any housing agency that receives financial assistance from it. Municipalities are granted the power to contribute to housing projects carried out outside their territory and supported by the Société.

The Act also amends various provisions concerning municipal affairs, specifies the scope of certain rules governing the awarding of contracts and makes certain amendments regarding property assessment and taxation. The Act allows municipalities to assist seniors' residences, and confirms that the Régime de retraite des policiers et policières de la Ville de Montréal and the Régime de rentes de l'Association de Bienfaisance et de Retraite de la Police de Montréal are subject to the Act to foster the financial health and sustainability of municipal defined benefit pension plans. The Act also allows Ville de Laval to replace its zoning and subdivision by-laws within two years after this Act is assented to and clarifies the period of application of an interim control by-law adopted following the adoption of a regional wetlands and bodies of water plan.

Lastly, the Act contains consequential and technical provisions as well as provisions for clarification purposes.

LEGISLATION AMENDED BY THIS ACT:

– Civil Code of Québec;

– Building Act (chapter B-1.1);

– Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2);

– Cities and Towns Act (chapter C-19);

– Municipal Code of Québec (chapter C-27.1);

– Act respecting the Commission municipale (chapter C-35);

– Municipal Powers Act (chapter C-47.1);

– Act respecting municipal taxation (chapter F-2.1);

– Act respecting the Régie du logement (chapter R-8.1);

– Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1);

– Act respecting the Société d'habitation du Québec (chapter S-8);

– Act respecting public transit authorities (chapter S-30.01);

– Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1);

– Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23).

REGULATIONS AMENDED BY THIS ACT:

– Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as commissioners to the Régie du logement and for the renewal of their term of office (chapter R-8.1, r. 4);

– Tariff of costs exigible by the Régie du logement (chapter R-8.1, r. 6);

– By-law respecting the allocation of dwellings in low rental housing (chapter S-8, r. 1).

Bill 16

AN ACT MAINLY TO REGULATE BUILDING INSPECTIONS AND DIVIDED CO-OWNERSHIP, TO REPLACE THE NAME AND IMPROVE THE RULES OF OPERATION OF THE RÉGIE DU LOGEMENT AND TO AMEND THE ACT RESPECTING THE SOCIÉTÉ D'HABITATION DU QUÉBEC AND VARIOUS LEGISLATIVE PROVISIONS CONCERNING MUNICIPAL AFFAIRS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PROVISIONS REGARDING THE RÉGIE DU BÂTIMENT DU QUÉBEC

BUILDING ACT

1. Section 1 of the Building Act (chapter B-1.1) is amended, in the first paragraph,

(1) by inserting "the quality of a building and" after "ensure" in subparagraph 2;

(2) by replacing "and owner-builders" in subparagraph 3 by ", owner-builders and building inspectors".

2. The Act is amended by inserting the following section after section 9:

"**9.1.** For the purposes of this Act, a syndicate of co-owners is considered an owner with respect to the responsibilities conferred on the syndicate under the Civil Code."

3. The Act is amended by inserting the following section after section 17.3:

"**17.4.** The Board may, by regulation, require a contractor or owner-builder to obtain plans and specifications before construction work begins or final signed plans and specifications when the work is completed.

The plans and specifications referred to in this section must be prepared by a person or body recognized by the Board in accordance with a regulation of the Board."

4. Section 18 of the Act is replaced by the following section:

"**18.** A recognized person or body that prepares plans and specifications for construction work shall ensure that they comply with the Construction Code (chapter B-1.1, r. 2) and, if applicable, the construction standards set by a municipality."

5. Section 39 of the Act is replaced by the following section:

"**39.** The Board may, by regulation, prescribe safety standards for the use of a container that contains gas or a petroleum product and is mounted on a vehicle that are applicable when the vehicle is stationary. The regulation may also prescribe safety standards for the transfer, storage and distribution of the gas or petroleum product contained in the container."

6. The heading of Chapter IV of the Act is replaced by the following heading:

"VOCATIONAL QUALIFICATION OF CONTRACTORS AND OWNER-BUILDERS".

7. Section 47 of the Act is replaced by the following section:

"**47.** No public body, within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), may act as a contractor.

This section does not apply to the Société québécoise des infrastructures, the Société d'énergie de la Baie James, to a mixed enterprise company established in accordance with the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) or to any other public body determined by regulation of the Board.

Such a regulation must determine the cases in which a public body or a category of public bodies may act as a contractor, and the terms and conditions to be complied with. The regulation must also take into account the impact of such a measure on contractors."

8. The Act is amended by inserting the following section after section 61:

"**61.1.** The Board may refuse to issue a licence to a natural person, partnership or legal person that has failed to pay a sum of money payable to the Board under this Act or the regulations.

It may also refuse to issue a licence if the natural person or an officer of the partnership or legal person was an officer of a partnership or legal person that has failed to pay such a sum of money to the Board."

9. Section 70 of the Act is amended by adding the following paragraph at the end:

"Before suspending or cancelling a licence under this section, the Board shall take into account construction work under way."

10. The Act is amended by inserting the following chapter after section 86.7:

"**CHAPTER V.1**

"BUILDING INSPECTION

"**86.8.** A natural person shall, in the cases and on the terms and conditions determined by regulation of the Board, obtain from the Board a certificate to act as a building inspector.

This section does not apply to a person who inspects a building under powers of verification, inspection, supervision, control or inquiry assigned to him by an Act, or to a category of persons prescribed by regulation of the Board.

"**86.9.** No person may give cause to believe that he holds a certificate authorizing him to act as a building inspector if he does not hold one.

"**86.10.** The Board shall, by regulation, determine the terms and conditions for the issue, amendment or renewal of a certificate referred to in section 86.8, its period of validity, and the standards, terms and conditions its holder must comply with.

"**86.11.** The Board may refuse to issue, amend or renew a certificate, or may suspend or cancel a certificate, where the applicant or holder

(1) does not comply with one of the terms or conditions set out in this Act or prescribed by regulation of the Board, in particular a term or condition for issuing or maintaining a certificate;

(2) has submitted falsified facts to the Board or misrepresented facts, or has failed to provide the Board with information;

(3) has not complied with an order issued under this Act;

(4) is in a conflict of interest situation;

(5) has failed to pay a sum of money payable to the Board under this Act or the regulations;

(6) has been convicted of an offence under this Act or the Consumer Protection Act (chapter P-40.1), if the serious nature or frequency of the offence justifies such a decision;

(7) has, in the five years preceding the application, been convicted of an offence under a fiscal law or an indictable offence related to the building inspector activities the person intends to carry on, unless he has obtained a pardon;

(8) has, in the five years preceding the application, been convicted by a foreign court of an offence or indictable offence referred to in subparagraph 7 which, if committed in Canada, would have resulted in criminal proceedings; or

(9) has failed to provide the Board with what is needed to carry out a verification or inspection.

Despite paragraph 7 of the first paragraph, where the offence or indictable offence resulted in a term of imprisonment being imposed, a certificate may not be issued before five years have elapsed since the end of the term of imprisonment imposed by the sentence, unless the person on whom the term of imprisonment was imposed has obtained a pardon.

The Board may also refuse to issue, amend or renew a certificate, or may suspend or cancel a certificate, if issuing or maintaining the certificate would be contrary to the public interest, for example because the applicant or holder is unable to prove good moral character and a capacity to exercise activities as a building inspector with competence and integrity, given his past conduct.

"**86.12.** The Board may recognize persons or bodies for the purpose of certifying building inspectors.

The Board may, by regulation, determine the terms and conditions for recognizing persons or bodies referred to in the first paragraph, the terms and conditions such persons or bodies must comply with and all the duties they may perform.

"**86.13.** The Board shall keep a public register in which the names and contact information of the certificate holders and their certificate numbers are entered.

"**86.14.** The Board may, by regulation, establish a public register of the main problems observed by certified building inspectors in the performance of their duties.

The regulation mentioned in the first paragraph must also determine the form and content of the register and the other terms applicable to it."

11. Section 109.6 of the Act is amended

(1) by inserting the following paragraph after paragraph 4:

"(4.1) to refuse to issue or amend a certificate under subparagraphs 2 to 9 of the first paragraph and the third paragraph of section 86.11, or to suspend, cancel or refuse to renew a certificate under that section;";

(2) by replacing paragraphs 5 and 6 by the following paragraphs:

"(5) to refuse to issue or amend a permit under paragraphs 2 to 5 of section 128.3, or to limit, suspend, cancel or refuse to renew a permit under that section;

"(6) to refuse to recognize a person or body under paragraphs 2 to 5 of section 128.4, or to suspend, cancel or refuse to renew the recognition of a person or body under that section; and".

12. Section 111 of the Act is amended

(1) by replacing "and owner-builders" in paragraph 2 by ", owner-builders and building inspectors";

(2) by inserting the following paragraph after paragraph 2.1:

"(2.2) to ensure the quality of buildings, in particular by regulating building inspections;".

13. Section 112 of the Act is amended by inserting "of a building inspector," in paragraph 2 after "manager of a guaranty plan,".

14. The Act is amended by inserting the following section after section 124:

"**124.1.** The Board may order the suspension of construction work where the person carrying out the work or having it carried out does not hold a licence or where the licence is not of the appropriate class or subclass.

The work may not resume until the Board so authorizes."

15. Sections 128.3 to 128.5 of the Act are replaced by the following sections:

"**128.3.** The Board may refuse to issue, amend or renew a permit referred to in section 35.2 or 37.1, or may limit, suspend or cancel such a permit, if the applicant or holder

(1) does not comply with one of the terms or conditions set out in this Act or prescribed by regulation of the Board, in particular those related to a quality control program;

(2) has submitted falsified facts to the Board or misrepresented facts, or has failed to provide the Board with information;

(3) has not complied with a remedial notice issued under this Act;

(4) has not complied with an order issued under this Act; or

(5) has failed to pay a sum of money payable to the Board under this Act or the regulations.

"**128.4.** The Board may refuse to recognize a person or body for the purposes of sections 16, 17.4, 33 to 35, 37.4 and 86.12 or to renew such recognition, or may suspend or cancel such recognition, if the person or body

(1) does not comply with one of the terms or conditions set out in this Act or prescribed by regulation of the Board;

(2) has submitted falsified facts to the Board or misrepresented facts, or has failed to provide the Board with information;

(3) has not complied with an order issued under this Act;

(4) is in a conflict of interest situation; or

(5) has failed to pay a sum of money payable to the Board under this Act or the regulations.

"**128.5.** The Board shall, before rendering an unfavourable decision regarding a permit or certificate or the recognition of a person or body, notify the person or body concerned in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the person or body at least 10 days to submit observations.

Decisions of the Board must be rendered in writing and give reasons."

16. Section 151 of the Act is amended by replacing paragraph 7 by the following paragraph:

"(7) fees for issuing, amending or renewing a permit or certificate, and the related registration, examination or evaluation fees."

17. Section 153 of the Act is amended by inserting "average" in the second paragraph before "Consumer Price Index".

18. Section 155 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

"For the purposes of this Act and the regulations, the Board shall apply the interest rate fixed pursuant to the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), as of the due date of the claim.";

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

"The interest shall be capitalized monthly."

19. Section 160 of the Act is amended by replacing "123, 124" in paragraph 1 by "86.11, 123, 124, 124.1".

20. Section 164.1 of the Act is amended by replacing "123, 124" in subparagraph 2 of the first paragraph by "86.11, 123, 124, 124.1".

21. Section 164.4 of the Act is amended by adding the following paragraph at the end:

"A proceeding to contest a ruling of the Board under section 124.1 is heard and decided by preference. Despite the first paragraph, the Administrative Labour Tribunal may allow the production of new evidence at such a proceeding."

22. Section 173 of the Act is amended

(1) by replacing subparagraph 6 of the third paragraph by the following subparagraph:

"(6) the energy efficiency of buildings;";

(2) by replacing subparagraphs 9 and 10 of the third paragraph by the following subparagraph:

"(9) the transportation by pipeline and the storage, handling, transfer and distribution of gas or petroleum products.";

(3) by replacing "ecoefficiency" in the last paragraph by "energy efficiency".

23. Section 174 of the Act is amended by replacing "energy saving in a" by "the energy efficiency of a".

24. Section 175 of the Act is amended by adding the following subparagraph at the end of the third paragraph:

"(7) the transportation by pipeline and the storage, handling, transfer and distribution of gas or petroleum products."

25. Section 185 of the Act is amended

(1) by inserting the following paragraph after paragraph 0.1:

"(0.1.1) determine the cases in which a public body or a category of public bodies may act as a contractor, and the terms and conditions to be complied with;";

(2) by inserting the following paragraph after paragraph 0.3:

"(0.4) determine standards for the energy efficiency of buildings;";

(3) by replacing paragraph 2.1 by the following paragraphs:

"(2.1) determine the conditions for recognizing a person or body for the purposes of sections 16, 17.4, 33 to 35, 37.4 and 86.12, the terms and conditions a recognized person or body must comply with and all the duties they may perform;

"(2.1.1) prescribe in what cases and on what terms and conditions the members of a professional order are, by virtue of their status, recognized to exercise the functions of a recognized person for the purposes of sections 16, 17.4, 33 to 35 and 37.4;";

(4) by replacing ", de renouvellement ou de suspension" in paragraph 5.1 in the French text by "ou de renouvellement";

(5) by inserting "and the related registration, examination or evaluation fees" at the end of paragraph 5.2;

(6) by replacing paragraph 6.1 by the following paragraph:

"(6.1) prescribe safety standards for the use of a container that contains gas or a petroleum product and is mounted on a vehicle that are applicable when the vehicle is stationary, and safety standards for the transfer, storage and distribution of the gas or petroleum product contained in the container;";

(7) by replacing paragraph 7 by the following paragraph:

"(7) determine the cases in which a contractor or owner-builder must obtain plans and specifications before construction work begins or final plans and specifications when the work is completed, in accordance with section 17.4, and the other obligations, terms and conditions relating to those plans and specifications, in particular to their form, content, conservation and delivery;";

(8) by inserting the following paragraph after paragraph 9.2:

"(9.3) determine the cases in which it will charge fees for recognizing training or a training program provided by a third person;";

(9) by inserting the following paragraphs after paragraph 19.7:

"(19.8) determine the cases in which a natural person is required to obtain a certificate referred to in section 86.8 to act as a building inspector, and the terms and conditions the holder of the certificate must comply with, including the rules regarding continuing education and technical standards;

"(19.9) determine the terms and conditions for the issue, amendment or renewal of a certificate referred to in section 86.8, its period of validity, the fees payable for its issue, amendment or renewal, and the related registration, examination or evaluation fees, and determine in what cases and at what intervals it will charge such fees;

"(19.10) establish a public register of the main problems observed by certified building inspectors in the performance of their duties and determine its form and content and the other terms applicable to it;".

26. Section 196.3 of the Act is amended by inserting "average" before "Consumer Price Index" in the first paragraph.

27. Section 197 of the Act is amended by replacing "or section 65.3" by ", section 65.3, section 86.8 or section 86.9".

28. Section 198 of the Act is amended by replacing "123 or 124" by "123, 124 or 124.1".

CHAPTER II

PROVISIONS RELATING TO DIVIDED CO-OWNERSHIP

CIVIL CODE OF QUÉBEC

29. Article 1039 of the Civil Code of Québec is amended by adding the following sentence at the end of the first paragraph: "The legal person must, in particular, see to it that the work necessary for the preservation and maintenance of the immovable is carried out."

30. Article 1053 of the Code is amended

(1) in the second paragraph,

(*a*) by inserting "common" before "expenses";

(*b*) by striking out "and provides any other agreement regarding the immovable or its private or common portions. In addition, it specifies the powers and duties of the board of directors of the syndicate and of the general meeting of the co-owners" at the end;

(2) by adding the following paragraph at the end:

"The act also specifies the respective powers and duties of the board of directors of the syndicate and of the general meeting of the co-owners and provides any other agreement regarding the immovable or its private or common portions, including any penal clause applicable for contravening the declaration of co-ownership."

31. Article 1060 of the Code is amended by replacing "it is sufficient for amendments made to the by-laws of the immovable to be filed with the syndicate" in the first paragraph by "amendments to the by-laws of the immovable must be made expressly, in minutes or in a resolution in writing of the co-owners, and it is sufficient for such amendments to be filed in the register held by the syndicate in accordance with article 1070".

32. Article 1064 of the Code is replaced by the following article:

"**1064.** Each co-owner contributes to the common expenses in proportion to the relative value of his fraction. However, only co-owners who have the use of common portions for restricted use contribute to the expenses related to the maintenance and the ordinary repairs of those portions.

The declaration of co-ownership may determine a different apportionment of the co-owners' contribution to the expenses for major repairs to common portions for restricted use and for the replacement of those portions."

33. Article 1065 of the Code is replaced by the following article:

"**1065.** A person who acquires a fraction, by whatever means, including the exercise of a hypothecary right, shall notify the syndicate within 15 days.

A co-owner who leases his private portion shall, within the same time, notify the syndicate. The co-owner shall give the name of the lessee, the term of the lease and the date on which he gave the lessee a copy of the by-laws of the immovable. The same applies, with the necessary modifications, where the private portion is otherwise occupied."

34. Article 1066 of the Code is amended by adding the following sentence at the end of the second paragraph: "Where a private portion is occupied otherwise than by being leased, the syndicate gives the occupant a written notice indicating the nature of the improvements and of the non-urgent work, the date on which work is to begin and an estimate of its duration and, where required, the necessary period of vacancy."

35. The Code is amended by inserting the following articles after article 1068:

"**1068.1.** A person who sells a fraction shall, in due time, give the promisor a certificate of the syndicate attesting to the condition of the immovable held in co-ownership, whose form and content are determined by government regulation.

For that purpose, the syndicate gives the certificate to a co-owner who so requests, within 15 days.

Those obligations exist from the appointment of a new board of directors, after the developer loses control of the syndicate.

"**1068.2.** A person who promises to buy a fraction may request the syndicate to provide him with the documents or information concerning the immovable and the syndicate that will enable him to give enlightened consent. The syndicate is bound, subject to the provisions relating to the protection of privacy, to provide them with diligence to the promisor, at the latter's expense.

The syndicate shall send the owner of the fraction or his successors the documents or information it has provided to the promisor."

36. Article 1069 of the Code is amended, in the first paragraph,

(1) by inserting "an immovable under" after "fraction of";

(2) by inserting ", with interest," after "that fraction".

37. Article 1070 of the Code is amended

(1) by replacing the first and second paragraphs by the following paragraphs:

"Among the registers of the co-ownership, the syndicate keeps at the disposal of the co-owners a register containing the name and mailing address of each co-owner; the register may also contain other personal information concerning a co-owner or another occupant of the immovable if he expressly consents to it. In addition, the register contains the minutes of the meetings of the co-owners and of the board of directors, the resolutions in writing, the by-laws of the immovable and any amendments to them, and the financial statements.

The register also contains the declaration of co-ownership, the copies of contracts to which the syndicate is a party, a copy of the cadastral plan, the plans and specifications of and location certificates for the building if they are available, the maintenance log, the contingency fund study and all other documents and information relating to the immovable and the syndicate or prescribed by government regulation.";

(2) by replacing "In addition, the syndicate keeps at the disposal of the co-owners" in the third paragraph by "In addition, the register contains".

38. The Code is amended by inserting the following articles after article 1070:

"**1070.1.** It must be possible to consult the register and documents kept at the disposal of the co-owners in the presence of a director or a person designated for that purpose by the board of directors, at reasonable hours and according to the rules provided in the by-laws of the immovable. Every co-owner is entitled to obtain a copy of the content of the register and of any such documents for a reasonable cost.

A government regulation may prescribe other conditions, rules or restrictions relating to consultation of the register, of the documents to be kept at the disposal of the co-owners, and of the information they contain.

"**1070.2.** The board of directors causes a maintenance log to be established for the immovable which describes, in particular, maintenance done and maintenance required. The board of directors keeps the log up to date and has it reviewed periodically.

The form and content of the maintenance log and the manner in which it is kept and reviewed, as well as the persons who may establish and review it, are determined by government regulation."

39. Article 1071 of the Code is amended

(1) by striking out ", which is liquid and available at short notice";

(2) by replacing the last sentence by the following sentences: "The fund must be partly liquid and be available at short notice, and its capital must be guaranteed. The syndicate is the owner of the fund, and the fund's use is determined by the board of directors.";

(3) by adding the following paragraphs at the end:

"Every five years, the board of directors obtains a contingency fund study establishing the sums necessary for the fund to be sufficient to cover the estimated cost of major repairs and of replacement of common portions. The study is conducted in accordance with the standards established by a government regulation, which designates among other things the professional orders whose members are authorized to conduct such studies.

The sums to be paid into the contingency fund are fixed on the basis of the recommendations made in the contingency fund study and taking into account ongoing developments in the co-ownership, in particular the amounts available in the contingency fund.

Until the developer obtains the contingency fund study, the sums to be paid into the fund must correspond to 0.5% of the reconstruction cost of the immovable."

40. Article 1072 of the Code, amended by section 640 of chapter 23 of the statutes of 2018, is again amended

(1) by replacing "after determining" in the first paragraph by "which include";

(2) by striking out the second paragraph.

41. The Code is amended by inserting the following article after article 1072:

"**1072.1.** The board of directors shall consult the general meeting of the co-owners before deciding on any special contribution to the common expenses."

42. The Code is amended by inserting the following article after article 1076:

"**1076.1.** The syndicate may grant a movable hypothec only after obtaining the authorization of the general meeting of the co-owners."

43. Article 1079 of the Code is amended by adding the following paragraph at the end:

"The syndicate may, for the same reasons, after notifying the co-owner and the borrower, demand the termination of a loan for use of a private portion."

44. The Code is amended by inserting the following article after article 1083:

"**1083.1.** The syndicate may, at its own expense, obtain the plans and specifications of the immovable that are in the possession of an architect or engineer, who is bound to provide them to the syndicate on request."

45. Article 1086 of the Code is amended

(1) by adding the following paragraph at the beginning:

"Any co-ower who has not paid his share of the common expenses for more than three months is disqualified for the office of director. Such disqualification ceases as soon as he has paid all the common expenses due; he may then once again be elected as a director.";

(2) by striking out "or to the contingency fund" at the end.

46. The Code is amended by inserting the following articles after article 1086:

"**1086.1.** The board of directors shall send to the co-owners the minutes of every decision made at a meeting or every resolution in writing passed by the board within 30 days of the meeting or of the passage of the resolution.

"**1086.2.** Any co-owner or director may apply to the court to annul or, exceptionally, to amend a decision of the board of directors if the decision is biased or was made with intent to injure the co-owners or in contempt of their rights. The action is forfeited unless instituted within 90 days after the decision of the board of directors.

"**1086.3.** In addition to the rules in article 341, where the directors are prevented from acting as a majority or in the specified proportion owing to an impediment or the systematic opposition of some of them, the court may, on the application of a director or co-owner, make any order it sees fit in the circumstances.

"**1086.4.** If circumstances warrant it, the court may replace the board of directors by a provisional administrator and determine the terms and conditions governing his administration."

47. Article 1089 of the Code is amended by adding the following sentence at the end of the second paragraph: "However, decisions on the matters listed in article 1097 may be made at the new meeting only if those members hold at least the majority of the votes of all the co-owners."

48. Article 1090 of the Code is amended by adding the following paragraph at the end:

"The co-owner of a fraction held in indivision who is absent from a general meeting is presumed to have mandated the other co-owners of that fraction to represent him, unless the absentee has, in writing, mandated a third person for that purpose or has indicated his refusal to be represented. The absentee's voting rights are partitioned proportionately to the rights of the other co-owners in the indivision."

49. Article 1092 of the Code is amended by replacing "serving as his residence" in the first paragraph by "he occupies".

50. Article 1093 of the Code is amended by replacing "inhabiting" by "occupying".

51. Article 1094 of the Code is amended

(1) by striking out "or his contribution to the contingency fund";

(2) by adding the following sentence at the end: "He may once again exercise that right as soon as he has paid all the common expenses he owes."

52. Article 1096 of the Code is amended by inserting "amend the by-laws of the immovable or to" after "including a decision to".

53. Article 1097 of the Code is amended

(1) in the introductory clause,

(*a*) by replacing "require a majority of" by "are made by";

(*b*) by replacing "of all the co-owners" by "of the co-owners present or represented";

(2) by replacing ", and the apportionment of its cost" in paragraph 2 by ", the apportionment of the cost of the work and the granting of a movable hypothec to finance it".

54. Article 1099 of the Code is replaced by the following article:

"**1099.** Where the number of votes to which a co-owner or a developer is entitled is reduced, or where a co-owner or a developer is deprived of his right to vote, the total number of votes available to all the co-owners is reduced by the same number."

55. Article 1102 of the Code is amended by replacing ", a change of destination of his private portion or a change in the use he may make of it" by "or a change of destination of his private portion".

56. The Code is amended by inserting the following article after article 1102:

"**1102.1.** The board of directors shall send to the co-owners the minutes of every general meeting or every resolution in writing passed by a general meeting within 30 days of the general meeting or of the passage of the resolution."

57. Article 1103 of the Code is amended

(1) by inserting "or, exceptionally, to amend" after "to annul" in the first paragraph;

(2) by replacing "60" in the second paragraph by "90".

58. The Code is amended by inserting the following article after article 1103:

"**1103.1.** Where the co-owners are prevented from acting as a majority or in the specified proportion owing to an impediment or the systematic opposition of some of them, the court may, on the application of a co-owner, make any order it sees fit in the circumstances."

59. Article 1104 of the Code is amended by replacing "elect" in the first paragraph by "appoint".

60. Article 1106.1 of the Code is replaced by the following article:

"**1106.1.** Within 30 days of the special meeting, the developer shall provide the following to the syndicate:

(1) the maintenance log kept for the immovable and the contingency fund study;

(2) where the immovable is new or has been renovated by the developer, the plans and specifications showing any substantial changes made to it during construction or renovation in comparison with the original plans and specifications;

(3) the other plans and specifications relating to the immovable that are available;

(4) the location certificates relating to the immovable that are available;

(5) the description of the private portions provided for in article 1070; and

(6) any other document or information prescribed by government regulation.

The developer is liable for any injury resulting from his failure to provide such documents and information."

61. Article 1785 of the Code is amended by replacing the second paragraph by the following paragraph:

"The preliminary contract shall include a stipulation that the promisor may withdraw his promise within 10 days after signing it. Where a memorandum must be given, the preliminary contract shall also include a stipulation that the promisor may, if the seller fails to give the memorandum to the promisor at the time the preliminary contract is signed, withdraw his promise until he receives the memorandum or within 10 days after receiving it."

62. Article 1786 of the Code is amended by inserting the following paragraph after the first paragraph:

"A government regulation may determine other information that must be included in the preliminary contract."

63. Article 1787 of the Code is amended by replacing the first paragraph by the following paragraph:

"Where a fraction of an immovable under divided co-ownership or an undivided share of a residential immovable is sold, the seller shall give the promisor a memorandum at the time the preliminary contract is signed; he shall also furnish the memorandum where a residence forming part of a residential development having common facilities is sold."

64. Article 1788 of the Code is amended

(1) by replacing "It contains" in the first paragraph by "In addition to the information prescribed by government regulation, it contains";

(2) by adding the following sentence at the end of the first paragraph: "It also indicates, where applicable, that the immovable is covered by a guarantee plan, and the manner in which the promisor can consult that plan."

65. Article 1791 of the Code is amended

(1) by replacing "and the annual expenses payable, including, where applicable, the contribution to the contingency fund" at the end of the second paragraph by "and the annual amount of contributions to the common expenses. The part of that amount intended for the contingency fund must correspond either to 0.5% of the reconstruction cost of the immovable or to the recommendations made in a contingency fund study.";

(2) by adding the following paragraph at the end:

"Where the amounts provided in the budget forecast prepared by the developer for the fiscal years during which the developer controls the syndicate are more than 10% below the amounts the syndicate had to incur for the first full fiscal year after the developer lost control of the syndicate, the developer

shall reimburse to the syndicate the difference between the amounts provided in the forecast and the amounts actually incurred. However, the developer is not bound to do so to the extent that the difference is attributable to decisions made by the syndicate on or after the day a new board of directors was appointed following the loss of such control."

66. The Code is amended by inserting the following article after article 1791:

"**1791.1.** Notwithstanding any agreement to the contrary, any deposit paid to a builder or a developer toward the purchase of a fraction of an immovable under divided co-ownership must be fully protected by one or more of the following means: a guarantee plan, insurance, a suretyship or a deposit in a trust account of a member of a professional order determined by government regulation.

The deposit may also be protected by another means prescribed by government regulation.

The deposit is returned to the person who paid it if the fraction of the immovable under co-ownership is not delivered on the date agreed upon."

67. Article 1793 of the Code is replaced by the following article:

"**1793.** Where the sale of a residential immovable is not preceded by the preliminary contract or the memorandum, the buyer may, if he suffers serious injury therefrom, apply for the annulment of the sale and for damages. If the buyer prefers that the contract be maintained, he may apply for a reduction of his obligation equivalent to the damages he would be justified to claim. The action must be brought within 90 days after the sale, that is, within 90 days following the special meeting provided for in article 1104 of this Code.

The same applies where the preliminary contract or the memorandum contains errors or deficiencies."

68. Article 2724 of the Code is amended by striking out "and contributions to the contingency fund" in paragraph 3.

69. Article 2729 of the Code is amended by striking out "or his contribution to the contingency fund".

ACT MAINLY TO IMPROVE THE REGULATION OF THE FINANCIAL SECTOR, THE PROTECTION OF DEPOSITS OF MONEY AND THE OPERATION OF FINANCIAL INSTITUTIONS

70. Section 636 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23) is repealed.

71. Section 640 of the Act is amended by replacing "second paragraph" in paragraph 2 by "first paragraph".

72. Sections 646, 647 and 649 to 651 of the Act are repealed.

73. Section 652 of the Act is amended, in the second paragraph,

(1) by replacing "third paragraph of article 1072" by "second paragraph of article 1072";

(2) by inserting "as amended by section 65 of the Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs (2019, chapter 28)" after "section 640".

CHAPTER III

PROVISIONS CONCERNING THE RÉGIE DU LOGEMENT

ACT RESPECTING THE RÉGIE DU LOGEMENT

74. The title of the Act respecting the Régie du logement (chapter R-8.1) is replaced by the following title:

"ACT RESPECTING THE ADMINISTRATIVE HOUSING TRIBUNAL".

75. The heading of Title I of the Act is replaced by the following heading:

"THE ADMINISTRATIVE HOUSING TRIBUNAL".

76. Section 4 of the Act is replaced by the following section:

"**4.** A body, hereinafter called "the Tribunal", is established under the name "Administrative Housing Tribunal"."

77. Section 6 of the Act is amended

(1) by replacing "The board is composed of commissioners" in the first paragraph by "The Tribunal is composed of members";

(2) by replacing the second paragraph by the following paragraph:

"In places it considers it necessary, the Government may appoint part-time members."

78. Section 10 of the Act is amended

(1) by replacing "of the board" in the first paragraph by "of the Tribunal";

(2) in the second paragraph,

(*a*) by replacing "commissioners" and "for the board" in subparagraph 1 by "members" and "for the Tribunal", respectively;

(*b*) by replacing "commissioners who" in subparagraph 2 by "members, who";

(*c*) by replacing "commissioners as regards the exercise of their functions" in subparagraph 4 by "Tribunal members and personnel members as regards the exercise of their functions and, consequently, prescribing the legal, social or other professional development activities they must take part in";

(3) by adding the following sentence at the end of the third paragraph: "The chairman may designate an employee of the Tribunal to assist him or the vice-chairman in assigning and coordinating work."

79. Section 19 of the Act is amended

(1) by striking out "clerks, inspectors, conciliators and the other";

(2) by replacing "of the board" by "of the Tribunal".

80. The Act is amended by inserting the following section after section 23:

"**23.1.** For the hearing of an application before the Tribunal, appropriate technological means that are available to both the parties and the Tribunal should be considered, where circumstances permit, taking into account the technological environment in place to support the business of the Tribunal.

The Tribunal, even on its own initiative, may use such means or order that such means be used by the parties; if it considers it necessary, the Tribunal may also, despite an agreement between the parties, require a person to appear in person at a hearing or a conference."

81. Section 28 of the Act is amended

(1) by replacing "The board hears in first instance, to the exclusion of any" in the introductory clause of the first paragraph by "The Administrative Housing Tribunal hears in first instance, to the exclusion of any other";

(2) by replacing "The board is not competent" in the second paragraph by "The Administrative Housing Tribunal is not competent".

82. Section 30.2 of the Act is amended

(1) in the first paragraph,

(*a*) by inserting ", or if the parties agree to it" after "notified" in subparagraph 1;

(*b*) by adding the following subparagraphs at the end:

"(4) every application for ratification of an agreement in accordance with section 31.05;

"(5) every other application, except applications referred to in Division II of this chapter, if, at the time fixed for the hearing, one of the parties is absent even though he has been duly notified, or if the parties agree to it.";

(2) by replacing "commissioner" in the second paragraph by "Tribunal member".

83. Section 30.3 of the Act is amended

(1) in the first paragraph,

(*a*) by replacing "paragraph 2" by "subparagraph 2 of the first paragraph";

(*b*) by replacing "commissioner" by "Tribunal member";

(2) by replacing "with the board" in the second paragraph by "with the Tribunal".

84. Section 31 of the Act is replaced by the following sections:

"**31.** If it considers it useful and if the subject-matter and circumstances of a case so allow, the Tribunal may, on receiving the application, offer the parties a conciliation session to be held, with the parties' consent, at any time before the case is taken under advisement, by a Tribunal or personnel member chosen by the chairman of the Tribunal, the vice-chairman designated under section 10 or a person designated by either.

"**31.01.** The purpose of conciliation is to facilitate dialogue and negotiation between the parties and help them to identify their interests, assess their positions, and explore mutually satisfactory solutions.

The proceedings continue with no additional time allotted despite the conciliation.

"**31.02.** After consulting with the parties, the conciliator shall define the rules applicable to the conciliation and any measure to facilitate its conduct, and determine the schedule of meetings.

Conciliation sessions are held in private, at no cost to the parties and without formality, and require no prior written documents.

Conciliation sessions are held in the presence of the parties and, where applicable, their representatives. With the consent of the parties, the conciliator may meet with the parties separately. Other persons may also take part in the sessions if the conciliator or the parties consider that their presence would be helpful in resolving the dispute.

"**31.03.** Unless the parties consent to it, nothing that is said or written in the course of conciliation may be admitted as evidence before a court of justice or before a person or body of the administrative branch exercising adjudicative functions. The parties must be so informed by the conciliator.

"**31.04.** A conciliator may not be compelled to disclose anything revealed to or learned by him in the exercise of his functions or to produce a document prepared or obtained in the course of such exercise before a court of justice or before a person or body of the administrative branch exercising adjudicative functions.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person may have access to a document contained in the conciliation record.

"**31.05.** Any agreement reached shall be recorded in writing and signed by the conciliator, the parties and their representatives, if any. It is binding on the parties.

An agreement reached following a conciliation session presided over by a Tribunal member terminates the proceedings and is enforceable as a decision of the Tribunal, and an agreement reached following a conciliation session conducted by a personnel member has the same effects provided it is ratified by the chairman of the Tribunal, by the vice-chairman designated under section 10 or, as the case may be, by the Tribunal member or special clerk designated by either.

"**31.06.** If there is no agreement or if the agreement is not ratified, the Tribunal shall hold a hearing as soon as possible. The Tribunal member who presided over the conciliation session may not continue hearing the matter."

85. Section 55 of the Act is amended

(1) by replacing "the board" by "the Tribunal";

(2) by replacing "*ex officio*" by "on its own initiative".

86. Section 56 of the Act is replaced by the following sections:

"**56.** A party who files an application must notify a copy of it to the other party.

The application may be notified by any appropriate method that provides the notifier with proof that the document was delivered or published.

Such methods include notification by court bailiff, by registered mail, by delivery in person by a courier, by technological means and by public notice.

Whatever the method of notification used, a person who acknowledges receipt of the document or admits having received it is deemed to have been validly notified.

"**56.1.** When it is notified, the application must be accompanied by the exhibits supporting it or by a list of the exhibits that indicates that they are accessible on request.

"**56.2.** Proof of notification and a list of the exhibits in support of the application must be filed in the record of the Tribunal. The Tribunal may refuse to convene the parties to a hearing as long as those documents have not been filed.

If proof of notification is not filed within 45 days after the application is instituted, the application expires and the Tribunal closes the record.

This section does not prevent the Tribunal from convening the parties without delay where it considers it appropriate, in which case proof that the application was notified must be produced at the hearing under pain of dismissal of the application.

"**56.3.** Where the Tribunal is seized of an application for the fixing of rent, the lessor must, within 90 days of the date on which the form for the information necessary for fixing the rent is sent by the Tribunal, file the duly completed form in the record.

The lessor must also, within the same time, notify a copy of the completed form to the lessee and file proof of such notification in the record of the Tribunal. Where the applicant is the lessor and fails to file such proof of notification in the record of the Tribunal within the prescribed time, the application expires and the Tribunal closes the record.

Despite sections 56.1 and 56.2, the applicant is not required to notify the exhibits or a list of the exhibits in support of his application, or to file such a list in the Tribunal's record.

This section does not apply to an application for review of rent for low-rental housing within the meaning of article 1984 of the Civil Code.

"**56.4.** Before entering a case on the roll, the Tribunal may require, in addition to the exhibits referred to in section 56.2 or 56.3, that the parties file in the record any document required by the Tribunal or provide any information useful for processing the record.

Failing that, the Tribunal may decide not to enter the case on the roll.

"**56.5.** Where warranted by the circumstances of a case, the chairman of the Tribunal, the vice-chairman designated under section 10 or the Tribunal member designated by either may, on his own initiative or at the request of one of the parties, convene the parties to a case management conference in order to

(1) come to an agreement with the parties as to the conduct of the proceeding, specifying the undertakings of the parties and determining the timetable to be complied with;

(2) if the parties fail to agree, determine a timetable for the proceeding, which is binding on the parties;

(3) determine how the conduct of the proceeding may be simplified or expedited and the hearing shortened, among other things by better defining the questions at issue or admitting any fact or document; or

(4) invite the parties to a conciliation session.

An agreement under subparagraph 1 of the first paragraph must cover, among other subjects, the procedure and time limit for the communication of exhibits, written statements in lieu of testimony, detailed affidavits, and expert evidence.

The agreements and decisions made at the conference are recorded in the minutes of the conference drawn up and signed by the Tribunal member who conducted the conference. They are binding on the parties during the hearing.

"**56.6.** If a party fails to attend the conference, the Tribunal shall record the failure and make the decisions it considers appropriate.

"**56.7.** If the parties fail to comply with the timetable, the Tribunal member may make the appropriate determinations.

"**56.8.** For case management purposes, at any stage of a proceeding, the Tribunal member may decide, on his own initiative or on request, to

(1) take a measure provided for in the first paragraph of section 56.5;

(2) assess the purpose and usefulness of seeking expert opinion, whether joint or not, determine the mechanics of that process as well as the anticipated costs, and set a time limit for submission of the expert report; if the parties failed to agree on joint expert evidence, assess the merits of their reasons and impose joint expert evidence if it is necessary to do so to uphold the principle of proportionality and if, in light of the steps already taken, doing so is conducive to the efficient resolution of the dispute without, however, jeopardizing the parties' right to assert their contentions;

(3) order notification of the application to persons whose rights or interests may be affected by the decision, or invite the parties to bring a third person in as an intervenor or to implead a third person if the Tribunal member considers that the third person's participation is necessary in order to resolve the dispute; or

(4) rule on any special requests made by the parties.

"**56.9.** Before proceeding with the hearing, the chairman of the Tribunal, the vice-chairman designated under section 10 or the Tribunal member designated by either may, on his own initiative or on request, convene the parties to a pre-hearing conference to discuss how the hearing may be simplified or expedited.

The parties must, at the Tribunal member's request, provide any exhibits and other evidence not already filed in the record that they intend to produce as evidence during the hearing.

The agreements and decisions made during the conference are recorded in the minutes of the conference that are drawn up and signed by the Tribunal member who conducted the conference. They are binding on the parties during the hearing.

"**56.10.** Any pleading filed in the Tribunal's record is deemed to have been made under oath."

87. Section 57 of the Act is amended

(1) by replacing "board" in the first and second paragraphs by "Tribunal";

(2) by adding the following paragraph at the end:

"When applications have been joined, the Tribunal, if it considers it advisable in order to protect the parties' rights, may order that the applications be separated and dealt with in different proceedings."

88. The Act is amended by inserting the following section after section 57:

"**57.1.** The Tribunal, even on its own initiative, may split a proceeding if it thinks it advisable in order to protect the parties' rights. The resulting applications are tried before the same member, unless the chairman or the vice-chairman designated by him for that purpose decides otherwise."

89. Section 60 of the Act is replaced by the following sections:

"**60.** Before rendering a decision, the Tribunal shall allow the interested parties to be heard. For that purpose, the Tribunal may convene the parties to a hearing or, if the parties so request or agree to it, proceed on the record.

Where the Tribunal proceeds on the record, it shall give the parties an opportunity to send to the Tribunal, within the time it sets, statements deemed to have been made under oath, as well as the evidence relevant to the record.

Before holding a hearing, the Tribunal shall send the parties a notice of hearing in the manner provided in the rules of procedure.

“**60.1.** The applicant and the defendant to whom the application was notified must, without delay, inform the Tribunal and the other parties of any change of address occurring during the proceedings.”

90. Section 62 of the Act is amended by replacing “the board” by “a Tribunal member, a special clerk or an advocate”.

91. Section 63 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“At the time fixed for the hearing, the Tribunal member shall call the case, acknowledge the presence or absence of the parties and proceed with the hearing.”;

(2) by replacing “commissioner” in the second and third paragraphs by “Tribunal member”;

(3) by adding the following paragraph at the end:

“If it is necessary to examine a witness at a distance, the technological means used must allow the witness to be identified, heard and seen live. The Tribunal may however decide, after consulting the parties, to hear a witness without the witness being seen.”

92. Section 63.2 of the Act is amended

(1) in the first paragraph,

(*a*) by replacing “The board may, on a motion” by “The Tribunal may, on request”;

(*b*) by replacing “ex officio” and “improper” by “on its own initiative” and “abusive”, respectively;

(2) in the second paragraph,

(*a*) by replacing “the board” by “the Tribunal”;

(*b*) by replacing “improper” by “abusive”;

(3) by adding the following paragraph at the end:

"On ruling on whether a proceeding is abusive or dilatory, the Tribunal may order a party to pay, in addition to the costs referred to in section 79.1, damages for any injury suffered by another party, including to cover the professional fees and other costs incurred by the other party, or award punitive damages if warranted by the circumstances. If the amount of the damages is not admitted or cannot be easily calculated at the time the proceeding is declared abusive, the Tribunal may summarily determine the amount within the time and on the conditions it specifies."

93. Section 67 of the Act is amended

(1) by replacing "commissioner" by "Tribunal member";

(2) by adding the following paragraph at the end:

"In the absence of all the parties, the Tribunal member strikes the case off the roll unless, on an application filed in the record, the Tribunal member grants a postponement. Where the case is struck off the roll, the Tribunal shall notify the parties, in the manner prescribed by the rules of procedure, that the applicant may re-enter the case on the roll within 30 days following the date of the notice. If the applicant fails to do so, the application expires and the Tribunal closes the record."

94. Section 68 of the Act is amended

(1) by replacing all occurrences of "commissioner" by "member";

(2) by replacing "an inspection" in the first paragraph by "a visit of the premises";

(3) by replacing the second paragraph by the following paragraph:

"A person designated under the first paragraph must identify himself and produce a certificate of authorization before visiting the premises."

95. Section 69 of the Act is amended by replacing "commissioner, an expert or an inspector of the board" by "member, an expert or a person".

96. The Act is amended by inserting the following section after section 74:

"**74.1.** A person may be assisted at the hearing by a trusted third person for any cause considered sufficient by a Tribunal member, in particular the person's age, state of health, vulnerable situation or level of language proficiency. Such assistance must be obtained free of charge.

Despite the first paragraph, a rule of procedure referred to in section 85 may provide for exceptions to the requirement to obtain such assistance free of charge."

97. The Act is amended by inserting the following section after section 77:

"**77.1.** Where the Tribunal is seized of an application relating to a cannabis smoking prohibition and the lessee objects to it, the Tribunal must, in particular, consider the consequences for the peaceable enjoyment of the premises by the other occupants of the immovable of the failure to comply with that prohibition and, if applicable, the fact that the lessee is duly authorized to possess cannabis for medical purposes."

98. Section 78 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

"A Tribunal member may decide that a report or any other document signed by a physician, police officer or firefighter or a person designated under the first paragraph of section 68 or in a rule of procedure adopted under section 85, or that an inspection report signed by an inspector appointed under an Act or regulation, is accepted in lieu of their testimony.";

(2) in the second paragraph,

(*a*) by inserting "physician, police officer or firefighter, person designated under the first paragraph of section 68 or in a rule of procedure adopted under section 85 or" before "inspector";

(*b*) by replacing "board" by "Tribunal";

(*c*) by inserting "or document" after "report".

99. The Act is amended by inserting the following section after section 82.1:

"**82.2.** Once proceedings have been completed, the parties must take back the exhibits they produced and the documents they filed.

Failing that, such exhibits and documents may be destroyed on the expiry of one year from the date of the Tribunal's final decision or of the proceeding terminating the proceedings, unless the chairman decides otherwise. However, the Tribunal must, subsequently and if the nature of the exhibits or documents allows it, keep digital copies for a period of two years."

100. Section 88 of the Act is amended

(1) by replacing "The commissioner who" in the first paragraph by "The member who";

(2) by replacing "demanded" and "demand" in the first paragraph by "applied for" and "application", respectively;

(3) by replacing "*ex officio* or on the motion" in the second paragraph by "on his own initiative or at the request";

(4) by replacing "motion" in the third paragraph by "application".

101. Section 89 of the Act is amended

(1) by replacing "board" in the second paragraph by "Tribunal";

(2) by replacing "demand" in the second paragraph by "application";

(3) by adding the following paragraph at the end:

"It is not possible for a party who fails to inform the Tribunal or the other parties of a change of address in accordance with section 60.1 to apply for the revocation of a decision rendered against him by claiming not to have received the notice convening the party if the notice was sent to his previous address."

102. Section 90 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

"The Tribunal may review a decision, if a party applies for such a review within one month after the date of the decision,

(1) where the object of the application for a review is the fixing of the rent, the changing of another condition of the lease or the revision of the rent; or

(2) where the decision was rendered by a special clerk under subparagraph 5 of the first paragraph of section 30.2, unless the decision pertains to an application for which the parties agreed to the special clerk deciding it.";

(2) by replacing the last sentence of the second paragraph by the following sentence: "The chairman of the Tribunal or the vice-chairman designated by him for that purpose shall determine the number of Tribunal members who are to hear the application; that number must be greater than the number of members who rendered the decision, but it does not have to be greater if the decision was rendered by a special clerk.";

(3) by replacing "the board may, on a motion" in the third paragraph by "the Tribunal may, on request".

103. Section 97 of the Act is amended by replacing "*exofficio* or on a motion" by "on its own initiative or on an application".

104. Section 102 of the Act is amended by replacing “tribunal regulations” by “regulations of the Administrative Housing Tribunal”.

105. Section 106 of the Act is amended by replacing “*exofficio*” by “on its own initiative”.

106. The Act is amended by replacing all occurrences of “commissioner” and “commissioners” in sections 5, 7.7, 8, 72 and 76 by “Tribunal member” and “Tribunal members”, respectively.

107. The Act is amended by replacing all occurrences of “applications or motions” and “a motion” in sections 63.1 and 91 by “applications” and “an application”, respectively.

REGULATION RESPECTING THE PROCEDURE FOR THE RECRUITMENT AND SELECTION OF PERSONS APT FOR APPOINTMENT AS COMMISSIONERS TO THE RÉGIE DU LOGEMENT AND FOR THE RENEWAL OF THEIR TERM OF OFFICE

108. Sections 25 and 29 of the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as commissioners to the Régie du logement and for the renewal of their term of office (chapter R-8.1, r. 4) are amended by replacing all occurrences of “commissioner” by “Tribunal member”.

TARIFF OF COSTS EXIGIBLE BY THE RÉGIE DU LOGEMENT

109. Section 1 of the Tariff of costs exigible by the Régie du logement (chapter R-8.1, r. 6) is amended by replacing “a motion” in paragraph 4 by “an application”.

CHAPTER IV

PROVISIONS CONCERNING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

110. Section 3.7 of the Act respecting the Société d’habitation du Québec (chapter S-8) is amended by replacing “within the meaning of section 85.1” by “that receives financial assistance granted for the purposes of the operation and maintenance of residential immovables”.

111. Section 57 of the Act is amended by replacing “within the meaning of section 85.1” in paragraph *f* of subsection 3.1 by “that receives financial assistance granted for the purposes of the operation and maintenance of residential immovables”.

112. The Act is amended by inserting the following after section 68.14:

"§10.—*Membership in a federation*

"**68.15.** A non-profit organization must be a member of a national or regional housing federation in order to obtain financial assistance from the Société. It must remain a member of such a federation for the duration of the operating agreement providing for that assistance."

113. Section 85.1 of the Act is amended by replacing "agencies, hereinafter referred to as "housing agencies"," and "granted for the purposes of the operation and maintenance of residential immovables" by "housing agencies" and "from the Société", respectively.

114. Section 85.2 of the Act is amended by adding the following subparagraph after subparagraph 4 of the first paragraph:

"(5) that one or more of the directors or other officers of the agency have intimidated, harassed or mistreated any occupant of a dwelling situated in a residential immovable belonging to or administered by the agency, or have taken no action to put an end to the mistreatment, harassment or intimidation reported to them."

115. Section 85.5 of the Act is amended by replacing "4" in the first and third paragraphs by "5".

116. Section 94.5 of the Act is amended by inserting the following paragraph after the first paragraph:

"An immovable or dwelling with regard to which financial assistance is granted under the first paragraph may be located outside the municipality's territory."

BY-LAW RESPECTING THE ALLOCATION OF DWELLINGS IN LOW RENTAL HOUSING

117. Section 16 of the By-law respecting the allocation of dwellings in low rental housing (chapter S-8, r. 1) is amended by replacing "5" in the sentence preceding subparagraph 4 of the first paragraph by "3".

CHAPTER V

PROVISIONS CONCERNING THE MUNICIPAL SECTOR

ACT TO AFFIRM THE COLLECTIVE NATURE OF WATER RESOURCES AND TO PROMOTE BETTER GOVERNANCE OF WATER AND ASSOCIATED ENVIRONMENTS

118. Section 15.5 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2) is amended by replacing the last sentence by the following sentence: "The municipality must also take the appropriate interim control measures according to the rules prescribed by that Act."

CITIES AND TOWNS ACT

119. Sections 29.5 to 29.7 of the Cities and Towns Act (chapter C-19) are repealed.

120. Section 29.9.2 of the Act is amended by striking out "29.5 or" in the first paragraph.

121. Section 468.51 of the Act is amended, in the first paragraph,

(1) by replacing "29.5 to" by "29.9.1,";

(2) by inserting "572.1," after "section 567, sections".

122. The heading of subdivision 33 of Division XI of the Act is replaced by the following heading:

"§33.—*Making and management of certain contracts*".

123. The Act is amended by inserting the following section after the heading of subdivision 33 of Division XI:

"**572.1.** A municipality may, by mutual agreement and gratuitously, unite with

(1) a public body subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), a person or body considered a public body under that Act, a non-profit body, an educational institution, a telecommunications company, an enterprise that transports, distributes or sells gas, water or electricity, or the owner of a mobile home park, in order to perform work; or

(2) another municipality, a public institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or within the meaning of the Act respecting health services and social services for Cree

Native persons (chapter S-5), a school board, an educational institution, a non-profit body or the owner of a mobile home park, in order to obtain insurance, supplies or services.

The union provided for in the first paragraph may concern all or part of the acts to be performed in connection with an eventual insurance contract, contract for the performance of work, supply contract or services contract.

The municipality shall make sure that any contract with a third party resulting from the union complies with sections 477.4 and 573 to 573.3.4.

The parties to the union shall determine the terms governing it. The terms shall specify which of the by-laws on contract management is to apply, which council is responsible for the performance assessment process, which delegatee is to establish the selection committee, and any other term that would allow the adapted application of sections 573 to 573.3.4. Those sections have precedence over any incompatible term determined under this paragraph. Furthermore, the total amount of expenditures of all the parties to the union is to be considered for the application of those sections and section 477.4.

The provisions of subdivision 23 of Division XI concerning intermunicipal agreements do not apply to a union between several municipalities under this section.

This section applies despite the Municipal Aid Prohibition Act (chapter I-15).

This section does not prevent a municipality from giving a mandate to or receiving a mandate from a body or person referred to in this section, in compliance with sections 573 to 573.3.4 and in keeping with the jurisdictions and powers of each."

124. Section 573 of the Act is amended by replacing "29.5, 29.9.1 or 29.10" in subparagraph 1 of subsection 2.0.1 by "29.9.1, 29.10 or 572.1".

125. Section 573.3.5 of the Act is amended

(1) by replacing "the rules applicable to it" in subparagraph 2 of the first paragraph by "an Act or regulation that so requires";

(2) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

"(4) it is a non-profit body that meets the following conditions on 1 January of a year:

(*a*) its revenues for at least one of the last two years were equal to or greater than $1,000,000; and

(*b*) it received, during the year in which its revenues were equal to or greater than $1,000,000, financial assistance from a municipality in an amount equal to or greater than half of its revenues for that year;".

MUNICIPAL CODE OF QUÉBEC

126. Articles 14.3 to 14.5 of the Municipal Code of Québec (chapter C-27.1) are repealed.

127. Article 14.7.2 of the Code is amended by striking out "14.3 or" in the first paragraph.

128. Article 620 of the Code is amended, in the first paragraph,

(1) by replacing "29.5 to" by "29.9.1,";

(2) by inserting "572.1," after "section 567, sections".

129. The heading of Title XXI of the Code is amended by replacing "AWARDING" by "MAKING AND MANAGEMENT".

130. The Code is amended by inserting the following article after article 934:

"**934.1.** A municipality may, by mutual agreement and gratuitously, unite with

(1) a public body subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), a person or body considered a public body under that Act, a non-profit body, an educational institution, a telecommunications company, an enterprise that transports, distributes or sells gas, water or electricity, or the owner of a mobile home park, in order to perform work; or

(2) another municipality, a public institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5), a school board, an educational institution, a non-profit body or the owner of a mobile home park, in order to obtain insurance, supplies or services.

The union provided for in the first paragraph may concern all or part of the acts to be performed in connection with an eventual insurance contract, contract for the performance of work, supply contract or services contract.

The municipality shall make sure that any contract with a third party resulting from the union complies with articles 961.2 and 935 to 938.4.

The parties to the union shall determine the terms governing it. The terms shall specify which of the by-laws on contract management is to apply, which council is responsible for the performance assessment process, which delegatee is to establish the selection committee, and any other term that would allow the adapted application of articles 935 to 938.4. Those articles have precedence over any incompatible term determined under this paragraph. Furthermore, the total amount of expenditures of all the parties to the union is to be considered for the application of those articles and article 961.2.

The provisions of Division XXV of Chapter II of Title XIV concerning intermunicipal agreements do not apply to a union between several municipalities under this section.

This article applies despite the Municipal Aid Prohibition Act (chapter I-15).

This article does not prevent a municipality from giving a mandate to or receiving a mandate from a body or person referred to in this article, in compliance with articles 935 to 938.4 and in keeping with the jurisdictions and powers of each."

131. Article 935 of the Code is amended by replacing "14.3, 14.7.1 or 14.8" in subparagraph 1 of subarticle 2.0.1 by "14.7.1, 14.8 or 934.1".

ACT RESPECTING THE COMMISSION MUNICIPALE

132. Section 85 of the Act respecting the Commission municipale (chapter C-35) is amended by replacing "107.7" in subparagraph *a* of subparagraph 5 of the first paragraph by "573.3.5".

MUNICIPAL POWERS ACT

133. Section 92.1 of the Municipal Powers Act (chapter C-47.1) is amended

(1) by inserting ", excluding a private seniors' residence referred to in section 346.0.1 of the Act respecting health services and social services (chapter S-4.2)" at the end of the first sentence of the second paragraph;

(2) by inserting the following paragraph after the fourth paragraph:

"A private seniors' residence in respect of which assistance may be granted under the second paragraph may be situated in the territory of another municipality.";

(3) by adding the following sentence at the end of the fifth paragraph: "However, that period may be longer where such assistance is granted to a private seniors' residence referred to in section 346.0.1 of the Act respecting health services and social services."

ACT RESPECTING MUNICIPAL TAXATION

134. Section 81 of the Act respecting municipal taxation (chapter F-2.1) is amended, in the first paragraph,

(1) by replacing “$1,000,000” by “$3,000,000”;

(2) by adding the following sentence at the end: “However, the clerk is not required to comply with the 60-day period if the roll deposited is published, from a date included in the 60-day period after its deposit, on the municipality’s website, in accordance with the public presentation rules set out in the regulation made under subparagraph 1 of the first paragraph of section 263.”

135. Section 134 of the Act is amended

(1) by replacing “$1,000,000” by “$3,000,000”;

(2) by adding the following sentence at the end: “However, the 60-day period applies if the roll deposited is published, from a date included in the 60-day period after its deposit, on the municipality’s website, in accordance with the public presentation rules set out in the regulation made under subparagraph 1 of the first paragraph of section 263.”

136. Section 155 of the Act is amended by adding the following paragraph at the end:

“The assessor shall also correct the roll in conformity with his proposal if the latter was the subject of an application for review that did not give rise to an agreement entered into under section 138.4 and no proceeding has been brought before the Tribunal in respect of such an application at the expiry of the time limit set out in the third paragraph of section 138.5. The assessor shall also correct the roll in conformity with his proposal if the motion by which such a proceeding has been brought is withdrawn before the Tribunal renders a decision on it.”

137. Section 174 of the Act is amended by replacing “in the case provided for” in paragraph 1 by “in one of the cases provided for”.

138. Section 174.2 of the Act is amended by replacing “in the case provided for” in paragraph 1 by “in one of the cases provided for”.

139. Section 244.39 of the Act is amended

(1) by replacing “projected aggregate taxation” in subparagraph 1 of the third paragraph by “basic”;

(2) by striking out "and the revenues, among those from any special tax imposed at different rates under any of sections 487.1 and 487.2 of the Cities and Towns Act or articles 979.1 and 979.2 of the Municipal Code of Québec, that are not taken into account in establishing the municipality's projected aggregate taxation rate" in subparagraph 3 of the third paragraph;

(3) by replacing the second sentence of the fourth paragraph by the following sentence: "The taxable non-residential property assessment is the one established for that fiscal year under Division IV of Chapter XVIII.1."

140. Section 263 of the Act is amended by inserting the following paragraph after paragraph 2:

"(2.0.1) increase, for the purposes of sections 81 and 134, the values prescribed in respect of assessment units and business establishments, respectively;".

ACT TO FOSTER THE FINANCIAL HEALTH AND SUSTAINABILITY OF MUNICIPAL DEFINED BENEFIT PENSION PLANS

141. Section 1 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1) is amended by inserting the following paragraph after the second paragraph:

"The Régime de rentes de l'Association de Bienfaisance et de Retraite de la Police de Montréal and the Régime de retraite des policiers et policières de la Ville de Montréal are pension plans established by a municipal body within the meaning of the first paragraph."

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

142. Section 89 of the Act respecting public transit authorities (chapter S-30.01) is repealed.

143. The Act is amended by inserting the following section after section 92.3:

"**92.4.** A transit authority may unite, by mutual agreement and gratuitously, with a public body subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), a person or body considered a public body under that Act, a non-profit organization, a telecommunications company, an enterprise that transports, distributes or sells gas, water or electricity, or the owner of a mobile home park, in order to perform work.

The union provided for in the first paragraph may concern all or part of the acts to be performed in connection with an eventual contract for the performance of work.

The transit authority shall make sure that any contract with a third party resulting from the union complies with sections 92.1 to 108.2. However, if a municipality is a party to the union, the transit authority shall make sure that the contract complies with sections 477.4 and 573 to 573.3.4 of the Cities and Towns Act (chapter C-19).

The parties to the union shall determine the terms governing it. The terms shall specify which of the by-laws on contract management is to apply, which council is responsible for the performance assessment process, which delegatee is to establish the selection committee, and any other term that would allow the adapted application of sections 92.1 to 108.2 or of sections 573 to 573.3.4 of the Cities and Towns Act, as applicable. Those sections have precedence over any incompatible term determined under this paragraph. Furthermore, the total amount of expenditures of all the parties to the union is to be considered for the application of those sections and section 92.1 or of section 477.4 of the Cities and Towns Act, as applicable.

This section applies despite the Municipal Aid Prohibition Act (chapter I-15).

This section does not prevent a transit authority from giving a mandate to or receiving a mandate from a body or person referred to in this section, in compliance with sections 92.1 to 108.2 and in keeping with the jurisdictions and powers of each.

In addition, a transit authority may, gratuitously, give a mandate to a public body referred to in the Act respecting Access to documents held by public bodies and the Protection of personal information or a person or body considered a public body under that Act, or a non-profit organization, in order to obtain supplies or services or to perform work. A transit authority may receive such a mandate, gratuitously, from such a body or person where the transit authority intends to obtain supplies or the same services or to perform similar work."

144. Section 103 of the Act is amended by replacing "Subject to the third paragraph of section 89, the" in the first paragraph by "The".

145. Section 262 of the Act is amended by replacing "139" by "139.1".

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

146. Section 209 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended by striking out the last sentence of the second paragraph.

147. Section 383 of the Act is amended

(1) by striking out the last sentence of the second paragraph;

(2) by replacing "1/12" in the third paragraph by "one-twelfth".

CHAPTER VI

OTHER AMENDING PROVISION

CIVIL CODE OF QUÉBEC

148. Article 1896 of the Civil Code of Québec is amended by adding the following sentence at the end of the first paragraph: "Where no rent has been paid in the 12 months preceding the beginning of the lease, the notice shall indicate the last rent paid and the date of the payment."

CHAPTER VII

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

DIVISION I

PROVISIONS CONCERNING DIVIDED CO-OWNERSHIP

149. Despite paragraph 12 of section 814 of chapter 23 of the statutes of 2018, section 643 of that Act comes into force on the date of coming into force of this Act.

150. The penal clauses applicable for contravening a declaration of co-ownership that are included in the by-laws of an immovable before the date of coming into force of this Act are deemed to form part of the act constituting the co-ownership in accordance with article 1053 of the Civil Code, amended by section 30.

151. Where the special meeting of the co-owners provided for in article 1104 of the Civil Code, amended by section 59, is held more than 30 days before the coming into force of the first regulation made under the second paragraph of article 1070.2 of the Civil Code, enacted by section 38, or under the second paragraph of article 1071 of the Civil Code, enacted by paragraph 3 of section 39, as applicable, the maintenance log provided for in article 1070.2 of the Civil Code and the contingency fund study provided for in the second paragraph of article 1071 of the Civil Code must be obtained not later than the day that is three years after the coming into force of the regulation concerned.

Those first regulations may prescribe special rules where the syndicate obtained a maintenance log or a contingency fund study in the previous two years, in particular to provide for the recognition of equivalences for maintenance logs and contingency fund studies already obtained.

152. For the purposes of article 1070 of the Civil Code, amended by section 37, the syndicate must make the maintenance log and the contingency fund study available within 60 days after the date on which those documents are obtained in accordance with section 151. Where the annual general meeting of the co-owners takes place within that period, the syndicate must give those documents to the co-owners before the meeting.

153. The board of directors must, not later than 30 days after the first annual general meeting held after obtaining the first contingency fund study in accordance with section 151, determine the sums to be paid into the contingency fund under the third paragraph of article 1071 of the Civil Code, enacted by paragraph 3 of section 39.

In the period between the coming into force of the first regulation made under the second paragraph of article 1071 of the Civil Code and the time when the sums are determined in accordance with the first paragraph, the sums to be paid into the contingency fund are at least 5% of the co-owners' contributions to the common expenses.

154. If the contingency fund study required under article 1071 of the Civil Code, enacted by paragraph 3 of section 39, reveals that the fund is insufficient to cover the estimated cost of major repairs and the cost of replacement of common portions, the board of directors must determine the sums to be paid into the fund each year to ensure the fund will be sufficient after a period of not more than 10 years after the date on which the first study is obtained.

155. Until the coming into force of section 641 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23), the fourth paragraph of article 1071 of the Civil Code, enacted by paragraph 3 of section 39, and the second paragraph of article 1791 of the Civil Code, amended by paragraph 1 of section 65, are to be read as if "reconstruction cost" were replaced by "replacement cost".

156. For the purposes of subparagraph 1 of the first paragraph of article 1106.1 of the Civil Code, enacted by section 60, the developer of a co-ownership must provide the syndicate with the maintenance log and contingency fund study within six months after the special meeting required under article 1104 of the Civil Code where the special meeting is held between the 30th day before and the 90th day after the coming into force of the first regulation made under the second paragraph of article 1071 of the Civil Code, enacted by paragraph 3 of section 39.

157. Sections 31 and 52 are declaratory.

DIVISION II

PROVISIONS CONCERNING THE RÉGIE DU LOGEMENT

158. Unless the context indicates otherwise or unless otherwise provided for by this Act, in any Act, regulation or other document,

(1) "Régie du logement" is replaced by "Administrative Housing Tribunal"; and

(2) “board”, “commissioner” and “commissioners”, where those terms concern the Régie du logement, are replaced by “Tribunal”, “member” and “members”, respectively.

159. The Administrative Housing Tribunal publishes, as soon as possible after the coming into force of section 93, a notice in the *Gazette officielle du Québec* stating the right for any applicant whose application has not expired and whose case was struck off before that coming into force, due to the absence of all parties at the hearing, to re-enter the case on the roll within 30 days after the publication of the notice.

The Tribunal’s notice must also state that, if the applicant fails to re-enter the case within that time, the application expires and the Tribunal closes the record.

DIVISION III

OTHER PROVISIONS

160. Despite section 110.10.1 and the second paragraph of section 264.0.9 of the Act respecting land use planning and development (chapter A-19.1), Ville de Laval may, at any time before 11 December 2021, replace its zoning by-law and subdivision by-law.

Such a replacement by-law must be in conformity with the objectives of the land use and development plan and with the provisions of the complementary document.

Sections 124 to 127, 134, 136.0.1, subject to section 80.2, and sections 137.10 to 137.15 of the Act respecting land use planning and development apply, with the necessary modifications, in respect of a by-law adopted under the first paragraph. Among those modifications, the conformity provided for in sections 137.11 to 137.14 of that Act is to be established with regard to the objectives of the land use and development plan and the provisions of the complementary document. The by-law stands in lieu of a concordance by-law for the purposes of section 59 of that Act.

161. Section 125 has effect from 1 January 2018.

162. Section 132 has effect from 1 August 2018.

163. Sections 134 and 135 have effect for the purposes of any roll that comes into force after 31 December 2020.

164. The third paragraph of section 1 of the Act to foster the financial health and sustainability of municipal defined benefit pension plans (chapter S-2.1.1), enacted by section 141, is declaratory.

CHAPTER VIII

FINAL PROVISIONS

165. This Act comes into force on 10 January 2020, except

(1) sections 1 and 10, paragraph 1 of section 11, sections 12 and 13, paragraph 9 of section 25 and section 27, as well as, insofar as they concern the inspection of a building or the certificate, sections 15, 16, 19 and 20, and paragraph 3 of section 25 insofar as it enacts paragraph 2.1 of section 185 of the Building Act (chapter B-1.1), which come into force on the date of coming into force of the first regulation made under paragraphs 19.8 and 19.9 of section 185 of the Building Act, enacted by paragraph 9 of section 25;

(2) section 35, insofar as it enacts article 1068.1 of the Civil Code, which comes into force on the date of coming into force of the first regulation made under the first paragraph of article 1068.1 of the Civil Code, enacted by that section;

(3) section 37, insofar as it concerns the maintenance log and the contingency fund study, which comes into force on the date of coming into force of the first regulation made under the second paragraph of article 1070.2 of the Civil Code, enacted by section 38, with regard to the maintenance log, or under the second paragraph of article 1071 of the Civil Code, enacted by section 39, with regard to the contingency fund study;

(4) section 38, insofar as it enacts article 1070.2 of the Civil Code, which comes into force on the date of coming into force of the first regulation made under the second paragraph of article 1070.2 of the Civil Code, enacted by that section;

(5) section 39, insofar as it enacts the second, third and fourth paragraphs of article 1071 of the Civil Code, and section 40, which come into force on the date of coming into force of the first regulation made under the second paragraph of article 1071 of the Civil Code, enacted by section 39;

(6) section 60, insofar as it enacts subparagraph 1 of the first paragraph of article 1106.1 of the Civil Code, which comes into force on the date of coming into force of the first regulation made under the second paragraph of article 1070.2 of the Civil Code, enacted by section 38, as concerns the maintenance log, or under the second paragraph of article 1071 of the Civil Code, enacted by section 39, as concerns the contingency fund study;

(7) section 60, insofar as it enacts subparagraph 5 of the first paragraph of article 1106.1 of the Civil Code, which comes into force on 13 June 2020 as concerns divided co-ownerships established before 13 June 2018;

(8) section 65, insofar as it concerns the annual amount of contributions to the common expenses included in the budget forecast, which comes into force on the date of coming into force of the first regulation made under the second paragraph of article 1071 of the Civil Code, enacted by section 39;

(9) section 66, insofar as it concerns the deposit in a trust account, which comes into force on the date of coming into force of the first regulation made under article 1791.1 of the Civil Code, enacted by that section;

(10) sections 74 to 109, 148, 158 and 159, which come into force on the date or dates to be set by the Government.