

QUEBEC, Canada

Organisation: Federation des Locataires d'habitations à loyer modique du Quebec (FLHLMQ)
Federation of low-cost housing tenants of Quebec

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Tenure structure

1. Owner occupied housing: 56%

2. Rental housing: 44%

(i) private rental: 90%

(ii) social rental housing: 10%

Until the end of 1993, the federal government funded social housing in Canada. However, on December 31, 1993, the federal government ended all new social housing programs, no more funding for co-ops or public housing, and no federal support for any affordable housing. Also, thousands of rental flats were converted to condominiums. This meant that more low and medium income households, who could not afford to buy, were referred to the private rental sector.

Initial rent – is it regulated unregulated?

The initial rent in the private rental sector when a new tenant moves in, and a new lease is signed, is unregulated – landlord can legally ask for any amount.

But, the tenants can challenge the rent if the new tenant has proof that the preceding rent is not the same as the new rent and if there hasn't been any improvement or renovation. The new tenant must have a written proof from the previous lease.

Challenge the initial rent?

If by any chance, the new tenant has written proof that the previous tenant was paying less and no improvements have been made to the housing, the new tenant can then file a complaint to the rent tribunal, Régie du logement, to lower the rent within 30 days. But in the meantime the tenant still has to pay the amount he/she signed for.

Although in reality, in Quebec nobody really does that because of the context of scarcity, the landlord has the choice of picking whoever he wants as a tenant.

How often can the landlord increase the rent?

Once a year, at the renewal date but he has to give a written notice to the tenant from 3 to 6 months before the end of the lease.

Any limitations to increases?

No.

Challenge rent increases?

Yes, the tenant can formally challenge the increase by refusing the increase, on official form.

The landlord has then to take action against the tenant before the rent tribunal, Régie du logement, and prove that the increase is justified.

A tenant can challenge the rent if no improvements or renovations have been made to his apartment.

For a 1-year lease, the landlord has to give a written notice to the tenant from 3 to 6 months before the termination of the lease. The tenant, then has to answer within 1 month from the date that he receives the notice.

Costs involved? If the rent is CA\$350 or less it costs \$45. If the rent is more than \$350 and less than \$600 the cost is \$56, and \$73 if the rent is above \$600.

Duration of lease

Leases, in the private rental sector are generally unlimited in time. Tenants can legally stay until he/she gives notice.

Notice period for landlord is 6 months.

Reasons for landlord to legally give notice

If the owner wants to recuperate the flat for an immediate member of his family or to change the vocation of the building.

Security deposit

It is not legal to ask for a security deposit.