

What should I do if my lessor refuses to accomplish the necessary repairs or maintenance in my dwelling?

Vocabulary

Lessor: A person, often the owner (but not always!), who rents out a dwelling to someone.

Tenant: The person who lives in a dwelling in exchange for paying rent (can also be called a lessee).

Lessor's obligations in the law



According to the Civil code of Quebec, a lessor must maintain the leased property in a good state throughout the term of the lease.



The lessor must carry out the repairs and maintenance necessary to allow the tenant to peacefully enjoy the leased dwelling and must comply with the requirements of the law regarding safety and health.



The lessor must provide a safe dwelling, which means a dwelling that poses no threat to the health and safety of tenants.

Steps to take

1. Communicate with the lessor as soon as repairs or maintenance work is necessary;
2. Send a letter of formal notice to the lessor;*
3. Contact your borough for an inspector to come and inspect the dwelling;*
4. Make a request to the Tribunal administratif du logement (TAL), who can force the landlord to :
 - Carry out repairs in the dwelling;
 - Pay financial compensation to the tenant;
 - Reduce the tenant's rent.

The Tribunal could also authorize the tenant to carry out the necessary repairs in their dwelling and force the lessor to then reimburse expenses.

*See page 2



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Formal Notice

A formal notice is a letter addressed to your lessor requiring him to comply with his legal obligations. This letter is a way to make a clear request and express the seriousness of the matter. This is a final warning before taking legal action. A letter of formal notice must mention, among other things:

- The date of sending;
- The name and contact details of the person to whom it is addressed;
- A brief summary of the problematic situation and what is being requested;
- A reasonable amount of time for the person to do what is requested;
- Your signature.

In addition, the formal notice must be sent in a way that allows you to prove its reception, such as by bailiff or registered mail.

Dwelling inspection

A city inspector can come and evaluate your dwelling at your request and produce a report. This report can be put into evidence if you ever decide to take steps at the TAL. This is a process that can be carried out in parallel with the TAL procedures.

When the city intervenes, it can, among other things:

- Require that corrective action be taken;
- Require an expert assessment;
- Impose fines.

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