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A notice of rent increase must not be an indirect means to evict a tenant. You have the right to remain in your premises and have your lease renewed automatically.

When a lease is being renewed, the landlord can modify the amount of the rent. In a twelve-month lease, the landlord must give a notice of amendment to the tenant at least three months, but not more than six months, before the end of the lease.

Therefore, if the lease ends on June 30<sup>th</sup>, the landlord must send the notice of rent increase to the tenant between January 1<sup>st</sup> and March 31<sup>st</sup>.

The notice must indicate the amount of the new proposed rent, the amount of the increase or the increase as a percentage of the current rent. The notice must also indicate the deadline within which the tenant can refuse the proposed change.

A tenant who refuses the change proposed by the landlord must, within one month of having received the notice, notify the landlord of his refusal or notify the landlord that he will be leaving the dwelling when his lease expires. If the tenant fails to do so, he will be deemed to have accepted the renewal of the lease under the conditions proposed by the landlord.

Certain exceptions apply if the dwelling is located in a housing cooperative or in a building that was recently built. If one of these situations applies, it will be indicated in section F of the lease.

If a tenant refuses the proposed change, the landlord may, within one month of having received the notice of refusal, submit the matter to a court (the Régie du logement) in order to have the rent set. If the landlord fails to do so, the lease will be automatically renewed under the former conditions.

For evidentiary purposes, it is preferable to send notices by registered mail and keep a copy of the dated and signed notices.

If you come to an understanding with your landlord, it is important to sign a new lease setting out the new conditions.

Sample notices and replies are available on the website of the Régie du logement at <http://www.rdl.gouv.qc.ca/en/accueil/accueil.asp>

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\* The information set out in this document is not a legal interpretation.