



MY NEIGHBOURS ARE TOO NOISY. WHAT ARE MY RIGHTS?

You've been living for a short while in an apartment that seemed to be a peaceful haven when you visited the premises before signing the lease. Now, however, you are being disturbed by neighbours who have little respect for your peace and quiet. They turn up the music, even late at night, slam doors and let their children run around screaming in the corridors, among other things.

Although you've tried talking to your neighbours to explain that you'd like all of this to stop, it's no use and you feel discouraged.

Take heart, because you can turn to your landlord to settle the problem. Indeed, according to the *Civil Code of Québec*, a tenant is entitled to the peaceful enjoyment of his premises and the landlord is required to act, because he is responsible for the disturbances caused by the other tenants of the building.

You should give your landlord a written notice, sent by registered mail with acknowledgement of receipt, reporting the situation and giving him a specific deadline within which to act. Keep a copy of the notice so you can use it as evidence, if necessary.

If the racket persists and the noise continues after the deadline mentioned in the notice, you can go before the Régie du logement to ask for a rent reduction if all of this commotion is preventing you from peacefully enjoying your dwelling. In very serious cases, you can even ask for the termination of your lease.

You can also ask for damages from your landlord, unless he is able to prove that he did everything he could to put a stop to the behaviour of the tenants in question. It would therefore be useful to note occurrences of excessive noise, on a daily basis, so you can testify about it at the Régie du logement hearing.

After you file your application with the Régie du logement, you and the landlord will receive a notice calling you to a hearing at which you will be expected to prove what you are alleging. At the hearing, you will also be able to call witnesses who have heard the excessive noise, including members of your family, friends and neighbours.

Lastly, you can hire a lawyer to send the notice to your landlord or help you during the Régie du logement hearing.

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

The masculine is used to designate persons solely in order to simplify the text.