



## **MY LANDLORD WANTS ME TO GET RID OF MY DOG. WHAT CAN I DO?**

You live in an apartment with your dog. Your landlord has asked you to get rid of him and it's breaking your heart. What can you do?

The law is silent regarding the presence of pets in a dwelling. You must therefore look at your lease and at the building's rules and regulations, if there are any, in order to determine whether they contain specific provisions dealing with the presence of pets.

If a clause clearly prohibits the presence of your dog, whether the clause is in your lease or in the building's rules and regulations (which your landlord is obliged to provide to you), you will have to comply with the clause, unless you can prove it is unreasonable or abusive. In such cases, the burden of proof rests on the tenant and, generally, the courts consider these clauses to be valid.

If neither the lease nor the building's rules and regulations contain such a clause, you will be able to keep your pet, provided he does not disturb the other tenants' peaceful enjoyment of their premises and does not cause damage to the property.

As the owner of a pet, you have the obligation to ensure your pet does not disturb the other tenants, be it through barking, the presence of excrement or nauseating odours or unwanted contact, for example.

Therefore, before getting a pet, it is important to first check your lease and the building's rules and regulations in order to know your rights and avoid unpleasant surprises!

Lastly, you can also consult a lawyer to find out your rights in your particular situation.

Text prepared by  
M<sup>e</sup> Nathalie Aubin,  
Lawyer at  
the Alma legal  
aid office

### **Contact Us**

Commission des  
services juridiques  
Communications Department  
2 Complexe Desjardins  
East Tower  
Suite 1404  
P.O. Box 123  
Succursale Desjardins  
Montreal, Québec  
H5B 1B3

Telephone: (514) 873-3562  
Fax: (514) 873-7046

**[www.csj.qc.ca](http://www.csj.qc.ca)**

\* 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.