

• Refusal to deposit the rent

Landlords may falsely claim to not to have received your rent money and apply to the Régie for an eviction. Insist on getting a receipt when you pay your rent. You can also arrange to have a witness with you when you pay your rent. You have the right to demand and receive either a receipt or a proof of payment for your cash payment or your rent cheque.

If your landlord persistently refuses to acknowledge receipt of your payment, you can apply to the Régie so you can deposit your rent cheque there.

• Signing of a non-residential lease

Landlords may try to convert a tenant's lease into a non-residential lease in order to remove the protections provided by a residential lease. If both you and the landlord agreed that it would be a residential lease when you first signed it, the lease remains residential. And if you both agreed that the apartment would be used as a dwelling, the Régie can confirm that the lease is residential.

• Subletting

Subtenants rent an apartment from a tenant. Unlike a tenant who has signed a lease with a landlord, subtenants do not have right to maintain occupancy. Their lease ends at the end of its term. But you don't have to leave your dwelling if you haven't received a ten-day notice of eviction. It is important to know whether you're a tenant or a subtenant!

The RCLALQ

- RCLALQ stands for the Regroupement des comités logement et associations de locataires du Québec. It was created in 1978.
- The RCLALQ promotes the right to affordable and adequate housing. It seeks to protect the right for all tenants to maintain occupancy and works toward the protection and preservation of the rental housing stock.
- The RCLALQ has member groups in several regions of Quebec and different Montreal neighbourhoods. Do not hesitate to contact the one in your area.

www.rclalq.qc.ca

Contact the housing committee or the tenants' association of your area.

UNDERSTANDING ILLEGAL EXPULSIONS



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Be aware of illegal expulsion strategies...

Illegal strategies to evict a tenant:

- A notice to vacate the premises following a change of ownership
- An abusive rent increase
- Major work without previous notice
- Harassment and intimidation
- Signing of a non-residential lease
- Refusal to deposit the rent

Legal exceptions ...

- **Your lease is terminated by the Régie du logement** (Rental Board) because you haven't complied with the obligations related to the lease.
- **The landlord wants to repossess your dwelling** as a residence for: himself or herself, his/her children or parents.
- **The landlord wants to evict** you in order to divide the dwelling, enlarge it or change its destination.
- **The landlord wants to demolish** your dwelling.

These are the only exceptions to your right to stay in your dwelling forever. All other examples shown here are illegal attempts to evict tenants!

• A notice to vacate the premises following a change of ownership

A new landlord has bought your building... and gives you an eviction notice due to a change of ownership.

Such an eviction is absolutely prohibited!

The law says that after a change of ownership, the lease is transferred to the new landlord and is then renewed yearly.

• An abusive rent increase

A landlord hopes you will move out because he/she has handed you an abusive rent increase? **You can refuse such an increase and keep your dwelling.**

If you refuse the increase, the Régie alone can set the rent. You will have done nothing wrong and you will not lose your dwelling.

• Major work

The landlord cannot undertake any major work in your dwelling without giving you prior notice. **Major work is never a valid reason to terminate your lease.**

You figure the planned work is not urgent, necessary or major? You can refuse the

eviction. The landlord will then have to ask the Régie to authorize a temporary evacuation. **No repairs, even major repairs, can justify a permanent evacuation.**

Once the work is done but the evacuation is still in effect, the tenant can appeal to the Régie du logement in order to return to his/her dwelling.

• Harassment and intimidation

Harassment is a repeated behaviour on the part of a landlord (or anyone else) attempting to undermine a tenant's well-being as an indirect method of eviction. **Harassment is illegal!**

If you experience harassment, file a complaint with the Régie to put an end to the harassment and apply for indemnities. If you experience harassment based on race, colour, sex, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition or disability, **you can file a complaint with the Human Rights Commission (Commission des droits de la personne et des droits de la jeunesse), which will investigate the complaint. Contact your local Commission office.**