



CHAPTER 100

An Act to prolong certain provisions of the Act to amend the Act to promote conciliation between lessees and property-owners, the Civil Code and other legislation

[Assented to 22 December 1978]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1977, c. 76,
ss. 10, 11
and 21,
am.

1. The Act to amend the Act to promote conciliation between lessees and property-owners, the Civil Code and other legislation (1977, chapter 76) is amended by replacing,

(a) in sections 11 and 21, the date “20 December 1977” by the date “29 November 1978”;

(b) in section 10, in subparagraph *c* of the second paragraph of subsection 3 of section 11 and in section 21, the year “1978” by the year “1979”;

(c) in sections 10 and 11, the year “1979” by the year “1980”.

Id., s. 12,
replaced.

2. Section 12 of the said act is replaced by the following section:

“housing
complex”.

“12. (1) For the application of this section, “housing complex” means several immoveables situated near one another and comprising together more than twelve dwellings, if such immoveables are administered jointly by the same person or by related persons within the meaning of the Taxation Act (1972, chapter 23), and if some of them have an accessory, a dependency or part of the structure, except a common wall, in common.

Sale, etc.,
of immo-
veable
prohibited.

(2) No person may, unless authorized by the rental administrator appointed in accordance with the Act to promote conciliation between lessees and property-owners, sell, promise to sell or offer to sell an immoveable situated in a housing complex, or confer a right of occupancy or habitation or any similar right in respect of that immoveable except by a contract of lease.

Nullity. Any agreement in contravention of this section is null *pleno jure*.

Exception. (3) No authorization is required for the sale of the housing complex to a single acquirer under a single contract.

Conditions for authorization. (4) Before granting its authorization, the rental administrator shall consider the consequences the sale of the immoveable would have on the lessees, the number of lessees who would be evicted following such a sale, the individualization of the services, accessories and dependencies of the dwelling or immoveable, the financing conditions, the fact that the immoveable was erected or restored within the framework of a government programme and any other pertinent criterion. The administrator shall proceed with the hearing of the demand in accordance with the Act to promote conciliation between lessees and property-owners.

Sale, etc., of dwelling prohibited. (5) From 29 November 1978, no person may, directly or indirectly, sell, promise to sell or offer to sell a dwelling situated on any of lots three hundred and eighty to five hundred and seventy-eight of the official subdivision of original lot number one hundred and fifty-nine, any of lots three hundred and seventy-eight to four hundred and eighty-nine of the official subdivision of original lot number one hundred and sixty and any of lots eighty-eight to ninety-eight of the official subdivision of original lot number one hundred and twenty-two, in the official plan and book of reference of the parish of Saint-Martin, in the registration division of Laval, or confer on such dwelling any right of occupancy or use or any other similar right, except in the case of a contract of lease of things.

Provision not applicable. This subsection does not apply in the case of an agreement or of a deed to which the Société d'habitation du Québec is a party, or in the case of an agreement or of a deed respecting an immoveable contemplated in section 20.

Extension of lease. (6) Every lessee who, on 29 November 1978, occupies a dwelling situated in a housing complex contemplated in subsection 5 is entitled, without any formality, to the extension of his lease until 30 June 1980.

Exceptions. However, such extension shall not occur when

- (a) the lease is rescinded for cause under the Civil Code or section 25 or the first paragraph of section 26a of the Act to promote conciliation between lessees and property-owners;
- (b) the lessee consents in writing to leave the dwelling; or
- (c) the person registered as the owner on 20 December 1977 resumes possession of the dwelling in accordance with sections 23 and 24 of the Act to promote conciliation between lessees and property-owners.

Registra-
tion.

(7) The registrar is bound to refuse to register every deed or agreement effected in contravention of this section.

Provision
not
applicable.

(8) This section does not apply to an immoveable leased for resort purposes.”

1977, c. 76,
s. 27,
replaced.

3. Section 27 of the said act is replaced by the following section:

Effect.

“**27.** Sections 11 to 18 and 21 have effect until 31 December 1979.”

Coming
into force.

4. This act comes into force on the day of its sanction.