

Notice of resiliation of lease because of spousal violence or sexual aggression

Notice to

Name of lessor

Address of leased premises : _____

_____ (Telephone number)

Take notice of the resiliation of the current lease because of the violent behaviour of

the spouse or a former spouse of the lessee

or due to

a sexual aggression (even by a third party)

that threatens the safety of

the lessee

a child living with the lessee.

The attestation required by law is attached to this notice.

The lease will end on _____ or earlier if the dwelling is re-leased following the departure of the lessee.

Name of lessee

Signature of lessee

(Date)

(To be used if submitted in person)

I, the undersigned, acknowledge receipt of the notice of resiliation of the lease because of spousal violence or sexual aggression.

Date

Signature of the landlord

Signature of the landlord

(see reverse)

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Table of resiliation dates

Unless otherwise agreed by the parties, the resiliation of the lease takes effect within :	
LEASE OF 12 MONTHS OR MORE	two months after a notice is sent
LEASE OF FEWER THAN 12 MONTHS	one month after a notice is sent
LEASE FOR AN INDETERMINATE TERM	
HOWEVER, IN ALL CASES THE RESILIATION MAY TAKE EFFECT BEFORE IF THE PARTIES SO AGREE OR WHEN THE DWELLING, HAVING BEEN VACATED BY THE LESSEE, IS RE-LEASED.	

A lessee may resiliate the current lease if, because of the violent behaviour of a spouse or former spouse or because of a sexual aggression, even by a third party, the safety of the lessee or of a child living with the lessee is threatened.

The resiliation takes effect two months after a notice is sent to the lessor or one month after the notice is sent if the lease is for an indeterminate term or for a term of fewer than 12 months. However, the resiliation takes effect before the two-month or one-month period expires if the parties so agree or when the dwelling, having been vacated by the lessee, is re-leased by the lessor during that same period.

The notice must be sent with an attestation from a public servant or public officer designated by the Minister of Justice, who, on examining the lessee's sworn statement that there exists a situation involving violence or sexual aggression, and other factual elements or documents supporting the lessee's statement provided by persons in contact with the victims, considers that the resiliation of the lease is a measure that will ensure the safety of the lessee or of a child living with the lessee. The public servant or public officer must act promptly.

For the purpose of obtaining an attestation with a view to the resiliation of a residential lease on the ground that the safety of the lessee or of a child living with the lessee is threatened, the lessee must contact the bureau du Directeur des poursuites criminelles et pénales for the courthouse for her/his municipality.