



CAN MY LANDLORD HAVE ACCESS TO MY DWELLING?

The answer is yes, but there are rules that must be followed under the *Civil Code of Québec*.* The law states that the landlord has the right to check the condition of the leased property, to carry out work in it and to have it visited by a potential tenant or purchaser. However, the landlord must exercise his right in a reasonable manner.

A landlord can access a tenant's dwelling in the following cases:

- (1) to show it to a future tenant (the law does not require a notice period);
- (2) to check its condition (upon 24 hours' notice);
- (3) to carry out work in the dwelling (upon 24 hours' notice); or
- (4) to show it to a potential purchaser (upon 24 hours' notice).

Show the dwelling to a potential tenant

If you have told your landlord that you will not be renewing your lease, he is entitled to show your dwelling to potential tenants. The landlord should get your permission before entering your dwelling. The law does not state how much of a notice the landlord must give you; in addition, he can notify you verbally. Visits must take place between 9 a.m. and 9 p.m. You can refuse access to your dwelling if the landlord or his representative is not present during the visit.

In the three other cases

If the landlord wants to carry out work in the dwelling, check its condition or show it to a potential purchaser, he must give you 24 hours' notice. In an emergency, the landlord does not need to give a prior notice.

When the landlord has to perform work in the dwelling, you cannot refuse access. However, you can refuse access to the landlord before 7 a.m. and after 7 p.m., unless there is urgent work to be done.

Visiting hours to check the condition of the dwelling or to show it to a potential purchaser of the building are from 9 a.m. to 9 p.m.

Locks

The law states that the consent of the other party is required in order to change the locks or install a padlock or other device that restricts access to the dwelling.

Consult a lawyer

If your landlord does not respect these rules or if you believe he is abusing his right to visit the dwelling, don't hesitate to contact a legal aid lawyer!

* The relevant articles of the *Civil Code of Québec* are articles 1857 and 1930 to 1934.

Text prepared by
M^e Erika Aliova,
lawyer at the
Montreal Sud-Ouest
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

* The information provided in
this document is not a legal
interpretation.

The masculine gender has been used
to designate persons solely in order
to simplify the text.