**WITHOUT PREJUDICE**

Montreal, \_\_\_\_\_\_\_\_ **By registered mail**

Name and address of the landlord

Subject : Formal notice

**Madam,**

You are the landlady of the dwelling in live in situated at \_\_\_\_ (**address**).

I would like to inform you that I am troubled in my right to peaceful enjoyment of my dwelling, since I have noted a strong and persistent smoke odor, odor that seems to be coming from \_\_\_\_\_\_\_\_\_\_\_.

This odor problem occurs day and night, and at multiple occasions during the same day. They keep me from sleeping, annoy me, bother me and cause serious prejudice to my health and well-being. Despite my efforts to minimize those troubles, notably by a continuous aeration of the dwelling, nothing changes.

You are not without knowing that the article 1854 of the Civil Code of Quebec clearly indicates that it is the landlord’s obligation to ensure the peaceful enjoyment of the dwelling during the lease.

The articles 1860 and 1861 also indicate the rights and obligations of the tenants for a case of troubles in peaceful enjoyment, such as the prohibition of acts that trouble the peaceful enjoyment of other tenants, as well as the obligation for the landlord to repaire the damage done.

I therefore ask you to take all the necessary measures to make this odor problem stop in the ten (10) days of the reception of this letter; otherwise, I will have to address the Tribunal administratif du logement and open a case against you, without any other notice or delay.

I also ask for a (applicable %) rent decrease because of the aforementioned problems.

Please act accordingly.

Sincerely,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

(Name of tenant)

Address of tenant