



## Policy

# Tenant Transfer

July 2006

## Summary of Policy

This policy provides a framework within which TCHC can meet the following objectives:

- assist TCHC rent geared-to-income (RGI) tenants to move from one TCHC unit, or building, or community to another; and
- meet legislative requirements related to transfers as set out in the *Social Housing Reform Act, 2000*.

## Contents

Introduction .....	1
Policy Statement.....	1
Application of Policy.....	2
Definitions .....	2
Standards .....	4
Applicable Legislation and Reference Documents...	4
Accountability.....	4
Policy Review .....	4
Approvals.....	5
Policy Contact.....	5

## Introduction

There are occasions when tenants may find that where they live within Toronto Community Housing (TCHC) no longer meets their needs; this may be due to lifestyle changes, changes in their household, the need to access a service or for other reasons.

TCHC recognizes this need and has developed a Tenant Transfer Policy identifying the criteria for transferring from one unit, community or building to another within TCHC's portfolio. The Tenant Transfer Policy supports TCHC's commitment to quality service and meets TCHC's legislative responsibilities as set out in the *Social Housing Reform Act, 2000* (SHRA) while respecting the needs of social housing applicants on the wait list for entry into social housing.

## Policy Statement

TCHC is committed to meeting its obligations under applicable legislation along with its commitment toward quality service, quality housing, and quality communities. TCHC's transfer policy respects legislation, tenant, and community needs through the application of a policy framework that enables the unique needs of tenants to be met within legislative guidelines.

TCHC is committed to facilitating transfers in an efficient and equitable manner. Tenants seeking a transfer must meet basic eligibility requirements established in the SHRA and City of Toronto's Property Standards Bylaw. While TCHC commits to working with tenants to ensure their needs, the needs of the community and its legislative

obligations are met there may be occasions where TCHC will refuse a request for transfer or limit the number of transfers for a household. Where this happens the tenant will receive a copy of the decision and the reason for it in writing.

TCHC also recognizes that some transfer requests require priority over others due to time sensitivity related to their circumstances. Recognizing this requirement, transfers will be administered in chronological order based on date of approval of the request for transfer and in order of priority status as outlined in the policy below.

## Application of Policy

The Tenant Transfer Policy applies to rent geared-to-income (RGI) tenant households who want to move from one TCHC unit to another TCHC unit.

The Tenant Transfer Policy does not apply to market tenants who wish to move from one unit to another. Market tenants wishing to move may apply to the Community Housing Unit (CHU) of their choice and will need to provide proper notice for the unit they are in, as per their lease.

The Tenant Transfer Policy does not apply to tenants wishing to move to a unit outside of those owned by TCHC. Tenants wishing to move to properties outside of TCHC must apply through Toronto Social Housing Connections.

## Definitions

### Priority Transfers

TCHC is required by law to set certain types of transfer requests as priority. Transfer requests that meet the definition for a priority transfer are processed in the order they are received before non-priority transfer applications. TCHC has set the following priorities for transfers:

- Special Priority (victims of abuse in their home);
- Overhoused;
- Temporary Relocation;
- Medical;
- Safety/At Risk; and
- Underhoused.

All priority transfers will be processed in chronological order once priority status has been established. Chronology will be based on the date of approval of the request for transfer.

- **Special Priority**

A household with a member who has been a victim of abuse in the home may apply for a special priority transfer. Households approved under this definition are first on the transfer list as per the SHRA.

Abuse (as defined in the SHRA) includes an incident of physical or sexual violence against an individual, an incident of intentional destruction or of intentional injury to an individual's property, or words, actions, or gestures that threaten an individual or his or her property.

The member of the household making the request on these grounds must be currently living with the abuser or not have been apart from the abuser for more than three months.

- **Overhoused**

A household living in a unit that has more bedrooms than required for its household members as per the City of Toronto's Occupancy Standards is considered overhoused.

The SHRA requires overhoused households to move to the right sized unit for the size of their household. Furthermore, once TCHC becomes

aware of a change in household that places the household in an overhoused situation, TCHC is required by law to notify that household that they have been placed on the transfer wait as a priority transfer.

- **Temporary Relocation**

Households who experience an occurrence such as fire or severe damage or demolition that prevents them from living in the unit or that makes the unit uninhabitable may need to be transferred temporarily. Relocation would be accommodated through the transfer policy as a priority.

- **Medical Priority**

A household may be considered for a medical priority transfer if a member of the household has a medical condition that has been documented by a licensed professional in health care stating that:

- (a) the current accommodation is detrimental to the medical condition;

**and**

- (b) a different unit would materially contribute to stabilizing or improving the health of the household member, including a need for accessible accommodation;

**and/or**

- (c) the need for specific support services requires a move to a different unit, building or community to be accommodated. This includes life sustaining medical equipment that cannot be stored in the current size of unit and for which there is no alternate storage provided by TCHC.

- **Safety/At Risk**

A household may apply for a safety/at risk priority transfer if they are considered to be in jeopardy where:

- (a) they have been a victim of criminal activity, including criminal harassment and where the physical and/or emotional experience, which they feel in conjunction with this crime, is likely to continue **due to their residence/location of their home** in the community;

**or**

- (b) having witnessed a crime where there is a requirement to be a witness in a public proceeding and the potential for future contact with the accused in the community **where their residence is located** is likely or where the criminal has knowledge of and access to their unit;

**and**

- (c) anonymity, on the part of the member(s) of the household is being sought.

- **Underhoused**

A household living in a unit that does not have enough bedrooms for its household members as per the City of Toronto's Occupancy Standards is considered underhoused.

Priority Transfers will be granted to:

- (a) households needing **2 or more additional bedrooms**;

**or**

- (b) households for whom a condition of child-family reunification is dependent upon the household obtaining additional bedroom(s).

## Non-priority Transfers

TCHC recognizes that there are tenants who wish to move to another TCHC unit or building or community for reasons other than those identified as “priority”. This may include a change in employment and the need to live closer to work, a change in family circumstances, or the desire to live closer to other family, friends or services in the community.

While tenants may apply for a transfer for any reason these will be considered non-priority transfers.

Non-priority transfers will be processed in chronological order based on the date of approval of the request for transfer **after** any priority transfers that may be on the same transfer wait list for a given unit.

## Standards

The following standards will be followed in the processing of all transfer requests:

- (a) if the household’s application is complete, the household will be advised of their eligibility or ineligibility for transfer, within the approved Service Standards for TCHC;
- (b) households eligible for a transfer will be offered a unit appropriate to their size of household based on the City of Toronto’s Occupancy Standards;
- (c) offers for a transfer will be made in chronological order to households in order of priority. The priority order is as follows:
  - (1) Special priority;
  - (2) Overhoused;
  - (3) Temporary relocation;
  - (4) Medical or safety at risk;
  - (5) Underhoused; and
  - (6) Non-priority requests.

**Within** each priority or non-priority category, transfers are placed in chronological order by date of approval.

A tenant, who is found to be ineligible for transfer or ineligible for priority status, will be given the Opportunity to Comment and the ability to request an Internal Review as provided for within the SHRA. In addition, tenants may challenge the decision through TCHC’s Tenant Complaint Process.

## Applicable Legislation and Reference Documents

The following legislation and reference documents apply to this policy:

- *Social Housing Reform Act, 2000 (SHRA)*;
- City of Toronto Occupancy Standards;
- City of Toronto Property Standards Bylaw;
- TCHC Community Management Plan (CMP);
- TCHC Human Rights, Harassment and Fair Access Policy;
- TCHC Accessibility Policy;
- TCHC Tenant Complaint Process.

## Accountability

- TCHC will establish appropriate guidelines, processes and tools for the implementation of the Tenant Transfer Policy.
- TCHC will monitor application of the policy on a quarterly basis.

## Policy Review

This policy will be reviewed within 18 months following implementation.

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## **Approvals**

Approved by the TCHC Board of Directors,  
July 2006

## **Policy Contact**

Corporate Planning and Performance Division