



Toronto
Community
Housing

Code of Conduct for Tenant Representatives

Introduction

Toronto Community Housing (TCHC), through its Board of Directors and all staff, is committed to provide opportunities and systems for the engagement of its tenants in local and corporate level decision-making. TCHC is also committed to developing, with TCHC tenants, systems of representation that contribute to the health of communities. Tenant representatives have a special role in creating healthy communities, in advocating for the interests of tenants, and in participating with management staff in the local decision-making process. Tenant Representatives are not, however, responsible for decisions made by the TCHC and are not agents of the TCHC.

TCHC staff and Directors of the Board are subject to codes of conduct and conflict of interest policies. This Code of Conduct is intended to provide a similar framework for the conduct of Tenant Representatives.

TCHC abides by a number of laws and policies, which are appended for reference. (Appendix 1)

Respecting the Different Roles of Tenant Representatives and Staff

- Tenant Representatives and staff will respect their mutual roles and responsibilities.
- TCHC will not confer tenant representatives with any special benefit or consideration because of their position.
- Tenant Representatives recognize that they do not have authority over staff.
- Staff recognize that they are accountable for meeting their commitments to tenant representatives in the context of joint activities.
- All interactions between Tenant Representatives and staff will be governed by principles of respect, understanding that Tenant Representatives and staff have varied and different roles in the organization and that conflicts may develop.
- Conflicts or concerns about policy issues can be processed using established channels.

Time Period

This Code of Conduct is in effect until suspended or replaced by the TCHC Board of Directors.

Application of Policy

This Code of Conduct applies to any/all tenants of TCHC who act on behalf of, or represent other tenants within TCHC-sanctioned bodies, task forces, committees, or other forums.

A **tenant representative** is any individual, residing in a TCHC property, who acts as a liaison between TCHC and the individuals and communities they represent in TCHC activities.

Tenant representatives include, but are not limited to:

- those elected to represent other tenants through the Tenant Participation System.
- participants on committees, task forces, etc. and other TCHC-sanctioned bodies established by TCHC or by the authority of the Board of Directors.
- members of the following groups (whose memberships were comprised of elected Tenant Representatives under the former THC and MTHC tenant representation systems), until such time when new Tenant Participation System is in place and new Tenant Representatives are elected:
 - those elected or acclaimed to represent other tenants through the Resident Participation System of the former THC
 - Resident Advisory Council (RAC)
 - City-Wide Tenant Council (CWTC)
 - Community Operating Unit (COU) Tenant Councils
 - local Resident Councils
 - Community Business Planning (CBP) delegates.

Conflict of Interest

A **Conflict of Interest** occurs when personal or business interests affect a Tenant Representative's ability to fairly and objectively represent the best interests of tenants. The interest may benefit family, friends or a business enterprise with which the Tenant Representative is associated. (*For example, participation on a hiring panel when a relative, friend or business associate is applying for a job or for a contract with TCHC or any of its subsidiaries.*)

Tenant Representatives:

- must not use their position for personal gain. (*For example, they will not use their position to market or promote their business.*)
- must not use confidential information that they have access to because of their position. (*For example, they will not share confidential information about a contract or potential vendor or supplier.*)
- must not use or convert TCHC materials or facilities made available to perform in their position for personal gain. (*For example, they will not rent out TCHC office space or equipment, or use TCHC office space for their own business or commercial activities.*)
- must not be a staff or keyperson (agent) of TCHC or its subsidiaries.
Note: Keypersons, in buildings that have this position, provide after hours access in case of lockout or emergency, in exchange for an honorarium.

Declaration of Conflict of Interest

All Tenant Representatives must identify to TCHC and/or their peers when they are in a possible conflict of interest position and must absent themselves from any discussion or decision on matters in which they have or may have a conflict of interest.

Diligence in Carrying out Responsibilities

Tenant Representatives who are acting on behalf of other tenants are in a position of trust.

Tenant Representatives:

- may seek remuneration only for legitimate, agreed upon expenses incurred in the performance of the position, as opposed to honoraria for volunteer activity. (*For example, travel expenses to and from meetings is a legitimate expense.*)
- must, where money is involved:
 - take reasonable care in management and accounting of funds,
 - ensure that accounts are accessible and available for audit,
 - consult with the tenants being represented on expenditures,
 - control the use of funds for their proper use,
 - not obtain a personal gain or achieve ulterior objectives.
- must, where property and materials or facilities are made available for use, take reasonable care and precautions. (*For example, equipment will be stored properly so it is not stolen.*)

Harassment

Harassment means improper comment or conduct that a person knows or ought to know would be unwelcome, offensive, embarrassing or hurtful.

Tenant Representatives:

- must not exert or attempt to exert undue or inappropriate influence on tenants or staff or behave in a manner that may reasonably be perceived as intimidating or threatening.
- must not try to influence outcomes (such as how a tenant might vote) with threats, bribes or inducements.
- must not behave in an abusive way towards other tenants or staff.

For example,

- initiating or spreading hurtful rumours,
- swearing at someone (includes using obscene language, name calling)
- using insulting behaviour (includes words and gestures),
- electronic or physical display of pornography,
- making physical threats,
- assaulting someone physically or sexually,
- creating unwanted sexual attention,
- making threatening gestures or remarks.

Discrimination

Discrimination is any practice or behaviour, whether intentional or not, which has a negative effect on an individual or group based on prohibited grounds (for example, disability, gender, race, receipt of public assistance, sexual orientation) unrelated to the person's abilities or objective considerations relating to the decision that is to be made. Discrimination may arise as a result of direct differential treatment or it may arise from the unequal treatment effect of treating individuals and groups in the same way.

Tenant Representatives:

- must respect the dignity and rights of all tenants and staff.
- must conduct their business as Tenant Representative in a way that is inclusive of all tenants. For example,
 - soliciting input on a building issue from all language groups living in the building,
 - holding tenant meetings in locations that are accessible to tenants with disabilities, when and where facilities permit,

- accommodating interpreters and tenants who rely on them with appropriate seating arrangements and pacing of communication.

Operating Principles to Achieve Fairness

Tenant Representatives:

- must operate in the spirit of inclusion and respect the divergence of opinions among tenants.
- must work cooperatively with their peers and with TCHC staff to broaden participation on committees and in events and activities.
- must respect the diversity of forums and opportunities for tenant participation in all committees where tenants participate.
- must respect the responsibilities delegated to tenants and staff participating on joint staff/tenant committees.

Violation of the Code of Conduct

The Code of Conduct for Tenant Representatives was developed as a reference to guide tenant representatives in fulfilling their defined roles and responsibilities.

Reporting Violations of the Code of Conduct

It is the responsibility of everyone to ensure that standards of conduct are implemented and maintained, and to seek remedies when standards are violated using established channels, including the TCHC Tenant Complaint Process.

Consequences

Violation may result in withdrawal of the Tenant Representative's ability to serve in a capacity in TCHC, and/or removal from office within the Resident Participation System (former THC) or removal from RAC (former MTHC), or removal from the Tenant Participation System when implemented.

In certain circumstances, violators of the Code of Conduct may also be violators of legislation which could result in other sanctions as dictated by law (e.g. violation of the *Ontario Human Rights Code*).

Tenants/Tenant Representatives complaining about a matter concerning Tenant Representatives or disputing an action taken as a consequence of a violation of this Code of Conduct can use the TCHC Tenant Complaint Process.

Implementation of the Code of Conduct

Communication

The Code of Conduct for Tenant Representatives will be communicated to all tenants as part of the Tenant Participation System, in the major languages identified for tenant communication.

The Code of Conduct for Tenant Representatives will be specifically communicated to tenants currently acting as Tenant Representatives or who are contemplating serving in a position covered in this document. It is their responsibility to review and understand the contents, and seek whatever clarification or staff briefing they may need.

Appendix 1- Relevant laws and policies that govern TCHC.

- Ontario Human Rights Code
- Ontario Tenant Protection Act
- Municipal Freedom of Information & Protection of Privacy Act
- Social Housing Reform Act, 2000
- City of Toronto's Shareholders Direction relating to TCHC
- TCHC Code of Conduct (Staff)
- TCHC Tenant Complaint Process

In addition, the following policies serve as guidelines until such time as TCHC adopts new policies in these areas.

Former Toronto Housing Company (THC) policies:

- Race Relations & Multicultural Policy
- Anti-Ableism Policy
- draft Anti-Homophobia Policy

Former Metro Toronto Housing Corporation (MTHC) policies:

- Equity Policy
- Zero Tolerance for Hate Policy
- Translation & Interpretation Policy