



Guideline for Visitor and Guest Policy

Guideline Owner: Program Services

First Approved: October, 2013

Approved By: Board

Last Reviewed: New Guideline

Summary

The Visitor and Guest Policy was approved by the Board of Directors October, 2013. The policy outlines rules governing Visitors and Guests at Toronto Community Housing properties and is applicable to all Toronto Community Housing Tenants. The Visitor and Guest Policy is intended to:

- make sure subsidies are based on the true household income;
- help to make sure subsidies are available to households that qualify;
- make sure residential units are not improperly transferred or sublet; and
- meet legislative requirements related to Guests.

Purpose

The purpose of the guideline is to assist Toronto Community Housing Staff and Tenants to understand the rules and responsibilities mandated by the Visitor and Guest Policy by providing the following additional details:

- Explaining when a person is a Guest
- Explaining when rent-geared-to-income (**RGI**) and market rent households are required to inform Toronto Community Housing of changes to their household composition

- Establishing the maximum length of time Tenants can have Guests and exceptions permitted to the maximum time for Guests

Scope

- These guidelines apply to all Toronto Community Housing tenants
- These guidelines should be used by all Toronto Community Housing staff to assist in implementing the Visitor and Guest Policy

Guideline Details

Process to deal with Guests

A Tenant may have a Guest stay with them for a maximum of 30 days, in total, within a 12-month period. Tenants are not required to report a Guest if they comply with this rule. Tenants may request that persons be added as members of their household, but all additions to their household must be in compliance with Toronto Community Housing's **Addition to Household Composition Directive**. A Tenant is required to notify Toronto Community Housing if there is a change to their household composition within 30 days of the change.

If Toronto Community Housing receives information that a person has been staying in a Tenant's unit for longer than 30 days and;

- the situation is not a "Special Case", as defined by the Visitor and Guest Policy, as further explained below; and
- the situation does not meet the eligibility requirements outlined in the **Addition to Household Composition Directive** and/or the *Housing Services Act*, then the household may lose their subsidy.

The Operating Unit Manager, Tenant Services Coordinator and other staff as required will conduct an investigation following the steps outlined below:

- Information received from a third party regarding an unauthorized occupant must be documented in *HMS* notes and *EasyTrac*, including any action(s) taken;

Action steps may include, but are not limited to the following:

- The Operating Unit Manager, or designate, will contact the Tenant to ask for more information. If the Tenant does not provide the information or staff are unable to contact the Tenant, a *Notice of Decision letter* will be sent informing the Tenant their household will lose their RGI subsidy in 90 days unless the unreported person(s) moves out of the unit, or a request to add the person(s) to the household is completed;
- The request to add the person(s) will be reviewed for RGI eligibility. If the person(s) to be added does not meet the eligibility criteria, the household will lose their RGI subsidy, and they will be charged market rent for the unit. The household will no longer qualify for RGI. After the household loses their subsidy they must re-apply to Housing Connections for a subsidy. The household will be added to the centralized waiting list with a new date and will not be backdated.
- Tenants are responsible for reporting changes to their household composition. Not completing a request to add an person(s) to the household and allowing an unreported person to remain in the unit is considered misrepresentation and could lead to eviction. A household that loses its subsidy for misrepresentation is not eligible to apply for RGI for two years.
- If the Tenant denies that there is an undeclared person living in the unit or the situation is unclear, then the Operating Unit Manager, or designate, will prepare a statement to be signed by the Tenant, confirming their denial of the allegations. If the Operating Unit Manager, or designate, has reasonable grounds to believe that there has been misrepresentation, legal action and/or termination of subsidy proceedings may still be pursued.

Tenants are responsible for the actions and behaviours of their Visitors and Guests and shall not permit any action which may disturb or interfere with the rights or privileges of other Tenants, other Visitors and Guests, or members of the community while on Toronto Community Housing property. Legal action may be started against Tenants who have Visitors or Guests at their unit or the residential complex where they live, if those Visitors or Guests disturb the quiet enjoyment of other Tenants, other Visitors or Guests, or members of the community.

If the Tenant moves out of their unit, all other people in the unit, whether Occupants, Guests, visitors or otherwise, must also leave.

Exceptions to 30-day rule

Special Cases

If Toronto Community Housing receives information that a Guest has stayed longer than 30 days, in total within a 12-month period, Toronto Community Housing staff will contact the Tenant to determine if the situation is a Special Case. The Tenant must provide documentation that supports the position that the situation is a Special Case. Such documentation may include, but is not limited to:

- A short-term accommodation related issue as defined in Toronto Community Housing's *Human Rights, Harassment and Fair Access Policy* and the *Ontario Human Rights Code*, such as the need for someone to provide temporary supportive care to a person with a disability where documentation is provided by a licensed health care professional. (Note that for long-term accommodation matters that involve live-in support persons the Tenant must complete the Live-In Caregiver request form and set up an accommodation meeting with the Operating Unit).
Caregiver: Households that require a live-in caregiver due to a chronic condition should make a request in writing, through their Operating Unit office (see Caregiver forms)
- The Guest lives outside the country and has travel documents to prove their planned return date and actually leaves on that

date. Examples of documentation might include non-refundable plane, train, ship or bus tickets.

- The Guest is a victim of an emergency situation that prevents them from returning home for a short period of time until repairs are completed. The Tenant must have documentation supporting this claim. Documentation should include evidence that the Guest has a permanent address elsewhere, and that repairs are being conducted at that address as a result of a fire, mould remediation, etc.
- The Guest is a minor and the Tenant has documentation showing that the person(s) is staying with them temporarily. Examples may include grandchildren visiting temporary custody arrangements.
- The Guest is a victim of domestic violence and has documentary evidence showing that they will move to other accommodation in the near future. Examples of other accommodation may include evidence that they are waiting for a bed in a shelter, or a signed lease for another apartment with an occupancy date in the near future.

EXCLUSION

This guideline and the Visitor and Guest Policy DO NOT authorize Tenants to have people stay in their units for over 30 days because a member of the household is a surety for a person on Judicial Interim Release (Bail), probation, parole, or otherwise where that person is not a member of the household.

Any request to have a person stay in a Tenant's unit because they wish to be a surety (or similar) must be reviewed by the Vice President of Asset Management. Examples where the person may stay in the unit include: the person is a minor; the person is charged with a non-violent offence; there are other compelling reasons to allow the person to stay in the unit.

Keys and fobs

Keys and fobs will not be issued to a Visitor or Guest of a tenant. Tenants are responsible for letting their Visitors and Guests into the building.

Parking

Visitors and Guests must follow all parking rules and regulations. It is the Tenant's responsibility to tell the Visitor or Guest about the parking rules and regulations.

Market Rent Households

- A Market Rent Tenant is a leaseholder that has a contractual relationship with Toronto Community Housing. The Tenant(s) has sole responsibility for the rent, the unit, and is responsible for the actions of all persons whom they permit to be at their unit or at the residential complex where they live.
- A Market Rent Tenant must report all persons living in their unit even if the Tenant does not wish to add the person as an additional leaseholder. It is essential for safety and emergency purposes that Toronto Community Housing is aware of who is living in a unit.

Compliance

- The Operating Unit Manager, or designate, will monitor compliance with the Visitor and Guest Policy and these guidelines on an ongoing basis by reviewing a random sampling of Tenant files.
- The frequency of incidents involving unauthorized occupants will be monitored via reports to the Do What's Right fraud hotline and complaints entered into the EasyTrac system.

Commencement and Review

- These guidelines take effect November, 2013
- Next Review Date October, 2015