


CATEGORY	TA	Tenant Administration	Date Approved:
SECTION	05	Social Housing Administration	September 16, 2021
SUBJECT	01	Tenant Guest Policy	Version:
			Approved by:
			Board of Directors

1.0 POLICY STATEMENT AND PURPOSE

This policy explains the way Haldimand Norfolk Housing Corporation will manage *Visitors* and *Guests* of all Haldimand Norfolk Housing Corporation tenants. It supports Haldimand Norfolk Housing Corporation’s commitment to provide safe, affordable, quality housing.

Haldimand Norfolk Housing Corporation and other social housing providers know that from time to time tenants may have guests who stay with them in their homes for a number of days at a time. These might include out-of-town guests, or persons who tenants have personal relationships with and are not part of their households.

A tenant may have a guest in their home for a maximum of 14 days, in total, within a 12-month period. The 14 days may be consecutive or non-consecutive days and applies to any one individual that stays in the tenant’s unit. Only in special cases, as defined below, may guests stay in a unit longer than 14 days.

Tenants are responsible for the actions and behaviours of anyone that they invite onto the residential complex including their visitors and guests.

Guests do not have the right to automatically become a tenant or occupant of the residence even if they are approved for housing through the Service Manager and have the approval of the existing tenant(s). For an existing tenancy, the housing corporation will reserve the right to add a guest to the lease as a Tenant or Occupant when a written request is received.

2.0 STATEMENT OF PURPOSE

The purpose of this policy is to make sure that all tenants understand their responsibilities related to visitors and guests, and for Haldimand Norfolk Housing Corporation to meet the following objectives:

- Explain when a person is considered a visitor or a guest;
- Explain when a market rent household is required to inform Haldimand Norfolk Housing Corporation of changes to their household composition as required by this policy and relevant legislation;

- Establish the maximum length of time tenants can have guests;
- Establish exceptions to the maximum permitted time for guests;
- Balance the tenant's right to use their home and Haldimand Norfolk Housing Corporation's requirement to assess household eligibility for housing;
- Make sure that subsidies are based on the true household income, including anyone who moves into the unit;
- Help to make sure that subsidies are available to households that qualify; and
- Ensure that residential units are not improperly transferred or sublet.
- Establish tenancy termination protocols for tenants who have guests that do not leave

3.0 SCOPE

This policy applies to all Haldimand Norfolk Housing Corporation households. Live-in caregivers are not covered by the scope of this policy. If a member of a household requires a live-in caregiver, the tenant must make the request to their Property Manager in writing with an accompanying doctor's note outlining the reasons for the request.

4.0 RESPONSIBILITY

This policy has been approved by the HNHC Board of Directors to ensure consistent policy throughout all homes owned and/or managed by HNHC.

It will be the responsibility of the Property Management Team to ensure that the guidelines outlined in this policy are maintained.

Haldimand Norfolk Housing Corporation staff are responsible for:

- Investigating cases where tenants appear to have guests staying with them for more than 14 days.

Tenants are responsible for:

- The actions and behaviours of their occupants, visitors and guests;
- Telling their guests and visitors that they may be asked to prove that they have a home address outside of the unit they are visiting;
- Reporting a person that they wish to add to their household composition; and,
- Complying with this policy.

5.0 DEFINITIONS

Guests: Persons who require temporary accommodation with a tenant (guests do sleep in the tenant's unit, but only for a maximum of 14 days in any 12-month period unless they are a special case as defined below). Guests are not part of the tenant's household.

Live-in caregivers: Persons who provide support services needed because of a household member's disability or medical condition. They are not considered tenants, visitors or guests.

Occupants:

For rent-geared-to-income tenancies, an occupant is a person who is a declared member of a rent-geared-to-income household, who has been added to the household with Haldimand Norfolk Housing Corporation's consent, but who has not signed a lease with Haldimand Norfolk Housing Corporation.

For market rent tenancies, an occupant is a person who has been added to a market household, with Haldimand Norfolk Housing Corporation's consent, but has not signed the lease, or an undeclared person who is living in a market rent unit together with the tenant.

Occupants have no right to live in the tenant's unit once the tenant moves out.

Tenants: Persons who have signed a lease and have all tenant rights and responsibilities related to the tenancy.

Haldimand Norfolk Housing Corporation staff: This includes, but is not limited to, the Property Manager, Property Management Assistant as well as Property Management Agents acting on behalf of HNHC.

Unauthorized occupants: Any person who is not a tenant, occupant, visitor, guest, or live-in caregiver as defined by this policy. An unauthorized occupant has no lawful authority to be at a Haldimand Norfolk Housing Corporation residential complex and has no rights to the rental unit in question.

Visitors: Persons who visit a tenant and do not require temporary accommodation with the tenant. Visitors are not part of the tenant's household. Visitors maintain a home address outside the tenant's unit.

6.0 REFERENCES & RELATED POLICIES

Governing and Applicable Legislation

- Housing Services Act, 2011
- Municipal Freedom of Information and Protection of Privacy Act, 1990
- Ontario Human Rights Code
- Residential Tenancies Act, 2006
- Trespass to Property Act, 1990

7.0 PROCEDURES

7.01 Visitors

Visitors may come to the unit as often as the tenant invites them. Frequent visitors may be asked to prove that they have a home address outside of the unit they are visiting. Tenants are responsible for telling all visitors about this rule.

7.02 Guests

Tenants may have a guest stay in their unit for a maximum of 14 days in total, in a 12-month period and are encouraged to report to Haldimand Norfolk Housing Corporation all persons staying in the unit for safety and emergency purposes.

7.03 Guest who stays longer than 14 days – special cases

If Haldimand Norfolk Housing Corporation staff receive information that a person has been staying in a tenant's unit longer than 14 days, Haldimand Norfolk Housing Corporation staff will investigate and request documentation from the tenant explaining the reason for the stay and information about how long the person is staying to ensure that the person qualifies as a special case guest.

Special cases where HNHC may grant approval for a stay longer than 14 days might include, but are not limited to:

- An accommodation-related issue, such as the need for someone to provide short-term supportive care to a person with a disability as prescribed by a qualified licensed healthcare professional; or
- The guest lives outside the country and has travel documents to prove their planned return date and leaves on that date.

7.04 Limitations to stays longer than 14 days

In all cases other than the special cases outline above, Haldimand Norfolk Housing Corporation will decline to allow the person to stay with the tenant. Haldimand Norfolk Housing Corporation staff may determine a situation is not a special case and a guest is not allowed to stay longer than 14 days for the following reasons including, but not limited to:

- The tenant does not provide appropriate documentation to explain why the guest needs to stay longer than 14 days;
- The guest does not intend to leave at the end of the agreed-to term;
- Staff or tenants have complained about the guest's behaviour, and Haldimand Norfolk Housing Corporation is satisfied the complaints are well founded; and
- The guest(s)' stay would result in non-compliance with applicable Occupancy Standards.

Any person located in a residential unit who is not a tenant, occupant, visitor, guest, or live-in caregiver as defined by this policy is an unauthorized occupant and has no lawful right to be on the premises.

7.05 Unauthorized stay for longer than 14 days

If a guest stays longer than 14 days and the housing corporation does not wish to extend the guest term or have the guest become a tenant or occupant a Form N5 will be completed and provided to the tenant. This legal document will give the unauthorized occupant a minimum of 7 days to leave the residence. If the guest does not comply an application to evict the tenant of record will be made with the Landlord and Tenant Board and the Housing Eligibility Review Officer can be utilized if an investigation is required.

7.06 Unreported stay

If a person remains longer than 14 days in breach of this policy, Haldimand Norfolk Housing Corporation may pursue any legal rights available to it including, but not limited to:

- Possible termination of subsidy if it is a rent-geared-to-income household due to failure to notify the landlord of changes in household composition as required by the Housing Services Act, 2011;
- Enforcement of any rights available to Haldimand Norfolk Housing Corporation under the Trespass to Property Act against the unauthorized occupant; and
- Any action against the tenancy available to Haldimand Norfolk Housing Corporation.

If a rent-geared-to-income household loses their subsidy, they will have to pay the market rent for the unit and will no longer qualify for a rent-geared-to-income subsidy. The tenant has the right to request a review of decisions related to their continued eligibility for rental subsidy.

7.07 Rights to unit

If the tenant moves out of the unit, all other persons in the unit must also leave. Any occupant, guest, visitor, live-in caregiver, unauthorized occupant, or anyone else found in the unit after the tenant moves out will be:

- Ineligible for receipt of the household's rent-geared-to-income subsidy; and,
- Identified as trespassing.

Haldimand Norfolk Housing Corporation will reclaim the unit.

7.08 Market rent households

A market rent tenant:

- May allow a guest to stay in their rental unit. The market rent tenant may not, however, assign or sublet all or any part of the unit;
- Is required by their lease to report any changes in household composition within 30 days of the change;
- May request to add another tenant to their unit and sign a new lease; and,
- Should report all persons living in the unit even if the tenant does not wish to add the proposed person to their lease as a tenant.

It is essential for safety and emergency purposes that Haldimand Norfolk Housing Corporation knows who lives in its units. Occupants do not have any legal rights or entitlements to a tenant's unit.

7.09 Compliance and Monitoring

The Property Manager, or designate will monitor compliance with the policy on an ongoing basis by reviewing a random sampling of tenant files. Frequency of incidents involving unauthorized occupants will be monitored.

8.0 ATTACHMENTS

Guest Request Form – (tbd)

9.0 CONTACTS

For more information, please contact:	<p>Portfolio 1 <i>Norfolk County except Del-Gold Villa and Waterford</i></p> <p>(519) 426-7792</p> <p>Todd Smith, Property Manager Ext. 115 toddsmith@hnhousing.ca</p>	<p>Portfolio 2 <i>Haldimand County plus Del-Gold Villa and Waterford</i></p> <p>1-800-265-2819</p> <p>Tricia Feist, Property Manager Ext. 123 tfeist@hnhousing.ca</p>
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APPROVAL/REVISION CONTROL

Date	Revision	Effective
Sept. 8, 2021	Policy TA-05-01 Approved by the SMNP Board of Directors	Sept. 9, 2021
Sept. 15, 2021	Policy TA-05-01 Approved by the HNHC Board of Directors	Sept. 16, 2021
Sept. 15, 2021	Policy TA-05-01 Approved by the Del-Gold Board of Directors	Sept. 16, 2021
Sept. 15, 2021	Policy TA-05-01 Approved by the LPNP Board of Directors	Sept. 16, 2021
Sept. 27, 2021	Policy TA-05-01 Approved by the DNP Board of Directors	Sept. 28, 2021

Printed copies not controlled.



Guest Request Form

Please note that this form is only required in situations where a guest is staying overnight for more than four (4) consecutive nights, or stays overnight for shorter periods of time, but on a recurring and regular basis.

Date: _____

Tenant Name: _____

Tenant Address: _____ Tenant Phone: _____

Guests: Please include all guests, including children (and children's ages):

Guest Name(s): _____

Guest Address(s): _____

City: _____ Prov: _____ Phone: _____

Do They: Rent Own Live w/Friends or Family Without Accommodation

Arrival Date: _____ **Departure Date:** _____

Is this the first visit for this guest? Yes No

Does this guest visit overnight on a regular basis: Weekly Monthly

Please indicate the number of nights per month this guest stays overnight: _____

Reason for the visit: _____

Please check the nights that this guest typically visits:

Mon Tues Wed Thu Fri Sat Sun

Will a car be parked overnight in visitor parking? Yes No

If yes, please provide the following vehicle information: Make: _____ Colour: _____

License # _____

This form must be submitted within three (3) business days from the arrival of the guest and it is subject to the approval of the Property Manager.

The HNHC Guest Policy is not intended in any way to restrict the right of the residents to have guests. This information helps us to maintain the integrity of the Rent-Geared-to-Income program, by ensuring that rent subsidies are provided to those who qualify.

Tenant(s) Signature: _____ Date: _____