

	Policy Type	Number	Title	Created	Revised
	Finance and Administration	FA P019	Home Takeover Policy	November 2018	

## Policy Statement

ehm is committed to supporting vulnerable tenants with home unit takeovers within the scope of the Landlord and Tenant Act, and in adherence with RGI Housing Guidelines. A Home Unit Takeover is a situation in which a legitimate tenant or home owner finds themselves unsafe, physically, financially or psychologically, because of the presence of people in their home (an unauthorized occupant) that they may or may not be able to remove. These situations can range in severity from theft to serious assault; involve a range of relationships from a family relationship to drug dealing; take advantage of the legitimate tenant's vulnerabilities (e.g. addiction, isolation, and capacity limitations associated with developmental delay or poor health); and always render the legitimate tenant at risk of losing their home.

## Purpose

To identify steps to prevent and intervene in suspected and attempted home takeovers.

## Policy

### 1. Preventing Home Takeovers

- a. As part of the support that is provided to new and existing tenants, Tenant Support staff will provide information and materials for tenants about home takeovers and the supports that they can provide to tenants if they, or someone they know in the building, is a victim of an attempted home takeover.
- b. The Director of Programs and Client Care will ensure that the Tenant Support Team is trained on signs and indicators of home takeovers.
- c. The Director of Programs and Client Care is responsible for building and maintaining a relationship with the community police team to ensure that police supports are available when required.

### 2. Suspected Home Takeovers

An unconfirmed home takeover is when a staff member suspects that a home takeover is being attempted or has occurred by an unauthorized occupant. This suspicion may be triggered through:

- Observation by staff of changes in behavior of a tenant and/or increased presence of a guest;
- Formal or informal reports by other tenants; and/or
- Reports or comments by tenants about guests in their own apartment.

#### 2.1. Reporting a Suspected Home Takeover

All suspected home takeovers will be reported to the Director of Programs and Client Care, who will review the incident(s) and begin an investigation within two business days.

#### 2.2. Inspecting the Unit

Staff will take steps to inspect the unit, in accordance with the Landlord and Tenant Act. This may include, but is not limited to:

- Schedule a unit inspection with required 24 hours' notice, and if possible, have the tenant present;
- Encourage the tenant to identify things that belong to him/her/them. If there are items that appear to be unusual for the tenant and/or which may indicate a long-term guest may be there, encourage the tenant to identify where they came from.

### 2.3. Meeting with Tenants

Tenant Support Workers will attempt to engage the tenant in a 1:1 meeting to discuss the situation. During this meeting, Tenant Support will attempt to discern whether an individual who is staying in the unit is:

- A Visitor
- A short-term Guest that meets the criteria of ehm's Guest Policy (e.g. under 30 days)
- A long-term Guest that exceeds the criteria of ehm's Guest Policy (e.g. over 30 days)
- An Unauthorized Occupant

Staff will also have the tenant communicate how he/she/they feels about the presence of the individual in the unit, and attempt to identify suspected or confirmed abuse.

### 2.4. Long Term Guests

If the results of the inspection indicate that the individual suspected of a home takeover is a long-term guest, then staff will refer to and apply FA P013 Guest Policy.

## 3. Confirmed Home Takeovers

If the results of the inspection indicate that there is an unauthorized occupant/a home takeover is being attempted, staff will take the following actions:

### 3.1. Communicating with the Tenant

- a. Staff will meet with the tenant to:
  - Let the tenant know his/her/their rights and responsibilities according to the RTA and RGI guidelines;
  - Explain what a home takeover is, and the risk it poses to his/her tenancy;
  - Encourage the tenant to ask the person to leave his/her home, with the support of Tenant Support Workers;
  - Identify what assistance, if any, the tenant would like, including referrals to other supports in the community and accessing community police; and
  - Explain the next steps that ehm will take, including steps to remove the unauthorized occupant if the tenant is unable to do so or is unsuccessful.
- b. A letter will be given to the tenant stating that ehm is aware that there is someone living in the unit who is not on the lease, to ensure that the individual who has taken over the unit will know that staff is aware of their presence.

### 3.2. Communicating with the Unauthorized Occupant

- a. If it is safe to do so, Tenant Support staff will take steps to communicate to the individual that staff are aware of his/her/their presence in the building and can identify them. Actions may include, but are not limited to:
  - Approach the individual as he/she/they enter or leave the building, in an effort to learn a name/identify the individual.
  - Address him/her/them so that the unauthorized occupant knows staff is aware of his/her/their presence. Try and get a name so that a no trespass order can be issued.

- b. If it is safe to do so, Tenant Support Workers can accompany the tenant to ask the unauthorized occupant to leave. For safety reasons, staff are not to enter the unit and are to remain in the hallway.
- c. If the tenant would like police assistance when asking the unauthorized occupant to leave, staff may assist the tenant to contact community police to be in attendance. Staff may provide the tenant with use of the office telephone and community police phone number, but the tenant must request police presence.

### **3.3. Issuing and Enforcing a No Trespass Order**

- a. If the tenant is unable or unwilling to ask the unauthorized occupant to leave, staff may issue a No Trespass Order with Toronto Police Services, when a name is secured, and request for community police to deliver the order.
- b. All subsequent sightings of the individual must be reported to the police, with a request that the police remove the individual from the property.

### **3.4. Changing the Locks**

If the unauthorized occupant remains in the unit, the locks will be changed and a new key issued to the tenant.

### **3.5. Supporting Tenants after a Home Takeover**

Tenants who are victims of a home takeover are at higher risk of being victimized again. Staff will attempt to maintain active and regular contact with the tenants even if he/she/they are not in a home takeover situation, and take action or provide additional referral to supports, as necessary.