

	Policy Type	Number	Title	Created	Revised
	Finance and Administration	FA P021	Eviction Prevention Policy	November 2018	

Purpose

To promote successful tenancies while maintaining a safe and harmonious living environment for all tenants in the ehm Residence.

Policy Statement

ehm is committed to keeping evictions to a minimum while ensuring that the Residence remains a safe and harmonious living space. This policy outlines ehm’s approach when individual behaviours impact other tenants and staff and are grounds for eviction under the Residential Tenancies Act, 2006 (RTA). ehm will work with tenants and external supports or service agencies where possible, to keep tenants housed and to ensure that eviction is the very last resort.

ehm will manage all tenancies in accordance with:

- The RTA;
- The Ontario Human Rights Code;
- Housing Services Act (HSA)
- Terms of the tenancy agreement (the "Lease"); and
- ehm policies and procedures.

While ehm recognizes the gravity and impact of eviction, it is prepared to pursue eviction when the legal grounds for eviction exist and the problem cannot be resolved in the interest of the community without pursuing eviction.

Scope

This policy applies to all ehm tenants, including rent-geared-to-income and market tenants. It also applies to invited guests of tenants.

The Policy is concerned with behaviours that could lead to eviction under the RTA and applies to the following stipulated causes for eviction:

- a. Rent arrears;
- b. Substantial interference with reasonable enjoyment or with other rights, interests or privileges;
- c. Damage to property;
- d. Illegal acts; and,
- e. Impairment of safety.

Policy

1. Identification of at-risk tenants

ehm will proactively identify and support tenants that appear to be vulnerable or at a higher risk of eviction during our interactions with tenants (e.g. unit inspections, annual rent review process).

2. Proactive communication

ehm staff will provide tenants with the tools needed to understand the roles, responsibilities and expectations of tenants and staff. This will be done using multiple communication strategies, including but not limited to the following:

- a. Tenants will be educated about their rights and responsibilities at lease signing, at regular intervals, in all-tenant meetings, and when they are at risk of eviction.
- b. A plain language Tenant Handbook will be provided to all new tenants, will be reviewed annually, and all updated/revised sections will be provided to all tenants in print form.

3. Collaborative problem solving

Tenant Support Workers will communicate directly with tenants at key stages before issues escalate.

- a. Communication will be in a timely fashion and in plain, clear, respectful language and will provide clear, enforceable and progressive consequences that reflect the severity and persistence of the behaviour. Tenants will be given the opportunity to correct the problem and negotiate agreements where appropriate. Warning Letters will be prepared and issued when a tenant's conduct:
 - violates their responsibilities under the RTA;
 - violates their eligibility for RGI subsidy;
 - creates a safety risk to staff and/or tenants;
 - interferes with the enjoyment of the property by other tenants; and/or
 - violates ehm policies.
- b. Tenant Support Workers will provide information and referrals to external organizations and community agencies that can help the tenant maintain a successful tenancy.
- c. Case Conferencing will be attempted, where possible, to alert and engage other supports for the tenant to address the behaviour or challenge.
- d. Behaviour Contracts will be used, where possible, to ensure expectations of the tenant and ehm are clear, what supports are available, and the consequences to the tenant if the contract is violated.
- e. When it is not reasonably possible or appropriate to meet with the tenant, clear documentation of the circumstances is required.

4. Pursuing Eviction

When attempts to correct the behaviour have failed, ehm will:

- Use sufficient, relevant and objective facts to support decisions in the eviction process;
- Issue only the appropriate notices of termination, which clearly describe for the tenant the conduct and legal grounds that justify the notice;
- Inform tenants of the services offered through legal aid clinics;
- Share copies of notices of termination and supporting documents with members of the tenant's external care team and/or legal support; and
- Ensure that, where an order to terminate a tenancy has been issued by the Landlord and Tenant Board, tenants are sent information on supports that may be available to them including information about shelters.