


HALTON COMMUNITY HOUSING CORPORATION		
Subject:  Eviction Prevention Policy		Date of issue:  October 2016
Document number: HCHC-046	Revision:	<b>PAGE 1 OF 4</b>

## 1.0 Policy Summary

This is a policy on eviction prevention. Tenants are responsible for paying their rent on the first day of each month and promptly reporting changes in income and family composition so that their rent is calculated accurately.

Halton Community Housing Corporation (HCHC) is committed to working proactively with its residents to prevent their eviction, but it also recognizes that tenants have an active role to play in preventing eviction and maintaining their tenancies. Tenants are provided with on-going opportunities, and are encouraged to participate in the eviction prevention process.

## 2.0 Purpose

The purpose of the policy is to ensure rent is collected as required and to terminate as few tenancies as possible. It also creates opportunities for tenants to retain their tenancy, while meeting their financial obligations to HCHC. The intent of this policy is to also institute proactive measures for ensuring that all reasonable steps have been taken before terminating a tenancy, and that eviction practices, when taken, are legal, fair, and consistent in all cases.

## 3.0 Scope

This policy focuses on situations where tenants are at risk of losing their tenancy due to non-payment of rent. The policy will apply to rent-geared-to-income and market rent tenants, ensuring that there is no distinction in applying eviction prevention strategies to all HCHC tenants. Tenants can be evicted for other reasons, which are described in the HCHC Policy on Evictions for Cause (HCHC-045).

## 4.0 Values

HCHC is committed to supporting successful tenancies and ensuring that HCHC tenants enjoy a high quality of life. Ensuring tenants meet their rental responsibilities is likewise essential. HCHC will:

- Recognize tenants as responsible and able participants in maintaining their own tenancy and paying their rent when due;
- Work proactively with tenants in an attempt to identify solutions before problems become a major concern;
- Ensure all processes regarding tenancies at risk are transparent, legal, fair, and consistent;
- Recognize the rights of each tenant and ensure they are treated with respect, integrity and without discrimination;
- Recognize that some tenants may face barriers in maintaining a successful tenancy as a result of mental health challenges or other disabilities;
- Collect the rent that is due and on time to eliminate the costs of obtaining an order to evict and turn over a unit;



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- Work proactively with tenants needing support to obtain the assistance they need to be able to meet their tenant responsibilities; and,
- Pursue appropriate recourse in cases of fraud or misrepresentation.

## 5.0 Operating Principles and Objectives

1. Tenants must pay their rent on time each and every month. Eviction prevention must not be an incentive for tenants to not pay their rent on time and in full;
2. Staff will proactively offer supports to tenants during the N4 process, with an emphasis on seeking financial literacy counselling and assistance;
3. All correspondence with tenants will use clear, straightforward language;
4. Staff are required to make a minimum of three (3) documented attempts to make personal contact with the tenant (i.e. phone call, letter, drop in visit) before filing an Application to Evict a Tenant for Non-Payment of Rent and to Collect the Tenant Owes Form (L1) to the Landlord and Tenant Board (LTB);
5. At least one reasonable and mutually convenient opportunity for a face-to-face meeting must be offered to the tenant during the entire eviction process;
6. All efforts and results of communications with tenants during the eviction process will be documented by staff;
7. Information on how rent is calculated as well as rental account status (ledger) will be made available to tenants;
8. N4s will include information on the supports in the community (i.e. financial resources) that are available to tenants to help them pay their rent;
9. All tenants will be provided access to the Eviction Prevention Policy;
10. Tenants will be informed about the services offered to them at the LTB that include mediation, duty counsel and interpretation services, if applicable;
11. Eviction is always the very last resort; and,
12. Tenants who are evicted by the Sheriff will be informed of services available to them from the Region and from other human service agencies and resources.

## 6.0 Policy Details

The primary focus for eviction prevention is an effective and consistent rent collection process as well as a proactive approach to working with tenants to divert them from eviction and homelessness. Addressing the collection of outstanding accounts is an ongoing effort throughout the tenant life cycle. Preservation of the tenancy is a priority except when it becomes fiscally irresponsible.

### Eviction Prevention Strategies

Eviction prevention measures can be applied in a flexible customizable manner to suit the individual circumstances and needs. Tenants present with different impediments to having successful tenancies. A nimble, agile approach is needed.



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**Rent Collection Responsibilities of HCHC Staff:**

- Collect rent on time;
- Provide a range of rent payment options such as cheque, debit, preauthorized payment (PAP), pay-direct (where OW or ODSP pays the rent portion of the assistance cheque to the landlord directly), and cash;
- Enter into Repayment Agreements that are manageable for the tenant so as not to cause further financial burden or cause the plan to fail; and,
- Remind tenants the importance of promptly reporting changes in their income and family composition so that rent calculations are up-to-date (no retroactive rent adjustments required).

**Tenant Education and Communication**

- Ensure information is available to tenants on their rights and responsibilities at their lease signing and that there is ongoing communication throughout their tenancy, especially when there is a problem with rental arrears that needs to be mitigated;
- Ensure staff are trained in eviction prevention strategies;
- Communicate directly with tenants as part of the early intervention process before issues become a crisis and document all attempts to proactively mitigate; and,
- Use clear language in all communications with tenants.

**Early Intervention**

- Identify tenants who may be considered vulnerable or at a higher risk of eviction during interactions with tenants (i.e., community development programs, annual unit inspections, annual rent review process);
- Regular staff presence in the communities, coupled with ongoing reviews of receivable reports will identify tenants who regularly default in paying their rent or have large retroactive rent adjustments; and,
- Personal contact with tenants to discuss repayment agreements as well as the tenant's obligation to pay their rent.

**Partnerships and Referrals**

- Maintain strong, collaborative relationships with stakeholders, partner agencies and regional resources including Halton Housing Help, that can provide assistance to tenants; and,
- Inform tenants about and connect them to external human service agencies and community partners that can help them maintain a successful tenancy.



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## 7.0 Implementation

This policy will be implemented following HCHC Board approval on October 4, 2016. It will be activated in accordance with the following steps:

Process Step	Description	Who
1. Serving N4's	A <b>Notice to Terminate a Tenancy (N4)</b> is served on or before the 5 <sup>th</sup> calendar day to all tenants that did not pay their rent on time. An accompanying standard letter will be attached to the N4, providing an explanation about the various community supports available to the tenant.	Property Manager
2. Filing L1's	If the tenant does not respond to the N4, an <b>Application to Evict a Tenant (L1)</b> will be filed with the Landlord and Tenant Board (LTB) after the prescribed 20 calendar days following the serving of the N4.	Property Manager
3. Contacting tenant	As soon as it is clear that the LTB will issue or has issued an eviction order, the Property Manager and/or Community Relations Coordinator will contact the tenant involved. An assessment for further action may be warranted (including a possible service coordination intervention and/or repayment arrangement).	Property Manager  Community Relations Coordinator