


HALTON COMMUNITY HOUSING CORPORATION		
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1.0 Policy Summary

Halton Community Housing Corporation's (HCHC) policy on evictions for cause provides a framework for the consistent application and enforcement of maintaining safe and harmonious communities where tenants enjoy a high quality of life. The policy outlines HCHC's approach and guides decision-making when individual behaviours impact others in the community or Halton staff, which could lead to the eviction of the tenant for cause.

2.0 Purpose

The purpose of the policy is to ensure all communities managed by HCHC are safe, thriving, and that residents enjoy a high quality of life. As a landlord, HCHC is responsible for protecting the rights of tenants as defined under the *Residential Tenancies Act* (RTA). This policy outlines the principles and standards HCHC will use to deal with actions and behaviours that could substantially interfere with those rights or responsibilities, or undermine community safety. It is the intent of the policy to institute proactive measures for ensuring all reasonable steps have been taken before terminating a tenancy and that eviction practices, when taken, are legal, fair and consistent in all cases.

As part of HCHC's community development work, staff will support the growth of vibrant communities through a number of initiatives, including protecting the safety and enjoyment of our residents. Building strong, vibrant communities where residents enjoy a high quality of life is a priority.

3.0 Scope


This policy applies to all tenancies (rent-geared-to-income and market rent) as well as visitors and guests of HCHC residents. The policy deals specifically with behaviours that could lead to eviction under the RTA and applies to the following causes for eviction:

- Substantial interference with the reasonable enjoyment or other rights, interests or privileges;
- Damage to property;
- Illegal acts; and,
- Impairment of safety.

4.0 Values

HCHC is committed to maintaining and promoting harmonious, safe and healthy communities. HCHC is a housing provider with a community responsibility. In 2002, it adopted the following principles:

- We provide healthy communities
- We provide rental accommodation that is affordable, accessible and appropriate
- We are financially responsible
- We provide excellent customer service

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HCHC also recognizes the importance of its Safe Communities Policy which was approved by the HCHC Board in October 2015 and outlines the responsibilities of residents and guests of HCHC communities in contributing to a safe environment.

In order to uphold these principles and make decisions about evictions for cause, HCHC will:

- Recognize tenants as responsible and able participants in maintaining their own successful tenancy and healthy communities;
- Recognize the right of each tenant and ensure they are treated with respect, integrity and without discrimination;
- Ensure all processes regarding tenancies at risk are transparent, legal, fair and consistent in all cases;
- Recognize that some tenants may face barriers in maintaining a successful tenancy as a result of mental health challenges or other disabilities; and,
- Make decisions based on reliable facts, full and fair consideration of complaints, objective assessment of the facts, and judgement of what will best resolve the issue for the community.

5.0 Operating Principles and Objectives

1. Staff will use relevant and objective facts to support decisions in the eviction process;
2. Staff will discuss the situation with the tenant before making an application to evict through the Landlord and Tenant Board (LTB). Sometimes it is not reasonably possible to meet with the tenant, therefore, in these cases, clear documentation of the circumstances is required;
3. Staff will discuss possible eviction with the Manager, HCHC and provide a written account of all steps taken to rescue the tenancy. Recommendations will be forwarded to General Manager, HCHC for approval;
4. Staff will issue only the appropriate notices of termination, which clearly describe for the tenant the conduct and legal grounds that justify the eviction;
5. Staff will inform tenants of the services offered through the legal clinic or at the LTB, including duty counsel and interpretation services if applicable; and,
6. Staff will provide tenants with access to the Evictions for Cause Policy.

6.0 Policy Details

HCHC manages tenancies that could lead to eviction for cause in a balanced and fair manner, taking into consideration the facts, a tenant's individual circumstances, HCHC's responsibilities to all tenants and staff, while respecting human rights, procedural fairness and transparency. The main components of HCHC's policy on evictions for cause include:

A Balanced Approach

- Apply a balanced approach to maintaining healthy, harmonious communities as well as individual tenancies;



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- Use a problem-solving approach, including alternative resolution methods, giving the tenant an opportunity to correct the problem early in the process, if applicable; and,
- Facilitate service coordination and mediation processes so that tenants have timely access to the services they need and opportunities for early intervention and mitigation.

Fair Review and Resolution

- Respond to complaints and investigate them in a fair, consistent and timely manner in order to reduce unnecessary escalation; and,
- When a tenant does not abide by the terms of their signed lease or relevant legislation, staff will communicate in clear language the nature of the issue, the expectation moving forward as well as the consequences of the behaviour.

Circumstances Warranting Eviction

While HCHC recognizes the seriousness of eviction and the impact it can have on other tenants and the community, it will pursue eviction when:

- All efforts to resolve the situation have been exhausted (i.e., communication with the tenant, service coordination, and third party referrals), leaving no other option but to pursue the eviction under the RTA; and/or,
- A very serious act has occurred on the property (an illegal act or impairment to safety). The eviction will be pursued immediately in keeping with the requirement of HCHC’s Safe Communities policy.

5.0 Implementation

This policy will be implemented immediately. It will be activated in accordance with the following steps:

Process Step	Description	Who
1. Serving N5s	N5 form (Notice to End a Tenancy for Interfering with Others, Damage or Overcrowding) – is the legal notice to the tenant who is at risk of eviction due to wilful or negligent damage; interference with the reasonable enjoyment/lawful rights of the landlord or another tenant; and/or the number of people living in the unit is more than permitted. The tenant has seven days to correct the problem. L2 Application – is the application to the LTB to legally terminate a tenancy and evict a tenant and	Property Manager

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Process Step	Description	Who
	<p>the termination date is 20 days after the L2 is served to the tenant.</p> <p>Eviction Order – is the order received from the LTB and includes the authority for the sheriff to evict and the deadline date for compliance.</p>	
2. Serving N6s	<p>N6 form (Notice to End a Tenancy for Illegal Acts or Misrepresenting Income in a Rent-Geared-to-Income Rental Unit) – is the legal notice to the tenant who is at risk of eviction due to (reason 1) an illegal act being committed on the premises or carrying on or permitting an illegal business on the premises involving the production of, trafficking or possession of an illegal drug for the purposes of trafficking; or (reason2) someone living in the unit has committed or permitted an illegal act or is carrying on an illegal business at the residential complex (other than an illegal act or business described above); or (reason 3) the tenant has misrepresented income or the income of family members who live in the rental unit.</p> <p>L2 Application – is the application to the LTB to legally terminate a tenancy and evict a tenant and the termination date is 10 days after the L2 is served to the tenant for reason 1 and 20 days for reason 2 and 3.</p> <p>Eviction Order – is the order received from the LTB and includes the authority for the sheriff to evict and the deadline date for compliance.</p>	Property Manager
3. Serving N7s	<p>N7 form – (Notice to End a Tenancy for Causing Serious Problems in the Rental Unit or Residential Complex) – is the legal notice to the tenant who is at risk of eviction due to behaviour that seriously impairs the safety of another person in the complex; wilful damage to the rental unit or complex; or someone has used the rental unit or the residential complex in a way that is inconsistent with its use as residential premises and this has caused or can be expected to cause serious damage.</p> <p>L2 Application – is the application to the LTB to legally terminate a tenancy and evict a tenant and</p>	Property Manager

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Process Step	Description	Who
	<p>the termination date is 10 days after the L2 is served to the tenant.</p> <p>Eviction Order – is the order received from the LTB and includes the authority for the sheriff to evict and the deadline date for compliance.</p>	