

Changes to Household Composition	
VICTORIA PARK COMMUNITY HOMES - CORPORATE POLICIES	
Policy Number: B2.9	Sub-section: Resident & Property Services
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Approved by: Board	Approval Date: TBD

1. Policy Statement

- 1.1 It is a requirement of the *Housing Services Act, 2011*, that rent-geared-to-income (RGI) tenants report changes in their household composition when an individual joins or leaves the household. Regulations stipulate certain conditions that must be met before another person can be added to the household.

2. Purpose

- 2.1 This policy identifies the tenant reporting requirements for adding or removing someone to an RGI household for the purpose of determining continued eligibility for rental subsidy.
- 2.2 There is value in VPCH knowing the household composition of all units including those paying Market rent. This information is required for determining unit size, for statistical purposes or may be required in the event of an emergency.

3. Definitions

Guest(s) One or more individuals residing with a tenant for a limited time whose principal address is different from the tenant's address. Guests may be seeking an alternate address and are not deemed as part of the tenant's household. In a rent-geared-to-income unit, their income is not included in the household adjusted family net income. Guests may stay overnight/sleep in the unit.

Tenant A tenant is a person(s) who occupies a rental unit owned and administered by VPCH. The tenant is a signatory to a lease agreement and observes all the rights and responsibilities of the tenancy.

Household A household represents all people who occupy a recognized VPCH rental unit regardless of their relationship to one another and identified as tenants/occupants on the lease agreement.

Occupant An occupant is a person who has been added to the household with the consent of VPCH but is non-signatory to the lease agreement. The original tenant who were approved for residency and have signed the lease agreement, are responsible for the actions and behaviour of the occupant. An occupant has no legal right to reside in the tenant's unit once the tenant permanently vacates the unit for whatever reason.

Service Manager

The Service Manager is a term used to describe a municipal government body responsible for carrying out the funding and administrative responsibilities of the *Housing Services Act, 2011*.

Unauthorized Occupant

An individual who is not a tenant, visitor, guest, or occupant and has no lawful authority to be present within the VPCH residential community. An unauthorized occupant has no legal rights to the tenant's rental unit.

4. Scope

4.1 This policy applies to all VPCH tenancies regardless of rent-geared-to-income or market rent households.

5. Policy

5.1 The VPCH has implemented a guest policy that stipulates RGI and Market units may permit guests for a period not to exceed sixteen (16) consecutive or non-consecutive days within six months. In addition, a market rent household may permit guests to stay in their rental unit but must report extended stays to VPCH and is bound by legislated occupancy by-law standards.

Additions to the Household in RGI Units

5.2 When an existing RGI Tenant wants to add their guest or a new person over the age of sixteen to the household, a written request along with a *Consent to Disclose Information Form* must be completed and submitted to VPCH. If there is more than one person to be added to the household this should be stated in the request. As with all applicants seeking occupancy in an RGI unit, eligibility is first assessed by application to the Service Manager administered centralized waiting list.

- 5.3 In an RGI unit, the proposed tenant(s) must be eligible to receive rent-geared-to-income subsidy in order for the household to continue to qualify for rent-geared-to-income subsidy. The proposed tenant(s) must:
- Be a Canadian citizen, landed immigrant or refugee claimant, not under a deportation or departure order
 - Not be in arrears of rent to a social housing provider without a repayment agreement in place
 - Be subject to a favorable credit check
 - Not found guilty of obtaining RGI subsidy wrongfully, or of misrepresenting income within the last two years
 - Not own residential property, unless they agree to sell their property within 180 days of moving in
 - Not have income or assets that place the household above local income or asset limits
- 5.4 If the new applicant is not eligible for rent-geared-to-income subsidy, VPCH will inform the tenant in writing. VPCH may allow the guest to become a tenant, but a 90 day notice will be given removing the household's subsidy.
- 5.5 VPCH may also refuse to allow the new applicant to become a tenant if they have a record of damage, arrears, poor rent paying habits or disturbance to others. If the new applicant insists on staying, then VPCH may:
- Refuse to allow the new occupant to stay. If the new occupant insists on staying, VPCH may seek eviction of the entire household, or
 - Allow the new occupant to stay without signing the lease as an occupant. This means the original tenant would continue to be responsible for the rent, and VPCH would not accept any rental payments from the new occupant. The original tenant also takes responsibility for the behaviour and actions that substantially interfere with the tenant or landlord's reasonable enjoyment. When the original tenant moves out, the new occupant must also move out.
- 5.6 Upon receiving the tenant request, VPCH may conduct a unit inspection to assess space requirements; and, conduct a new income review of all household members. If the addition to household is granted, a new lease will be prepared for signature that includes the new addition.

Additions to the Household in Market Units

- 5.7 Market tenants are required to report any new occupants in the unit prior to the expiry of the guest period, in the same way as tenants paying rent-geared-to-income are required to report changes in occupancy.
- 5.8 The original tenant and proposed occupant that is seeking residency must both make a written request to VPCH before their approved term of stay as a guest is over.
- 5.9 The Property Manager may schedule a unit inspection to ensure adequate space is available for an addition to the household. Upon approval of the new tenancy, the necessary arrangements will be made for a new lease to be signed.
- 5.10 VPCH may refuse to grant tenancy if the new occupant would not have been accepted had they been a member of the original household, i.e. the occupant has a record of damage, arrears, or disturbance to others.

In this case VPCH may:

- Refuse to allow the new occupant to stay. If the new occupant insists on staying, VPCH may seek eviction of the entire household, or
- Allow the new occupant to stay without signing the lease as an occupant. This means the original tenant would continue to be responsible for the rent, and VPCH would not accept any rental payments from the new occupant. The original tenant also takes responsibility for the behaviour and actions that substantially interfere with the tenant or landlord's reasonable enjoyment. When the original tenant moves out, the new occupant must also move out.

6. Unreported Stays

- 6.1 When VPCH learns of an unreported stay, staff will begin the process by contacting the tenant to ask for clarification. A letter will be sent if a telephone call does not receive a response.
- 6.2 If it is established that an unreported occupant is living in the unit, the tenant must immediately follow the appropriate steps outlined above.
- 6.3 A tenant in receipt of rent-geared-to-income who fails to report a new occupant within the prescribed time will cease to qualify for RGI assistance and will be served notice they will become a market rent household. An RGI tenant will lose eligibility for assistance upon paying market rent for 24 consecutive months.

7. Reference Materials (Resources used in the development of this Policy)

- [Housing Services Act, 2011 \(HSA\)](#)
- Housing Services Act, Ontario Regulation 316/19
- Housing Sector Published Policies & Resources

8. Attachment

- *Consent to Disclose Information Form*

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