

Guest Policy

Policy Name	Guest Policy
Policy Number	6.11
Date	April 12, 2016
Date Reviewed or Revised	February 24, 2020
Next Review Date	February 2023
References	<i>Housing Services Act, 2011</i> O. Reg. 367/11 Section 96 (4) <i>Residential Tenancies Act, 2006</i>
Also See	<i>Accommodation Policy</i> <i>Internal Review Policy</i> <i>Parking Policy</i>

Policy statement

Housing Cambridge will permit all tenants to invite overnight guests into their home for periods not greater than 3 days. As much as possible Housing Cambridge will treat market and rent-geared-to-income tenants similarly and will seek to balance the rights of tenants to host overnight guests with its legislated obligations.

Purpose and Scope

Purpose

The purpose of this policy is to:

- ensure both Housing Cambridge and tenants comply with provincial laws and regulations
- ensure subsidies are based on the true household income, including anyone who has moved into the unit
- ensure all tenants, including those who join the household, are subject to the same rules as other tenants in Housing Cambridge
- treat market rent tenants and RGI tenants as equitably as possible while complying with provincial regulations

Scope

This policy applies to all tenants of Housing Cambridge.

Definitions

Applicant

An individual or household who is applying for tenancy at Housing Cambridge.

Designated Staff

The staff person or department who has been designated to complete a particular action or requirement.

Guest

A person who is staying with a tenant for a limited time. Their income is not included in the calculation of the tenant's rent-geared-to-income subsidy, if applicable.

HSA

Housing Services Act, 2011

Occupant

A person who lives in a unit with the permission of Housing Cambridge and the original tenant, but does not have any right to remain in the unit after the original tenant moves out.

RGI Subsidy

The tenant's rent-geared-to-income subsidy.

RTA

The Residential Tenancies Act, 2006

Tenant

A person who has signed a lease and who enjoys all of the rights and responsibilities of tenancy.

Housing Cambridge

The organization that adopts and implements this policy.

Visitor

A person who visits the tenant, but whose principal address is outside Housing Cambridge.

Procedure

Visitors

Visitors may come to the unit as frequently as the tenant invites them. Very frequent visitors may be asked to provide proof of residence elsewhere.

Guests

Any tenant may invite guests into their unit for up to 3days without Housing Cambridge's consent.

If a tenant would like a guest to stay for longer than 3days but not more than 14, they must notify the Tenant Services Manager. If they would like a guest to stay more than 14 days, they must submit a written request for permission to the Tenant Services Manager, stating the length of time the guest would like to stay. If granted, the Tenant Services Manager will advise, in writing, the length of the stay permitted. The Tenant Services Manager may refuse the request if staff or other tenants have complained about the guest's behaviour and those complaints have been found to be valid.

Visitor parking is based on the availability of visitor parking on a site-by-site. Guest parking cannot be guaranteed and guests must register their vehicle with the Tenant Services Manager or their designate.

At the end of the permitted stay, the Tenant Services Manager will confirm with the tenants that the guest has left. The unit may be inspected to confirm this information. Tenants will be given proper notice prior to a unit being inspected. With the tenant's consent, guests who wish to stay beyond the term may apply to become tenants (see 3.0 Additions to the Household).

If a guest remains in an RGI unit without the consent of Housing Cambridge, the

Tenant Services Manager will terminate the households rent subsidy with 90 days written notice. The tenant has the right to ask for a review of this decision.

At all times, tenants are responsible for the behaviour of their guests.

If the tenant moves out of the unit, the guest must also move. Any guests remaining in the unit after the lease-holding tenant moves out will be identified as trespassing and appropriate action will be taken through the Landlord and Tenant Board.

At no time is Housing Cambridge to refer to the guest as a tenant.

Additions to RGI Households

Tenants must apply for an addition to the household prior to the additional household member moving in.

If the tenancy is RGI, a formal application process by completing a Request for Addition to RGI Household form must be completed. And eligibility approved through the Community Housing Access Centre (CHAC). Proof of income from all proposed members of the revised household, including current tenants must be provided.

The person requesting to be added to the household must be eligible to receive RGI subsidy in order for the entire household to continue to qualify for RGI subsidy. The person's eligibility must be assessed by CHAC before Housing Cambridge can make a decision on their application.

- If they are not eligible for RGI subsidy, Housing Cambridge will inform them and the tenant. Housing Cambridge may allow the newcomer to become a tenant or occupant, but the household will cease to be eligible for its RGI subsidy.
- If they are eligible for RGI subsidy, then Housing Cambridge may permit them to become a tenant. The household, including the new addition, will be required to sign a new lease.

The Tenant Services Manager may refuse to allow the new addition to become a tenant on the grounds outlined in O. Regulation 367/11 of the *HSA*, section 50 (1):

- if it would be contrary to the mandate of the housing provider under section 76 of the Act
- based on the new addition's rental history, that they may fail to fulfill their obligations to pay rent for the unit in the amount and at the times the rent is due

- if the unit is one in which individuals will reside in a shared living situation and it would be unreasonable for the household to reside in the shared accommodation
- if the person requesting tenancy status is refused and/or ineligible to receive an RGI subsidy, the Tenant Services Manager may initiate proceedings under the *HSA* to revoke the household's RGI subsidy.

Unreported Stays

If Housing Cambridge is notified by a third party that a visitor or guest has been staying in an RGI unit for a period longer than 14 days, the Tenant Services Manager will contact the tenant by telephone or, if necessary, in writing, to confirm the duration of the individual(s)'s stay.

- The Tenant Services Manager may request that the tenant provide proof that their visitor / guest resides elsewhere or ask that they complete a sworn affidavit that the visitor / guest does not permanently reside in the unit.

If it is established that the new individual in the unit is a guest who has stayed in the unit longer than permitted by Housing Cambridge, the occupant must apply to become a tenant (following the steps above). This could result in a retroactive rent charge or a loss in subsidy.

If confirmation of the duration of the stay is not received and/or the visitor or guest remains in the unit for longer than the permitted stay, the Tenant Services Manager will issue a notice of decision to the household, indicating that they no longer qualify for RGI subsidy. The Notice of Decision will have a Request for Review form attached indicating that the decision is subject to the Community Housing Review System process managed by the Region of Waterloo. A request for review of the decision must be submitted by the tenant(s) in writing, using the Request for Review form and be received by the Region of Waterloo within thirty (30) days of the date on the Notice of Decision from Housing Cambridge.

Additions to Market Rent Households

Market rent tenants must report any new occupants in their unit prior to the new household member moving into the unit.

- **The proposed new household member must complete a Housing Cambridge tenancy application.**

- The Tenant Services Manager will screen the applicant prior to revising the tenancy in the unit.
- The Tenant Services Manager may refuse to grant tenancy if the applicant would not have been accepted had they been a member of the original household.