

Guest Policy

Approved by the Board of Directors Pathway Non-Profit Community Developments Inc.
of Peel
(Pathway)

On February 28, 2006

Revised September 20, 2012

Goals

The Guest Policy applies to all Pathway tenants. It is designed to:

- enable tenants to have live-in guests for up to two weeks
- ensure both the Pathway and tenants comply with provincial laws and regulations
- ensure subsidies reflect the true household income, including anyone who has moved into the unit
- ensure all tenants, including those who join the household, maintain the same high standards as other Pathway tenants
- treat tenants paying market rents, and tenants paying rent geared to their income, as equitably as possible while complying with provincial regulations.

Definitions

Visitors: Persons who visit a tenant occasionally, but whose principal address is outside the Pathway. Visitor's income is not included in the calculations of household rent for RGI recipients.

Guests: Persons who do not have another address, but are staying with a tenant for a definitive limited time, but no more that 30 days. Their income is not included in the calculation of rent-geared-to-income. After 30 days the Guest status may be changed to Occupant and their income will be included in the calculation of household rent for RGI recipients.

Tenants: Persons who have signed a Tenancy Agreement, and enjoy all the rights and responsibilities of tenancy.

Occupants: Persons who live in a unit with the permission of the management and the original tenant, but do not have any right to remain in the unit after the original tenant moves out. Occupant is considered a member of the household. Occupants' income is included in the calculations of rent-geared-to-income.

Visitors

1. Visitors may come to the unit as frequently as the tenant invites them. Very frequent visitors may be asked to demonstrate they have a principal address outside Pathway buildings.

Guests

1. Any tenant may invite guests into their unit for up to two week's stay without gaining the management's authorization.
2. If a tenant wishes a guest to stay for longer than two weeks, he or she must apply in writing to Pathway office, stating the length of time the guest is planning to stay in the unit.

The management, after consideration, may grant a request from the tenant and will confirm in writing the length of the guest's stay permitted.

The management may refuse the request if:

- it appears the guest does not intend, or has no prospects of, moving at the end of the agreed-to term, or
 - staff or tenants have complained about the guest's behavior, and those complaints have been found valid.
3. At the end of the term, the management will inspect the unit to ensure the guest has left. Guests who wish to stay beyond the term may apply to become tenants or occupants (see additions to the household).
 4. If a guest continues to stay in the unit without the management's permission, Pathway will terminate the household's rent subsidy with 90 days notice in writing. The tenant has the right to ask for a review of this decision.
 5. At all times, tenants are responsible for the actions of their guests.
 6. Should the tenant move out of the unit, the guest must also move out. Any guests staying in the unit after the lease-holding tenant moves will be considered as trespassers on private property and dealt with in accordance with the related legislations.

Additions to households that receive RGI subsidy

1. Tenants must report any new persons in the unit within 30 calendar days of their moving into the unit. Guests wishing to become tenants/occupants must make a written request to Pathway before their term of stay is over.
2. Persons wishing to join a household receiving RGI subsidy must apply to Pathway, and submit proof of their income and any other requested documents.

The person must be eligible to receive RGI subsidy in order for the household to continue to qualify for RGI subsidy. He or she must:

- be a Canadian citizen, landed immigrant or refugee claimant, not under a deportation or departure order
- not be in arrears to a social housing provider in Ontario

- not be 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.
3. If the newcomer is not eligible for RGI subsidy, the management will inform the tenant in writing. Pathway may allow the newcomer to become a tenant or occupant, but remove the household's rent subsidy with 90 days written notice.
 4. If the newcomer is eligible for RGI subsidy, then Pathway will allow him or her to become a tenant or occupant. The household, including the newcomer, will be required to sign a new Tenancy Agreement.
 5. Pathway may also refuse to allow the newcomer to become a tenant, on grounds permitted under O. Regulation 339/01,
 - it would be contrary to Pathway mandate
 - they have a rental history of non-payment of rent
 - the non-profit has reasonable grounds to believe that it is unreasonable for the household to reside in shared accommodation
 - the physical characteristics of the unit do not suit the needs of the household
 - if a special needs unit, the level of service required is significantly greater or less than the level of service needed by the household
 If the newcomer insists on staying, Pathway may evict the entire household.

Unreported stays

Pathway may receive information from a third party that an unauthorized person may be staying in the unit. In this case:

1. The management will contact the tenant in writing and request clarification.
2. If it is established there is an unauthorized person living in the unit (i.e. a person who has no other address, and no plans or prospects to move out) the occupant must apply to become a tenant (following the steps above).
3. If the tenant denies there is another occupant, or the situation is unclear, then the management will prepare a statement to be signed by the tenant, confirming their denial of the original allegations. Depending on circumstance the management may proceed with the appropriate action.

Additions to the household in market rent units

1. Tenants must report any new occupants in the unit within 10 business days of their moving into the unit, in the same way as tenants receiving rent subsidy.

2. It is the decision of the market tenant as to whether they wish the guest to apply for tenancy rights to the unit. In order for a guest to become a tenant and be added to the Tenancy Agreement, the tenant and the guest(s) must make a written request to the management before their term of stay is over.
3. The management will normally grant permission for the newcomer to become a tenant, and will prepare a new lease for signature.
4. The management may refuse to grant tenancy if the newcomer would not have been accepted had they been a member of the original household, i.e. the occupant has a record of illegal activities, damages, arrears, or disturbance to others). In this case, the property manager may:
 - allow the newcomer to stay without signing the lease as an occupant. This means the original tenant would continue to be solely responsible for the rent. The tenant would also be responsible for the behavior of the occupant. When the original tenant vacates the unit, the occupant will be also required to vacate at the same time.