

Visitor and Guest Policy

POLICY STATEMENT	<p>All Housing Providers who must adhere to the <i>Housing Services Act, 2011</i> (HSA) and/or have an agreement with the City of Hamilton must have a Visitor and Guest policy.</p> <p>The City of Hamilton as Service Manager under the HSA is required to establish and administer policies and procedures for social housing within its applicable service area. Part of the responsibility is to enforce legislated eligibility requirements for Housing Providers, including the requirement for all Housing Providers to have a guest and visitor policy.</p>
PURPOSE	<p>To identify requirements for compliance under O. Reg. 367/11, s. 96 (4) which mandates Housing Providers to establish and maintain rules for the temporary accommodation of guests in units occupied by households receiving RGI assistance, and provide a copy of those rules to the City of Hamilton and to the RGI households.</p> <p>To ensure the City of Hamilton, as Service Manager of social housing, provides standards for all Housing Providers.</p>
SCOPE	<p>This policy applies to situations in which a household hosts overnight visitors or guests.</p>
DEFINITIONS	
Guest(s)	<p>One or more person who stays with the RGI household but whose principle address is not with the RGI household - Guests are not part of the Tenant or Members' household. Guests maintain a home address outside the Tenant or Member's unit.</p>
Guest Policy	<p>A Guest Policy contains written processes and procedures that govern the temporary accommodation of guests and visitors</p>
Live-In Caregivers	<p>Caregivers may provide support for a child or for a disabled or elderly person in the household. They are not considered Tenants/Members, Visitors, or Guests and they are not covered in the scope of this policy</p>
New Household Member(s)	<p>One or more person to be added to the existing household; all persons wishing to join an RGI household must meet all RGI eligibility criteria</p>
Occupants	<p>People who live in a unit with the permission of the Housing Provider and the original RGI household but who are not on the lease or occupancy agreement (e.g. dependent children)</p>
RGI Household	<p>An individual who lives alone or two or more individuals who live together as a tenant(s) or member(s) in receipt of rent-geared-to-</p>

<p>Service Manager</p> <p>Unauthorized Occupant(s)</p> <p>Visitor(s)</p>	<p>income assistance (RGI) and who have signed a lease with all rights and responsibilities related to the tenancy.</p> <p>The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.</p> <p>One or more person that lives with a RGI household but who the household did not declare as an occupant and therefore, is not named on the lease or occupancy agreement or approved by the Housing Provider to live in the unit. An unauthorized occupant is not the same as a guest.</p> <p>One or more person who goes to the RGI household's unit as frequently as the RGI household invites them. Visitors do not require temporary accommodation with the tenant or member.</p>
<p>TERMS & CONDITIONS</p> <p>Requirements</p>	<p>Where a household is receiving RGI assistance, HSA regulations permit only those members of the household identified on the lease or occupancy agreement to live in the unit.</p> <p>All Housing Providers are required to have a Guest and Visitor Policy.</p> <p>A Guest and Visitor policy ensures new individuals are not added to the household without following the proper procedures. It is not intended to prevent RGI households from having visitors or overnight guests to their home.</p> <p>All Guest and Visitor policies must be approved by the Housing Provider Board of Directors and recorded in the Board Minutes.</p> <p>Housing Providers must provide a copy of their Guest and Visitor policy to the City of Hamilton. If changes are made, a copy of the approved, revised policy must be submitted to the City of Hamilton within 30 days of the approval of the revised policy.</p> <p>Housing Providers must provide a copy of their Guest and Visitor policy to all tenants/members. If changes are made, a copy of the approved, revised policy must be given to each tenant/member within 30 days of the approval of the revised policy.</p> <p>Trespass Orders:</p> <p>Trespass orders should only be issued with the intent of protecting tenant/member safety and/or the safety of staff, guests and visitors.</p>

**Housing Provider
Guest and Visitor
Policy Contents**

Policy Contents:

- Explain when a person is considered a Visitor or a Guest;
- List the steps the tenant/member has to take to inform the Housing Provider (e.g. visit the property management office and send a letter to the property manager via email or paper);
- Identify the maximum length of time up to 120 days a guest may stay with the permission of the Housing Provider;
- List what information is required from guests who wish to stay past the maximum time limit, such as name and proof of main residence
- Allow for length of stay extensions to address circumstances, including but not limited to:
 - the guest is providing temporary medical or care services to the tenant/member;
 - the guest resided out of country, or;
 - other extenuating circumstances at the discretion of the Housing Provider;
- Note that as long as visitors or guests do not stay for longer than the allowable time periods, the household's income or composition is considered to remain the same and there is no impact on the household's RGI rent/housing charge or continued RGI eligibility;
- State that boarders and lodgers are not permitted under any circumstances;
- Identify conditions for revoking approval of a guest stay (e.g. the guest fails to abide by the tenancy rules) – note: tenants/ members are responsible for the actions of their guests and visitors;
- State if a guest stays beyond their approved length of stay, the household will be notified in writing, that the guest must either:
 - Leave the unit, or
 - Make an application to be added to the household
 - Failure to comply with either option may result in the RGI household no longer qualifying for RGI subsidy and they will have to pay the market rent for the unit
 - Tenants/members have the right to request a review of decisions related to eligibility for RGI subsidy as per the System of Reviews policy;
- If a tenant or member moves out of a unit, all other persons in the unit must leave; they have no rights to the unit;



- Include information about how a tenant or member can request a person(s) be added to their household – all additions to RGI households must be in compliance with the City of Hamilton’s Additions to Household policy;
- Identify criteria for Trespass Orders – Housing Providers may issue a trespass order against an individual(s), for any of the housing complexes within their portfolio, if they determine a Trespass Order is required to ensure “the reasonable enjoyment of others” which includes tenants, members, staff, guests and visitors on the property - the Guest and Visitor policy may include a section that outlines who, what, why, when and how a trespass order is used;
- State RGI tenants or members are required to notify the Housing Provider of any change to their household composition within 30 days of the change.

Unreported Stays


An undeclared addition to the RGI household may impact the household’s eligibility for RGI assistance. Before making a decision which impacts a household’s subsidy, a Housing Provider must have a process in place for households to address the accuracy of information about an unauthorized occupant(s) received by the Housing Provider.

Guest and Visitors in Market Rent Units

A market rent tenant or member has a lease or occupancy agreement which is a contractual relationship with the Housing Provider.

The tenant(s) or member(s) has sole responsibility for the rent, the unit, and is responsible for the actions of all persons whom they permit to be at their unit or at the residential complex where they live.

A market rent tenant or member must report all persons living in their unit even if the tenant or member does not wish to add the person to the lease or occupancy agreement. It is essential for safety and emergency purposes that Housing Provider is aware of who is living in a unit.

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Social Housing Administration		2017-04-17, 2017-06-19
Visitor and Guest Policy		RGI Guide
Page 5 of 5		Approval: 2017-06-21
RESPONSIBILITIES	<p>Housing Providers must adhere to the <i>Housing Services Act, 2011</i>, the <i>Residential Tenancies Act, 2006</i>, the <i>Human Rights Code</i>, <i>Trespass to Property Act, 1990</i> as well as the terms of lease and occupancy agreements and this Visitor and Guest Policy.</p> <p>Tenants and members are responsible for the actions of anyone that they invite onto the residential complex including their Visitors and Guests.</p> <p>Service Manager Housing Administration Officers ensure each Housing Provider has a Board approved Guest and Visitor policy and that it's been given to each RGI tenant or member household.</p>	
COMPLIANCE	<p>All households are subject to this policy and any related policies identified there in (e.g. <u>Additions to Household</u>).</p> <p>As outlined in the Terms and Conditions and Responsibilities sections, this Visitors and Guests policy complies with the <i>Housing Services Act</i>, O. Reg. 367/11, s. 96 which states Housing Providers shall establish rules for the temporary accommodation of guests in the units occupied by RGI households (tenants and members) and shall provide a copy of the rules to the Service Manager and to those households.</p>	
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: David Brodati, Director – Housing Services Date: 2017-06-21</p>	