

Management Directive No.:	MC20
Management Directive Name:	Guests
Date Approved by CEO or Designated Person:	February 2010
Date revision approved by CEO or Designated Person:	March 2012 December 5, 2018
Related SOP, Management Directive, Board Policy, Forms	

Policy Statement and Rationale:

The KLH Housing Corp. strives to provide residents with safe and affordable accommodations to suit their needs. Residents are housed through the centralized waiting list administered by the City of Kawartha Lakes in accordance with the *Housing Services Act, 2011*.

Ontario Regulation 367/11, s.96(4) requires the housing corporation to establish rules for the temporary accommodation of guests in its units and to provide a copy of the rules to the service manager (City) and to the households residing in the units.

Definitions:

Visitor: a visitor is a person who visits a tenant for a time period of less than 2 consecutive weeks but whose principal residence is elsewhere (not another KLH Housing Corp unit)

Guest: a guest is defined as anyone that stays at a unit for a limited time with the approval of the housing corporation and their income is not included in the calculation of rent geared to income

Tenant: a tenant is a person who has signed a lease agreement with KLH Housing Corp

Occupant: occupants are persons who are listed on the lease agreement but are not lessees such as the dependent children of the tenant

Visitors:

Visitors may come to a tenant's unit as frequently as the tenant invites them. Frequent visitors may be required to demonstrate that they have a principal residence elsewhere.

Guests:

1. A guest may stay with a tenant for a maximum of two weeks without requiring the permission of KLH Housing Corp.
 2. If a tenant wishes a guest to stay longer than two weeks, he or she must write to KLH Housing Corp. stating the length of time the guest would like to stay. The written notification must include the name(s) of the guest(s), the dates they will be residing in the unit and their vehicle license plate information (if applicable). The request would be considered by KLH Housing Corp. and a response in writing provided to the tenant.
 3. Should the request be approved, the maximum length of time a guest may stay with permission of KLH Housing Corp. is four (4) weeks.
 4. A request may be refused if:
 - it appears the guest does not intend, or has no prospects of moving at the end of the agreed to term
 - staff or tenants have complained about the guest's behavior and those complaints have been found valid
 5. Approval of a guest to stay in a unit may be revoked if complaints are received or the guest fails to abide by tenancy rules after approval is given.
 6. The length of a guest's stay may be extended at the Corporation's discretion to address special circumstances including but not limited to:
 - Where the guest is providing medical or care services to the tenant as prescribed by a physician; or
 - Where the guest resides out of the country; or
 - Other extenuating circumstances at the sole discretion of KLH Housing Corp.
 7. Guests requesting an extension to their stay must provide proper documentation as determined by the Corporation. All such requests will be reviewed on a case by case basis.
 8. The Corporation may refuse to extend the stay of a guest as outlined in #4.
 9. If a guest stays beyond their approved length of stay, the household will be notified that the guest must either:
 - Leave the unit, or
 - Make application to be added to the household
- Failure to comply with either option will result in the household going to market or maximum rent upon 90 days written notice
10. Should the tenant move out of the unit, the guest must also move out. Any guest staying in the unit after the lease holding tenant moves out will be removed.

Additions to Households

RGI Household:

1. Tenants must report any new person in the unit within 30 days of their moving into the unit.
2. Where an RGI tenant wishes their guest to be added to the household, they must submit a written request to do so to the Corporation.
3. Persons wishing to join an RGI household must:
 - Complete an application
 - Submit proof of their income
 - Be a Canadian citizen, landed immigrant or refugee claimant not under a deportation order or departure order
 - Not owe arrears to a social housing provider in Ontario
 - Not be guilty of obtaining RGI subsidy wrongfully or 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 assets over the established limited for the City of Kawartha Lakes
4. If the person(s) requesting to be added to the household is not eligible for an RGI subsidy the Corporation will inform the tenant. The Corporation may allow the person(s) to become a tenant but the household will be required to pay market or maximum rent upon 90 days written notice.
5. If the person(s) is/are eligible for an RGI subsidy then the Corporation will allow them to become a tenant. The household, including the new person(s) will be required to sign a new lease and the rent will be recalculated based on total household income.
6. The Corporation may also refuse to allow a person to become a tenant on the following grounds permitted under Ontario Regulation 367/11, s.50:
 - It would be contrary to the mandate set for the project
 - They have a rental history of non payment of rent
 - They have arrears with another social housing provider for rent or damages
7. If the guest(s) insist on staying the Corporation may take legal action up to and including the eviction of the entire household through the Landlord and Tenant Board.

Market Households:

1. Tenants must report new occupants of their unit within 30 days of their moving into the unit.

2. It is the decision of the market rent tenant as to whether they wish the guest to apply for tenancy rights to the unit or whether they wish to add them as occupants to the lease.
3. If a guest of a market tenant wishes to apply for tenancy rights both the tenant and guest must submit a written request to the Corporation to do so.
4. If the Corporation decided to grant permission to add the additional person(s) to the household a new lease agreement will be prepared for the household including the new person(s) to sign.
5. The Corporation reserves the right to refuse to grant tenancy of any person(s) to an existing household for any of the following reasons:
 - The new person(s) has/have a record of damage, arrears or disturbances
6. If the tenant does not wish to add the guest or the Corporation refuses to grant tenancy rights to the new person(s) they may stay with the household as occupants without signing the lease. They will therefore not have tenancy rights. The existing tenant would be solely responsible for the rent and would be responsible for the behavior of the new person(s). When the original tenant moves out the additional person(s) residing the unit must also vacate.

Unreported Guests/Very Frequent Visitors

Investigation and remedy of unreported guests or visitors that come to the unit on a very frequent basis shall proceed in accordance with the Corporations Misrepresentation Policy for unreported occupants (Policy M.C. 30).

Keys

The Corporation will not issue any keys to a visitor or a guest of a tenant.

Parking

Visitors and guests must comply with parking rules and regulations. Vehicle information may be requested by the Corporation.

Review Process

The *Housing Services Act, 2011* (HSA) identifies that the Service Manager must have a system to review certain decisions. One of these decisions is rent geared to income (RGI) eligibility. Any tenant who disagrees with the Corporations decision regarding adding a member(s) to the household must file a Request for Review within 30 days of the decision being made.

Any tenant who disagrees with the Corporation's decision regarding a visitor or guest may file a written dispute to the Manager of Housing within 10 business days of the decision being made. This is not a reviewable decision under the HSA.

Revision History:

Proposed Date of Review: December 2020

Revision	Date	Description of changes	Requested By
v1	February 2010	Initial Release	
v2	March 2012		
v3	Dec 2018	New template format	CEO