

Directive

Directive: Tenant Arrears

Issue Date:	July 20, 2015	Directive No.:	2015 - 04
Revision Date:		Replaces No.:	2014-01

Applicable Policy: Tenant Arrears Policy No. HDPOL11

Type: Operational

The policies and procedures in this Directive are to be implemented by Housing Providers/Cooperatives funded by the Municipality under the following programs.

Provincial Non-Profit Housing Providers

- | | |
|---|--|
| <input checked="" type="checkbox"/> Gananoque Family Housing | <input checked="" type="checkbox"/> Gananoque Housing Inc. |
| <input checked="" type="checkbox"/> Legion Village 96 Seniors Residence | <input checked="" type="checkbox"/> Twp. of Bastard & South Burgess Housing Corp. |
| <input checked="" type="checkbox"/> Brockville Municipal Non-Profit Housing Corp. | <input checked="" type="checkbox"/> South Crosby Non-Profit Housing Corp. – Pineview |
-

Federal Non-Profit Housing Providers

- | | |
|--|--|
| <input checked="" type="checkbox"/> Athens & District Non-Profit Housing Providers | <input checked="" type="checkbox"/> Marguerita Residence Corp. |
| <input checked="" type="checkbox"/> Gananoque Housing Inc. | <input checked="" type="checkbox"/> South Crosby Non-Profit Housing Corp. – Rideau Lakes |
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Federal/Provincial Cooperative Housing

- | |
|--|
| <input checked="" type="checkbox"/> Shepherds Green Cooperative Homes Inc. |
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-

Affordable Housing Providers

- | |
|---|
| <input checked="" type="checkbox"/> Elgin Seniors Housing Development |
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Housing Providers

- | | |
|--|---|
| <input checked="" type="checkbox"/> Housing Department | <input checked="" type="checkbox"/> Rent Supplement Program |
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BACKGROUND

The Tenant Arrears policy HDPOL11 released in 2014 has been revised. The policy will not be distributed to non-profit and co-operative housing providers. Rather this directive summarizes the actions required by housing providers. The policy may be requested for your reference. References to the *Bankruptcy and Insolvency Act*, R.S.C. 1985, and to limitation periods have been removed since there is no limitation period for proceedings in respect of claims related to a) the administration of social, health or economic programs; or b) the provision of direct or indirect support to members of the public in connection with social, health or economic policy (*Limitations Act, 2002, s. 16*).

PURPOSE

This directive is to advise non-profit and co-operative housing providers of their obligations in respect to managing tenant arrears and reporting former tenant arrears to the Social Housing Registry. The Former Tenant/Member Arrears Report is included for reference and use.

ACTION TO BE TAKEN

Tenants are responsible to:

1. Pay rent in full on the first day of each month.
2. Pay for repairs beyond normal wear and tear, resulting from negligence and/or wilful damage.
3. Fulfill all obligations in their Lease Agreement.
4. To make payments as agreed to in a signed payment agreement.

The housing provider is responsible to:

1. Support the tenant(s) in maintaining their tenancy through appropriate interventions.
2. Identify households owing arrears in a timely manner and pursue unpaid rent and other charges through the provisions of the *Residential Tenancies Act, 2006* (RTA).
3. Notify current/former tenants of all charges applied to the rental account and outstanding arrears.
4. Maintain appropriate records.
5. Submit all former tenant arrears to the Social Housing Registry (SHR) within **10 business days** of termination of the tenancy and report any changes to former tenant arrears owing to reflect negotiated payment agreements, default of payment agreement, and/or payment of arrears in full. Use the Former Tenant/Member Arrears Report.
6. Annually, or as determined and approved by the Board of Directors, write off former tenant arrears to recognize the loss of revenue.

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REFERENCE

Former Tenant/Member Arrears Report

LEGISLATION

Housing Services Act, 2011, s. 42 & s. 56

O.Reg. 367/11 s. 26

Limitations Act, 2002, s. 16

If you have any questions, please contact the following:

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**Chris Morrison, Manager
Housing Department**



Date