

RELATED DOCUMENTATION

| | |
|----------------------|--|
| Legislation | Residential Tenancy Act, Ontario Human Rights, City of London Property Standards By-Law CP-24 |
| Collective Agreement | |
| Forms | |
| Policies | |
| Other Resources | |

1.0 PURPOSE

The purpose of this policy is to ensure that all tenants understand their responsibilities related to visitors and guests, and for London & Middlesex Community Housing to meet the following objectives:

- explain when a person is considered a visitor or a guest
- explain when a market rent household is required to inform London Middlesex Community Housing of changes to their household composition as required by this policy
- explain when a rent-geared-to-income household is required to notify London & Middlesex Community Housing of changes to their household composition as required by this policy
- establish the maximum length of time tenants can have guests
- establish exceptions to the maximum permitted time for guests
- balance the tenant's right to use their home and London & Middlesex Community Housing's requirement to assess household eligibility for housing and government subsidy.
- ensure subsidies are based on the true household income, including anyone who moves into the unit
- ensure subsidies are available to households that qualify; and
- ensure that residential units are not improperly transferred or sublet

2.0 SCOPE

This policy applies to all London & Middlesex Community Housing households.

Live-in caregivers are not covered by the scope of this policy. If a member of a household requires a live-in caregiver, the tenant must make the request in writing to London & Middlesex Community Housing.

3.0 STANDARDS

London Middlesex Community Housing staff are responsible for investigating cases where tenants appear to have guests staying with them for more than 30 days.

Tenants are responsible for the actions and behaviours of their occupants, visitors and guests. This includes telling their guests and visitors that they may be asked to prove that they maintain a current home address outside of the unit they are visiting, reporting to London Middlesex Community Housing of a person that they wish to add to their household composition and complying with this policy.

4.0 DEFINITIONS

Guests: Persons who seek temporary accommodation with a tenant (guests do sleep in the tenant's unit, but only for a maximum of 30 days within any 12-month period unless they are a special case as defined further in this policy). Guests are not part of the tenant's household AND MUST maintain a home address outside of the tenant's unit. Guests may be asked to identify themselves (and the unit they are staying in) by London & Middlesex Community Housing staff at any point while accessing the residential complex.

Live-in caregivers: Persons who are not considered tenants, visitors, or guests that provide support services due to a tenant's disability or medical condition.

Occupants: For rent-geared-to-income tenancies, an occupant is a person, who is a declared member of a household with London & Middlesex Community Housing's consent, but who has not signed a lease with London & Middlesex Community Housing.

For market rent tenancies, an occupant is a person who has been added to a household, with London & Middlesex Community Housing's consent, but has not signed the lease, or is an undeclared person who is living in a unit together with the tenant. In either case, occupants have no right to live in the tenant's unit once the tenant moves out.

Tenants: Persons who have signed a lease and have all tenant rights and responsibilities related to the tenancy.

London & Middlesex Community Housing staff: The Landlord *or Agent of the Landlord*.

Unauthorized occupants: Any person who is not a tenant, occupant, visitor, guest, or live-in caregiver as defined in this policy. An unauthorized occupant has no lawful authority to be at a London & Middlesex Community Housing residential property and has no rights to the rental unit in question.

Visitors: Persons who visit a tenant and do not require temporary accommodation with the tenant (visitors do not sleep in the tenant's unit). Visitors are not part of the tenant's household and must maintain a home address outside the tenant's unit. Visitors may be asked to identify themselves (and the unit they are visiting) by London & Middlesex Community Housing staff at any point while accessing the residential complex.

5.0 POLICY STATEMENT

This policy explains the way London & Middlesex Community Housing will manage visitors and guests of all London & Middlesex Community Housing properties. It supports London & Middlesex Community Housing's commitment to equitable and quality service and meets legislative requirements.

London & Middlesex Community Housing knows that tenants may have guests who stay with them in their homes on occasion for a number of days at a time. These may include out-of-town guests, or persons whom tenants have personal relationships with that do not reside with the tenant.

A tenant may have a guest in their home for a maximum of 30 days in total within a 12-month period. The 30 days may be consecutive or non-consecutive days and apply to any one individual who stays in the tenant's unit. In special cases, as defined below, guests may stay in a unit longer than 30 days.

Tenants are responsible for the actions and behaviours of anyone who they invite onto the residential complex, including their occupants, visitors and guests.

6.0 DETAILS

Visitors may come to the unit as often as the tenant invites them. In buildings with secure entry, the tenant must provide this access directly- either through the intercom system or attending the front door. Frequent visitors may be asked to prove that they have a home address outside of the unit they are visiting. Tenants are responsible for informing their visitors of this requirement.

Guests may stay with a tenant in the unit for a maximum of 30 days in total within a 12-month period. Tenants are encouraged to report to London Middlesex Community Housing all persons staying in the unit for safety and emergency purposes.

Guest who stay longer than 30 days in a tenant's unit are special cases, and may include an accommodation-related issue as defined in Ontario Human Rights Code, such as the need for someone to provide short-term supportive care to a person with a disability as prescribed by a qualified licensed healthcare professional, or the guest lives outside the country and has travel documents to prove their planned return date and leaves on that date.

If London & Middlesex Community Housing staff are made aware of a person who has been staying in a tenant's unit longer than 30 days, the staff will investigate and request documentation from the tenant explaining the reason for the stay and information about how long the person is staying.

London & Middlesex Community Housing may determine a guest's stay is not a special case and that a guest is not permitted to stay longer than 30 days should the tenant not provide appropriate documentation, the guest does not intend to leave at the end of the agreed-to term, staff or tenants have complained about the guest's behaviour and London & Middlesex Community Housing is satisfied the complaints are well founded, or the guest(s)' stay would result in non-compliance with Occupancy Standards under the City of London Property Standards By-law CP-24, 4.8.7.

Any person located in a residential unit who is not a tenant, occupant, visitor, guest, or live-in caregiver as defined by this policy is an unauthorized occupant and has no lawful right to be on the premises.

An unreported stay where a guest remains longer than 30 days places a tenant in breach of this policy. London & Middlesex Community Housing may pursue any legal rights available including the possible termination of subsidy if it is a rent-geared-to-income household due to failure to notify the landlord of changes in household composition as required by the Housing Services Act, 2011, and any other action available to London & Middlesex Community Housing.

If a rent-geared-to-income household loses their subsidy, they will have to pay the market rent for the unit and will no longer qualify for a rent-geared-to-income subsidy. The tenant has the right to request a review of decisions related to their continued eligibility for rental subsidy.

Rights to unit

If the tenant moves out of the unit, all other persons in the unit must also leave. Any occupant, guest, visitor, live-in caregiver, unauthorized occupant, or anyone else found in the unit after the tenant moves out will be ineligible for receipt of the household's rent-geared-to-income subsidy and is considered to be trespassing. London & Middlesex Community Housing will reclaim possession of the unit.

Market rent households

A market rent tenant may allow a guest to stay in their rental unit. They may not, however, assign or sublet all or any part of the unit and are required by their lease to report any changes in household composition within 30 days of the change. The tenant may request to add another occupant to their unit and sign a new lease and should report all persons living in the

unit even if the tenant does not wish to add the proposed person to their lease as a tenant. It is essential for safety and emergency purposes that London & Middlesex Community Housing knows who lives in its units. Occupants do not have any legal rights or entitlements to a tenant's unit.

7.0 DOCUMENT CONTROL

| | |
|---------------------------|-----------------|
| Date Drafted | March 17, 2025 |
| Date Approved | April 17, 2025 |
| Date Revised | N/A |
| To be reviewed | Every 3 Years |
| Inquiries to Policy Owner | Tenant Services |