

**Hastings County Community and Human Services  
Housing Services  
Administrative Policies and Procedures**

<b>SUBJECT :</b> Refusal to Offer a Unit Policy by Housing Provider		
<b>APPROVED BY :</b> Hastings County Council		
<b>POLICY #:</b> H.P. / H.L.H.C. 12		
<b>ORIGINAL ISSUED</b>	<b>SUPERCEDES</b>	<b>CURRENT VERSION</b>
November 2012	November 2016	June 2020

**PURPOSE**

To set out the reasons why a Housing Provider can refuse to offer a unit, how the applicant will be notified and how the Housing Provider will review the decision if requested to do so by the household.

**SCOPE**

This policy applies to *Housing Services Act, 2011* Part VII Prescribed Housing Programs and the Hastings Local Housing Corporation.

**REQUIREMENT**

A Housing Provider has the authority to refuse to offer a unit for the following reasons:

- The Housing Provider has a mandate and offering the unit to the household would be contrary to that mandate;
- The Housing Provider has reasonable grounds to believe, based on the household's rental history, that the household may fail to fulfill its obligations to pay rent for the unit in the amount and at the time the rent is due;
- The Housing Provider is a Non-Profit Housing Co-operative and the household does not agree to accept its responsibilities as a member of the Co-operative Housing Provider or the Co-operative Housing Provider has reasonable grounds to believe that the household will not accept or will be unable to accept those responsibilities;
- The unit is one in which individuals will reside in a shared living situation and the Housing Provider has reasonable grounds to believe that it is unreasonable for the household to reside in the shared accommodation; or
- All of the following criteria are satisfied:

- Within the past five (5) years:
  - The tenancy of a member of the household was ordered terminated by the Landlord and Tenant Board based on a notice of termination; or
  - The occupancy of a member of the household in a member unit of a Non-Profit Housing Co-operative was ordered terminated by the Landlord and Tenant Board based on a notice of termination.;
- The tenancy or occupancy that was ordered terminated was in a designated housing project;
- The order terminating the tenancy or occupancy has not been cancelled under section 21.2 of the Statutory Powers Procedure Act or overturned under section 210 of the Residential Tenancies Act, 2006;
- The order terminating the tenancy or occupancy was grounded on an illegal act, trade, business or occupation involving one or more of the following:
  - An illegal act, trade, business or occupation described in clause 61 (2) (a) or 94.4 (4) (a) of the Residential Tenancies Act, 2006;
  - The illegal production, distribution or sale of cannabis;
  - The trafficking of persons;
  - The use or attempted use of physical violence against another person;
  - Physical harm, attempted physical harm, or risk of physical harm to another person; or
  - The use of threats to, intimidation of, or harassment of another person.; and
- The Housing Provider has reasonable grounds to believe that accommodating the household would pose a risk to the safety of one or more other persons at the housing project.

## **RESPONSIBILITY**

The Housing Provider must be able to support and document their decisions regarding refusing units to households.

If a Housing Provider refuses to offer a unit to a household, the Housing Provider must provide the household with the following:

- Written notice within 7 days after the Housing Provider made the decision;
- Reasons for the refusal; and
- Details of how to request a review.

The Housing Provider must provide a copy of the written refusal to the Housing Registry.

## **REFERENCES**

*Housing Services Act, 2011*  
O. Reg.367/11 s. 50