

Toronto Seniors Housing Corporation (TSHC) Relocation Policy

Policy Sponsor: Director, Operations

Approver: Board of Directors

Initial Approval Date: April 28, 2022

Effective Date: June 1, 2022

Policy Statement

Toronto Seniors Housing Corporation (TSHC) is committed to promoting healthy communities and quality of life for tenants. Toronto Seniors Housing Corporation recognizes that relocation may cause hardships for those directly affected and the community.

The purpose of the policy is to minimize the adverse effects of relocation on tenants facing displacement from a TSHC unit, with a goal of tenants being able to continue their life in a Relocation Unit with minimal disruption. This policy provides the framework to govern the relocation of households.

Scope

This policy applies to all residential tenants directly managed by Toronto Seniors Housing Corporation, including rent-geared-to-income, affordable, and market tenants that are required to move out of their units because TSHC needs possession of their unit for any of the following reasons:

- revitalization;
- renovation;
- permanent unit closures;
- emergency situations;
- accessibility upgrades; and
- any other reason that Toronto Seniors Housing Corporation requires a household to transfer from one Toronto Seniors Housing Corporation unit to another.

The Relocation Policy will cover all situations where Toronto Seniors Housing Corporation initiates relocating a current Toronto Seniors Housing Corporation household to a different Toronto Seniors Housing Corporation unit, except in instances of a fire in a unit or building. Reasons for relocation will be limited to the categories defined within the Relocation Policy and in compliance with relevant legislation.

Out of Scope

Tenant-initiated requests for transfer are addressed in Toronto Seniors Housing

Corporation's Tenant Transfer Policy.

Definitions

Accessibility Upgrades: Where a tenant's unit is undergoing planned accessibility upgrades to accommodate their accessibility needs and it is not possible for them to remain in the unit while the work is taking place.

Emergency Situations: Where an emergency takes place in a unit or building (such as flood, emergency roof repairs, etc.) and occupying the unit would pose an immediate risk to tenants' health or life safety, and major unplanned rehabilitation is required in the unit or building.

Large-Scale Renovation: Major planned repairs to a unit or building where a household's unit must be vacant in order for the work to take place.

Permanent Relocation: Where a tenant is required to relocate from their unit and will not return to the same unit.

Permanent Unit Closure: Where units or buildings have deteriorated into a critical state of repair and must be closed because they are no longer safe for tenants to live in, where a building is repurposed for another use, or any other reason that requires a unit be closed.

Relocation Agreement: A written contract between tenants and Toronto Seniors Housing Corporation, which outlines the rights and obligations of both parties during the relocation process.

Relocation Unit: The unit a household is moved to when they must be relocated from their current unit.

Revitalization: The large-scale demolition and rebuild of multiple Toronto Seniors Housing Corporation-managed buildings in one community to elevate the housing conditions and circumstances for tenants.

Right to Return: Tenants who are moved due to revitalization have the right to return to a new unit in a revitalized community, subject to eligibility rules in the Relocation Agreement it signs with Toronto Seniors Housing Corporation.

Temporary Relocation: A temporary move between Toronto Seniors Housing Corporation units initiated by Toronto Seniors Housing Corporation where the household must return to their original unit.

Temporary Shelter Agreement: A written agreement between a household and Toronto Seniors Housing Corporation that outlines the rights and obligations of both parties during a temporary relocation. This only applies to relocation due to accessibility upgrades.

Tenancy in Good Standing: A household is in good standing if:

- none of the members of the household owe money to Toronto Seniors Housing Corporation in relation to a current or former tenancy or if any member of the household does owe money, they have entered into a repayment agreement with Toronto Seniors Housing Corporation and are in compliance with that agreement;
- Toronto Seniors Housing Corporation is not currently taking legal action against the household for any reason; and
- the Landlord and Tenant Board has not ordered termination of the tenancy.

Tenant Relocation Assistance Implementation Plan (TRAIP): A document that sets out the steps that Toronto Seniors Housing Corporation will take to support tenants to relocate units and what tenants can expect from Toronto Seniors Housing Corporation during the moving process such as notice periods, any financial assistance, and other supports to assist with moving.

Standards

Standards Applied to All Relocations

Toronto Seniors Housing Corporation may initiate the relocation of a household for any of the reasons listed above. In all instances, the following standards apply:

- Households may only relocate to a unit for which they are eligible under the *Housing Services Act*, the City of Toronto's Occupancy Standards, and any other applicable rules and regulations.
- Toronto Seniors Housing Corporation may choose not to relocate a household if its tenancy is not in good standing.
- Toronto Seniors Housing Corporation will make reasonable efforts to assist each household to address any outstanding tenancy issues and ensure their tenancy is in good standing before relocation.
- Toronto Seniors Housing Corporation will work with community partners and will assist in connecting tenants with community partners and services, where needed.
- The relocation process cannot be used to split rent-geared-to-income tenancies. The rent-geared-to-income household is entitled to relocate to one unit in accordance with the City of Toronto's Occupancy Standards.
- Toronto Seniors Housing Corporation staff will work with tenants on the selection of a relocation unit for which the household is eligible.
- Toronto Seniors Housing Corporation will provide moving assistance subject to the requirements in any applicable agreements (e.g. a Tenant Relocation Assistance Implementation Plan) and the household qualifying for moving assistance.
- For rent-geared-to-income tenants, rent will continue to be based on income. For all other tenants, rents may change as a result of relocation both in the relocation unit and the unit to which tenants return after the relocation.
- The relocation process will follow the rules in the Residential Tenancies Act

and any other applicable rules and regulations.

- Households may waive the right to return, if applicable, and remain in their relocation unit, except in instances of relocation due to accessibility upgrades.

Note: If a unit or building is sold, the household may or may not be required to relocate. The decision to relocate a household will be based on the terms in the Agreement of Purchase and Sale signed with the new owners.

Standards Applied to Relocations due to Permanent Unit Closures or Revitalization

In instances of permanent unit closures or revitalization, the following standards apply:

- An official notice will be issued to each household in writing prior to relocation. Notification will be provided according to the timelines set out in any governing agreements and legislation.
- Toronto Seniors Housing Corporation may be required to develop a Tenant Relocation Assistance Implementation Plan for specific buildings or communities as part of the City of Toronto's approval process. Where these plans are in place, they will take precedent over the standards in this policy.
- The order in which households will be offered a relocation unit will be established through a random selection draw.
- If a household does not choose a relocation unit by the deadline provided by Toronto Seniors Housing Corporation, Toronto Seniors Housing Corporation may begin the process for terminating the household's tenancy.
- Once an offer is accepted for a relocation unit, the household must sign a new lease for the relocation unit and an Agreement to Terminate the Tenancy for their existing unit.
- Tenants who are moved due to revitalization have the right to return to a new unit in a revitalized community, subject to eligibility rules in the Relocation Agreement it signs with Toronto Seniors Housing Corporation.
- A household will only receive one offer of a revitalization unit. Once the household has exercised its right to return to a revitalization unit, it is not entitled to transfer to a different revitalization unit, even if the household's family composition has changed after moving.
- Households may defer their right to return for a later opportunity, if allowed by the applicable Tenant Relocation Assistance Implementation Plan, and any other applicable agreements or plans.
- If a household terminates its tenancy with Toronto Seniors Housing Corporation at any point during the relocation process, it may no longer be eligible to return to the revitalized community subject to the terms of its Relocation Agreement.

Standards Applied to Relocations due to Large-Scale Renovations

In instances of large-scale renovations, the following standards apply:

- Once an offer is accepted for a relocation unit, the household will sign a new lease for that unit and an Agreement to Terminate the Tenancy for its existing unit.
- After the renovation is completed, the household has right of first refusal to return to the renovated unit as long as it gives Toronto Seniors Housing Corporation written notice it will be exercising that right before relocating and complies with any other conditions in the relocation agreement it signs with Toronto Seniors Housing Corporation.
- If a rent-geared-to-income household will be overhoused in the renovated unit at the time when it exercises its right of first refusal and returns to the unit, the household will not be eligible for moving assistance for the move from its relocation unit to the renovated unit.

Standards Applied to Relocations due to Emergency Situations

In instances of emergency situations, the following standards apply:

- Once an offer is accepted for a relocation unit, the household will sign a new lease for that unit and an Agreement to Terminate the Tenancy for their existing unit.
- After the repairs are completed, the household has right of first refusal to return to its previous unit as long as it gives Toronto Seniors Housing Corporation written notice it will be exercising that right before relocating.

Note: Where there is a fire in a unit, refer to the Resident Relocation – Fire Response Procedure.

Standards Applied to Relocations due to Accessibility Upgrades

In instances of accessibility upgrades, the following standards apply:

- Households who are relocated must sign a Temporary Shelter Agreement for their relocation unit.
- Households must return to their original unit after accessibility upgrades are complete.
- Rent-geared-to-income households that temporarily relocate outside of Toronto Seniors Housing Corporation while accessibility upgrades take place in their unit will not lose their rent-geared-to-income subsidy, provided they return to their unit once the work is complete. Where a household can stay with family or friends outside of Toronto Seniors Housing Corporation, this option will be pursued first.

Compliance and Monitoring

The Regional Manager in each Region is responsible for having a process in place to monitor staff compliance with this policy.

Related Legislation, Regulations, and TSHC Policies:

- *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*
- City of Toronto Occupancy Standards
- City of Toronto Property Standards Bylaw
- *Housing Services Act*
- *Ontario Human Rights Code*
- *Residential Tenancies Act*
- TSHC Accessibility Policy
- TSHC Evictions for Cause Policy
- TSHC Eviction Prevention Policy for Non-payment of Rent (Arrears)
- TSHC Human Rights, Harassment and Fair Access Policy – Tenants
- TSHC Tenant Complaints Process
- TSHC Tenant Charter
- TSHC Tenant Transfer Policy
- TSHC Translation and Interpretation Policy
- TCHC-TSHC Emergency Response Plan

Amendments (Revision History):

Initial policy approved by Board of Directors on April 28, 2022, effective June 1, 2022.

Next Scheduled Review Date:

This policy will be reviewed once every five years.

Policy Contact

Manager, Business Operations and Compliance

Appendices

- Relocation Procedure (in development)