



Senior's Villa East Ferris
440 Hwy 94
Corbeil, ON P0H 1K0
Canada

Seniors Villa East Ferris - Visitor and Guest Policy – OPP #03

Purpose

This policy defines SVEF's practices regarding the treatment of visitors, guests and occupants of all SVEF rented accommodation. It supports SVEF's commitment to fair and quality service and meets legislative requirements. It specifies tenants' responsibilities in relation to visitors, guests and occupants by accomplishing the following:

- explaining when a person is considered a visitor, guest or an occupant,
- explaining when a tenant is required to inform SVEF of changes in household composition thereby ensuring that residential units are not inappropriately transferred or sublet and,
- describing the tenant's right to use his or her unit to accommodate visitors, guests and occupants with SVEF's obligation to assess the household's eligibility for housing in keeping with its funding agreements.

Policy Details: Definitions, Standards

- **Tenants**

A tenant is a person who has complied with the requirements of SVEF's tenant selection policy, then signed a lease and entered a contractual relationship with SVEF. The tenant has all rights associated with the tenancy and is responsible for the rent and accommodation. The tenant may not assign or sublet all or part of the rented accommodation. SVEF reserves the right to take all possible legal action against a tenant who has illegally sublet or assigned his or her accommodation.

In certain circumstances, as defined by the Residential Tenancies Act, a tenant's spouse may become a tenant when the tenant dies or vacates the property. A tenant may apply in writing to the SVEF to add another tenant to his or her unit and sign a new lease. The request must be made by the current tenant, not the proposed new tenant. The person(s) to be added to the lease must be willing to provide the necessary information, documentation and authorization to determine whether they can be added to a market-rent household.

Tenants may have visitors, guests or occupants in their homes, and they are responsible for their actions while on SVEF leased premises. This means that tenants may allow guests or occupants to stay overnight, subject to this policy.

- **Visitors**

People visiting a tenant who do not require temporary accommodation in the tenant's home (visitors do not sleep in the tenant's home). They are not part of the tenant's household as they have an address outside the tenant's home. Visitors may come to the property as often as the tenant invites them. It is the tenant's responsibility to inform frequent visitors that they may be asked to prove that they have an address outside the dwelling they are visiting. Health care and service providers who frequently visit the dwelling are not considered visitors.

- **Guests**

People who enjoy temporary accommodation in a tenant's home (guests may sleep in the tenant's home). They may stay for a maximum of 30 consecutive or non-consecutive days in any 12-month period, unless they constitute a special case as defined below. Guests are not part of the tenant's household. Guests have an



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address outside the tenant's home. Tenants are encouraged to notify SVEF of all persons staying in the dwelling for safety and emergency reasons.

- **Special Guests**

If SVEF receives information that a person has been staying in a tenant's unit for more than 30 days, SVEF property management staff will investigate and request written documentation from the tenant explaining the reason for the stay and information on the length of the person's stay to ensure that the person qualifies as a guest in a special case. Special cases where a guest may stay longer than 30 days may include, but are not limited to, a housing-related issue as defined in the Ontario Human Rights Code, such as a person's need to provide short-term supportive care to a person with a disability as prescribed by a qualified, licensed health care professional, or the guest is living abroad and has travel documents proving his or her expected return date and is leaving the country on that date. Reasons why SVEF staff may determine that a situation is not a special case and that a guest is not allowed to stay longer than 30 days include, but are not limited to:

- the tenant does not provide appropriate documentation to explain why the guest must stay longer than 30 days,
- the guest has no intention of leaving at the end of the agreed period,
- staff or tenants have complained about the guest's behavior and SVEF considers the complaints to be justified; and
- the stay of the guest(s) would result in non-compliance with the occupancy standards of this policy.
- If the stay of more than 30 days is refused, the renter will be in breach of this policy and SVEF may exercise all legal rights available to it, including rights under trespass law against the unauthorized occupant.

- **Occupants**

An occupant is a non-tenant adult who has been authorized by SVEF to reside in a dwelling for more than 30 days and on a more permanent basis than a special guest. The tenant is required to submit the occupancy request in writing to SVEF within 30 days of the change of occupancy. An occupier has no contractual relationship with SVEF and has no legal rights, entitlements or responsibilities over the leased premises. The lessee may not assign or sublet all or part of the leased premises to an occupier. Occupants do not have the right to live in the tenant's unit once the tenant has moved out.

- **Live-in caregivers**

If a tenant requires a live-in caregiver, the request for occupancy must be made in writing to SVEF, but approval will not be unreasonably withheld unless the occupancy standard of this policy is not met.

- **SVEF Property Management staff:** This includes, but is not limited to, the Operating Unit Manager, Tenant Services Coordinator and Superintendents, SVEF Property Management staff are responsible for investigating cases where tenants appear to have guests staying with them for more than 30 days.

- **Unauthorized occupants:** Any person who is not a tenant, visitor, guest, or occupant as defined by this policy. An unauthorized occupant has no lawful authority to be at a SVEF residential complex and has no rights to the rental unit in question.



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Limitations & Compliance

SVEF will notify the requesting tenant in writing of the approval or denial of the request to add to the household composition. SVEF reserves the right to refuse any occupancy or rental agreement in accordance with its normal rental practices.

Refusal

SVEF may refuse written requests from tenants for permission for a special guest to stay longer than 30 days, permission for an occupant to occupy a unit for an indefinite period, and the addition of a new tenant to a lease if:

- The person to be added does not have legal status in Canada as prescribed by Citizenship and Immigration Canada (i.e. legal status in Canada includes, but is not limited to, having a student visa, work permit, citizenship, permanent residency, being a refugee...etc.).
- The addition of one or more members to the household would result in non-compliance with the occupancy standards set out in this policy.
- The existing household has an outstanding balance with SVEF; or there are legal proceedings pending against the existing household for arrears or non-arrears.

Rights to unit

If the tenant moves out of the unit, all other persons in the unit must also leave. Any visitor, guest, visitor, occupant or anyone else found in the unit after the tenant moves out will be:

- in violation of our funding agreements; and
- identified as trespassing.

SVEF will reclaim the unit.

Occupancy Standards: All units are subject to a maximum of 2 persons per bedroom

Compliance and Monitoring

The SVEF Property Manager, or designate, will monitor compliance with the policy on an ongoing basis by reviewing a random sampling of tenant files.

Governing and Applicable Legislation

- Municipal Freedom of Information and Protection of Privacy Act, 1990
- Ontario Human Rights Code
- Residential Tenancies Act, 2006
- Trespass to Property Act, 1990

Related Policies

- Tenant Selection Policy