



## 602: Dealing with difficult tenancies

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## Commissioner of Housing Equity



### History:

- In 2010 the Honourable Justice Patrick LeSage wrote a detailed report. In it, he asked TCHC to make some changes regarding how senior and vulnerable tenants facing eviction due to arrears were treated.
- In 2013, the Toronto Ombudsman, Fiona Crean also wrote a report echoing Justice LeSage's recommendations.
- In response to those two reports, the Board of Directors of TCHC created the Office of the Commissioner of Housing Equity.



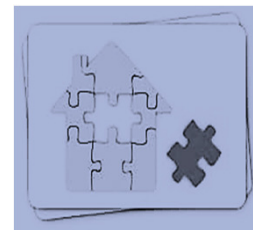
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## Commissioner of Housing Equity Ma



### Office of the Commissioner of Housing Equity (OCHE)

An independent office whose goal is to ensure adequate support and protections exist for **senior** and **vulnerable** residents facing **loss of subsidy** or potential **eviction** due to **rental arrears**.



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## Commissioner of Housing Equity



### 3 Main functions of OCHE

#### Review

- To provide assurances to the Board of Directors that all eviction prevention policies and procedures are properly applied by TCH and that matters are only referred for eviction proceedings at the Landlord Tenant Board (“LTB”) as a last resort;

#### Resolve

- To assist senior and vulnerable residents in achieving healthy and successful tenancies through the resolution of rental arrears and loss of subsidies; and

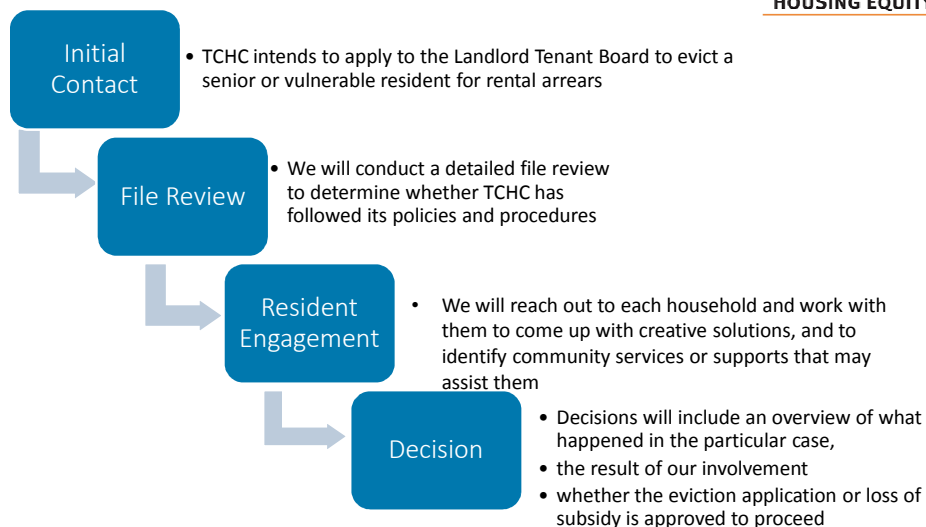
#### Recommend

- To provide guidance to the Board of Directors on recommended improvements to TCHC’s eviction prevention policies and procedures.



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## Commissioner of Housing Equity



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## Commissioner of Housing Equity



### Who does OCHE serve?



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Working with  
tenants facing  
challenges



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What kinds of challenges are you experiencing?



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What is mental health?

Mental health is the constantly changing balance between all aspects of life

Physical  
Mental  
Emotional  
Spiritual



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## What is mental illness?

Feelings, thoughts, moods, and behaviour that are off-balance and cause a lot of distress to ourselves and/or others, and that last over time



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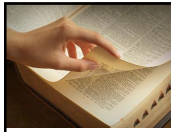


## What is a mental disorder?

- In the area of mental health, the word "disorder" is used to describe a mental health condition that matches a defined list of signs and symptoms.
- The most commonly used list is the Diagnostic and Statistical Manual of Mental Disorders (DSM) which doctors use



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## How common is it?

- One out of 5 persons will personally experience mental illness in some way over their life time
- One out of 2 will know someone personally, either friend or family member
- Affects persons of all ages, genders, educational backgrounds, income levels, and cultures



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## Most common mental illness diagnoses

- Mood disorders
- Anxiety disorders
- Schizophrenic disorders
- Personality disorders
- Eating disorders



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## Signs and symptoms

Major changes in eating or sleeping habits	Feeling sad or irritable for more than 2 weeks
Strong outbursts of anger	Confused thinking
Delusions	Feelings of extreme highs and lows
Hallucinations	Excessive fears, worries and anxieties
Thinking about harming or killing oneself	Spending more time alone or avoiding others
Physical ailments with no clear cause	Poor hygiene
Substance abuse	



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## Signs of Psychosis

- Loss of contact with reality, as defined by others around them
- Delusions
- Hallucinations



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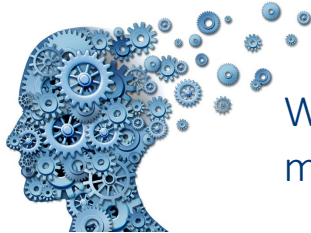
## Causes of Mental Illness

Genes  
Biology  
Environmental  
Life experiences  
Physical conditions

Whatever the cause, a person's mental health problems are not his or her fault.



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## What is the connection between mental illness and addictions?

- Often occur together
- One may cover up the other
- Together they're called "concurrent disorders"
- Using drugs or alcohol to mask symptoms is called "self-medicating"



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## Who does one go to for help?

### Counsellor

- support
- case management
- housing support

### GP / Doctor


- assessment
- medication
- diagnosis
- symptom monitoring

### Family and friends

- long-term support
- encouragement
- practical assistance



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**Mental Health Helpline**

**Free Health Services Information**  
1-866-531-2600

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1 in 5 Canadians will experience a mental health issue in their lifetime.

1 2 3 4 5 6

**Order Resource Materials** +

The Mental Health Helpline offers free marketing resources. Free shipping. [Order Now.](#)

**Quick Facts** 1

[Introduction to Mental Health](#)

[Anxiety Disorders - An Information Guide](#)

[...more](#)

**Take the Quiz** 2

How do you know if you have a mental health problem? The Centre for Addiction and Mental Health regularly refers clients to the following [online assessments](#) as a way to get started

**ConnexOntario**

ConnexOntario provides free and confidential health services information for people experiencing problems with alcohol, drugs, mental health or gambling.  
[Drug and Alcohol Helpline](#) • [Mental Health Helpline](#) • [Ontario Problem Gambling Helpline](#)

## What can one do to promote mental health?



- Good physical health and activity
- Eat a balanced diet
- Learn skills to cope with stress
- Build self confidence to handle difficult situations
- Develop communication skills
- Educate self about mental illness and substance abuse



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## Other challenging situations

- Undiagnosed mental illness
- Capacity and aging
- When is it not an accommodation issue and just a difficult person
- When a tenant doesn't want to talk about it



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## Good policy is crucial to helping tenants stay housed

### Policies

- Eviction Prevention
- Human Rights
- Accessible Customer Service
- Accommodation
- Arrears



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## Case Study – Identifying Vulnerability

### Lessons Learned:

- ✓ Vulnerability is not always apparent and can be cyclical
- ✓ Make a plan and allow the Resident to provide input on the timelines
- ✓ One small resolutions at a time can make the end goal of repayment not so overwhelming



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# Eviction Prevention



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## Eviction Prevention



### *The Purpose of an Eviction Prevention Policy:*

- Support persons with vulnerabilities to remain housed
- Ensure rent is collected as required
- Evict as few people as possible for not paying rent



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# Eviction Prevention

## Key Values of a good Eviction Prevention Policy

- Recognize tenants are responsible and able participants
- Work with tenants to identify barriers to support and access to services
- Ensure procedures are fair, open and equitable
- Recognize the right to be treated fairly and with respect
- Collect rent on time


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# Eviction Prevention


## Key elements of a good Eviction Prevention Policy

Rent Collection	Early Intervention
<ul style="list-style-type: none"> <li>Focus on collecting rent on time</li> <li>Provide flexible payment options</li> <li>Advise tenants what steps to take if they cannot pay rent</li> <li>Ensure tenants are aware of their responsibilities for reporting income</li> </ul>	<ul style="list-style-type: none"> <li>Identify households that are vulnerable early on</li> <li>Intervene early when rent payments are late to prevent further arrears</li> </ul>

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## Eviction Prevention



### Key elements of a good Eviction Prevention Policy

Education	Communication	Partnerships & Referrals
<ul style="list-style-type: none"> <li>• Educate tenants on EPP at lease signing and regularly when they cannot pay their rent</li> <li>• Train staff on EPP strategies</li> </ul>	<ul style="list-style-type: none"> <li>• Direct personal contact</li> <li>• Send correspondence in plain, clear and respectful language</li> <li>• Provide translation and interpretation where required</li> </ul>	<ul style="list-style-type: none"> <li>• Develop partnerships with organizations that can provide support for tenants</li> <li>• Connect tenants to external supports that can provide ongoing support</li> </ul>



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## Eviction Prevention



### Lessons learned by OCHE:



Empower Residents to be involved in the process



Direct Personal Contact is key where possible



Letters and phone calls are sometimes not well received



## Eviction Prevention

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Lessons learned by OCHE:




Value of door knocking and going to the resident (giving them the choice)



Use softer language when sending letters to connect to residents



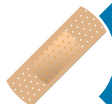
Ensure repayment agreements are reasonable and set people up for success




## Eviction Prevention

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Lessons learned by OCHE:



Identifying the underlying causes of arrears is key to prevent reoccurrence



Some tenants will require more than information on the steps they need to take



Early intervention is key to prevent hopeful from becoming hopeless



## Case Study: Going the Extra Mile

### Lessons Learned:

- ✓ Sometimes tenants feel overwhelmed and need assistance navigating social services
- ✓ Tenants get discouraged and sometimes think things are hopeless so they stop engaging



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## Accommodation



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## Housing Provider Responsibility

- Accommodate tenants with disabilities to the point of undue hardship
- Accommodation process includes both parties working together to find a solution
- Keys to success:
  - Creativity
  - Flexibility
  - Compassion



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## Examples Accommodation - Tenant disconnecting smoke detectors

A tenant has been served an N5 for disconnecting the smoke detectors in his unit.

Each time the maintenance staff went to check the smoke detector was on the kitchen counter.

The tenant had not responded to any of the housing provider's requests for a meeting.



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## Examples of Accommodation –Arrears

A tenant was in persistent arrears.

The source of income was Employment Insurance and the tenant was being paid weekly.

The tenant was also receiving spousal support sporadically.

The tenant wanted to pay rent weekly but the housing provider refused, citing the increased administrative work, the inability of staff to make an exception and the belief that if they did it for one tenant they'd have to do it for all



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## Examples of Accommodation – maintenance request

A tenant was informed that his unit was going to be painted.

The tenant made a written request to paint the unit blue rather than the usual green.

He stated in the letter that the current shade of green used by the non-profit contributes to his sleeplessness and makes his schizophrenia worse.



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## Examples of Accommodation – Internal transfer

A tenant who was a survivor of partner abuse asked for a transfer from the first floor.

She was experiencing flashbacks of the abuse and although her partner is in jail she is suffering from sleepless nights and anxiety attacks.



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## Helpful Tips

- Important to be flexible but know your limits
- An accommodation policy can guide the process
- Sometimes tenants will be evicted



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## Case Study: When is Enough Enough?

### Lessons Learned:

- ✓ Tenants have the right to make choices even if they are not in their best interest
- ✓ Cannot force someone to get help
- ✓ When is enough enough?



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