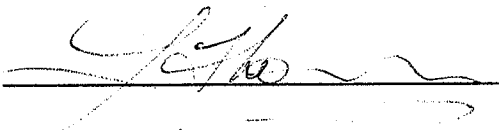


Ellwood House Ottawa Inc.
Revised 2014

Accomodation Policy

Date Board Approved: November 24, 2014

Signed: 

Policy statement

Ellwood House acknowledges its responsibility under the *Ontario Human Rights Code* and other legislation to accommodate the needs of applicants and tenants and to actively remove barriers, physical or otherwise, which may prevent those individuals from participating fully in the activities of the non-profit and from having a successful tenancy.

Accommodation will be provided in accordance with the principles of dignity, individualization, and inclusion. Ellwood House will work co-operatively, and in a spirit of respect, with all partners in the accommodation process.

Purpose and scope

Purpose

The purpose of this policy is to provide guidance on the accommodation processes that all staff may take to support, as much as possible, the full and equitable participation of applicants and tenants who are Code-protected in the activities of the non-profit and to support successful tenancies.

Scope

This policy applies to all staff, board members, volunteers, tenants, and guests, who all have a role to play in accommodating the needs of other tenants and applicants.

This policy also applies to all non-profit policies and procedures. Where there is a conflict between existing policies, procedures, regulations, and/or legislation, the person identifying the conflict will consult with the property manager the service manager, and other stakeholders as required to identify solutions and opportunities to accommodate the needs of staff, board members, volunteers, tenants and applicants.

Definitions

applicants

An individual or household who is applying for tenancy at the non-profit.

barriers

A barrier may be a part of the physical or built environment which limits or prevents the accessibility of a space. A barrier may also be a policy, procedure or requirement that excludes individuals or groups from fairly and equally accessing a good, service, or resource.

code□protected grounds

Grounds upon which the discrimination of individuals or groups is prohibited under the *Human Rights Code, 1990*. Prohibited grounds for discrimination include an individual or group's race, skin colour, ancestry, creed (religion), place of origin, ethnic origin, citizenship, sex (including pregnancy and gender identity), sexual orientation, age, marital status (including same-sex partnerships), family status, disability, and receipt of public assistance.

✓ **designated staff**

The staff person(s) or department who has been designated to complete a particular action or requirement.

discrimination

Discrimination in housing based on a protected Code ground may be described as any distinction, conduct or action, whether intentional or not, but based on a Code ground, that has the effect of either imposing burdens on an individual or group that are not imposed upon others, or withholding or limiting access to opportunity, benefits, and advantages available to other members of society.¹

the non□profit

Refers to the organization whose board of directors has approved this policy.

tenant

A person who has signed a lease and who enjoys all of the rights and responsibilities of tenancy.

undue hardship

The point at which an organization reaches "undue hardship" is dependent on the unique circumstances of the accommodations being explored. Sections 11 and 17 of the Code outline the three criteria that must be considered in order to determine whether the necessary accommodation(s) would pose an undue hardship to an organization. Those criteria are:

- the cost
- the presence of outside sources of funding, if any
- health and safety requirements for other tenants and staff, if any

Only when those three criteria are met can an individual or group decline the accommodation of another individual or group.

¹ Taken from Ontario Human Rights Commission (2009) *Policy on Human Rights and Rental Housing*.
Downloaded: July 31, 2010 from <http://www.ohrn.ca/en/resources/Policies/housing/pdf>

Procedure

Communication

All parties within the organization, including applicants, tenants, volunteers, board members, and staff will be made aware of their rights and responsibilities under this policy through on-going, active communication on the part of the non-profit.

Materials will be developed and distributed to all applicants and incoming and existing tenants, which identify the intent and contents of this policy and the protected grounds upon which accommodation may be sought. A statement about the non-profit's commitment to following the Code will be put in the tenant handbook.

Documentation

Staff will keep detailed notes regarding their interactions with the individual requesting accommodation, including:

- the accommodation(s) requested
- notes on the discussions that staff have with all stakeholders in the request
- copies of all supporting documentation from experts, as well as research undertaken by staff

Identification of required accommodation

All representatives of the non-profit have a responsibility to help reduce barriers to participation and to promote inclusion. Therefore, where a non-profit representative believes that an accommodation may be of benefit to a tenant or applicant, they will confer with the property manager to determine the most effective and appropriate method to address the need and provide assistance to the individual (refer to *Sample Accommodation Letter*).

Clear and detailed documentation must be compiled, including how the need for accommodation was discovered, actions of the non-profit, interactions with the Code-protected individual and any other supporting documentation and discussions with stakeholders. All supporting documentation (e.g. letters, conversation notes) will also be dated and filed.

Receipt of request for accommodation

Written requests for accommodation are preferred. However, where this requirement may prevent an individual from securing an accommodation, assistance will be provided by staff or a referral will be made to a community-based resource.

Once a request has been documented, within five working days of receiving the request, staff will meet with the tenant/applicant to review the requested modifications and to review the roles of both parties in the accommodation process.

When necessary, staff will request supporting documentation for the requested accommodation(s) and any alternative accommodations which would meet the same, or similar, objectives from the individual's medical doctor or other professional(s). Staff will also require the individual to sign a *Consent to Disclosure of Information* form.

Investigation of proposed accommodation(s)

Staff will investigate the requested accommodation(s) to determine the most cost-effective accommodation that also meets the requirements of the individual.

Staff will secure appropriate expert opinion in addition to contacting the individual's professional supports.

The accommodation process is a collaborative and co-operative process between the individual and the non-profit. As such, it is expected that both parties will be in regular and respectful contact to discuss possible accommodations and to answer outstanding or arising questions.

Staff will document all interactions with all stakeholders in a clear, concise manner and will file these notes, in addition to any supporting documentation, in the individual's file.

Accommodation(s) without cost

Depending on the nature of the accommodation(s) required, staff may or may not be permitted to exercise individual discretion:

- In cases where the accommodation requires only flexibility in the non-profit's internal policies and procedures, [designated staff] will be permitted to exercise their discretion. *the property manager*
- In cases where the accommodation required is contrary to legislation and/or service manager directives, staff will consult with senior staff.

Staff and the individual will co-operatively and collaboratively identify mutually satisfactory accommodations.

- Once an appropriate accommodation has been identified, the property manager will send a letter to the individual outlining the accommodation that have been agreed to and will also file a copy of that letter in the tenant file.

If staff and the applicant/tenant are unable to co-operatively identify appropriate accommodations, the matter will be referred to the property manager for follow-up.

Accommodation(s) with cost

Depending on the cost of the accommodation(s) required, staff are required to consult with the property manager and/or the board of directors:

- In cases where the required accommodation will cost less than (an amount approved by Ellwood House), the property manager will be permitted to exercise their discretion.
- In cases where the required accommodation is anticipated to cost more than (an amount approved by Ellwood House), the property manager is required to consult with, and gain approval from, the board of directors.
- Staff will research and, if possible, identify and apply for, potential external sources of funding which may reduce the financial burden placed on the non-profit.

Undue hardship *the property manager*

If [designated staff] and the individual are unable to identify an accommodation(s) that meets the needs of the individual without affecting the on-going financial viability of the non-profit, the property manager and the board of directors will seek legal counsel.

The non-profit may also elect to seek assistance and resources from the service manager or program funder(s) to meet the accommodation requirement(s) of the individual.