

SUBJECT:	Complaint Review Process	POLICY/ PROCEDURE #: E-4
SECTION:	E – Governance	
IMPLEMENTATION DATE:	September 2009	APPROVED BY: Board of Directors
REVISION DATE(S):	March 2014 October 2015 – Minor revisions	SIGNATURE: <i>Original Signed By Ellen Balmain, CEO</i>
RELEVANT LEGISLATION:		

PURPOSE

To provide a clear process for the resolution of complaints to NRH and to provide the NRH Board with instructions in the event that they are contacted directly regarding a complaint.

POLICY

Complaints to NRH will be treated fairly and consistently according to the established legislation and/or processes. In all cases, the NRH Board of Directors is called upon only when necessary and the proper avenues have been exhausted.

DEFINITIONS

Tenant - refers to tenants of Public Housing, Rent Supplement and Non-Profit buildings

Member - refers to members of Cooperative housing providers

Social Housing Providers - includes boards and staff of non-profit organizations and cooperatives

Public - refers to members of the general public who are not identified stakeholders of NRH

Applicant/Tenant Appeal Committee - is a standing committee of the NRH Board which rules on appeals from applicants and tenants regarding decisions of: applicant eligibility, priority status, unresolved placement issues, overhoused status, transfer requests, withdrawal of RGI and unresolved rent calculation issues in accordance with the *Housing Services Act 2011 (HSA)*.

The Landlord and Tenant Board – is a Social Justice Tribunals Ontario (SJTO) tribunal that resolves disputes between residential landlords and tenants that are governed by the *Residential Tenancies Act 2006* (RTA)

PROCEDURES

NRH receives concerns and complaints from a variety of sources, including but not limited to: tenants of Public Housing units, tenants of non-profit organizations, tenants of Rent Supplement landlords, members of housing provider cooperatives, members of the general public and elected representatives.

All complainants must have a clear process through which their complaint can be addressed. The processes are as follows:

Complaints from Applicants/Tenants

Applicant and tenant complaints should follow the steps outlined in *E-4-1 First Steps to Resolution* and *E-4-2 Complaint Resolution Checklist*. The NRH Board of Directors is consulted only in the event that resolution is not achieved by NRH staff.

It is necessary for the complainant to demonstrate that he/she has brought the complaint to all the proper bodies for resolution, as per the Complaint Resolution Checklist. The Chief Executive Officer will verify with the complainant that all steps have been followed.

If the matter has proceeded to a higher body (ex. Appeals Committee, Landlord and Tenant Board etc.), the decision is considered final and cannot be reviewed further.

Complaints Regarding Social Housing Providers (Non-Profit and Cooperative Housing Communities)

All non-profit and cooperative housing communities are overseen by independent boards which have their own policies and procedures. Therefore, day-to-day issues and matters clearly governed by legislation are to be addressed by the respective board for resolution. Pertinent legislation includes, but is not limited to, the *Residential Tenancies Act (RTA)*, the *Housing Services Act (HSA)*, the *Cooperatives Corporations Act* (for cooperative housing providers), the *Corporations Act* (for non-profit providers), the *Business Corporations Act*, housing provider by-laws, etc. Housing providers also have Appeal Committees that address tenant/member issues.

Depending on the nature of the complaint, and if it has not been resolved by the respective board, complaints should be brought to the attention of the NRH Housing Administrator, who will investigate the issue. The Housing Administrator limits their

response to explanations of legislative requirements, processes for complaints and, when necessary, suggestions that the complainant obtain independent legal advice.

Additional assistance may be available through the Golden Horseshoe Co-operative Housing Federation, the Co-operative Housing Federation (for co-operatives only), the Landlord and Tenant Board or the Ontario Non-profit Housing Association (see *E-4-1 for Contact Information*).

If, in the view of NRH staff, there is indication of non-compliance with legislation, NRH local policies, or policies by the board of the non-profit or cooperative housing provider, staff may undertake an independent inquiry or investigation, and/or note the matter in operational reviews and direct appropriate action.

Housing Administrators document and log all contentious calls. The logging of calls must accurately reflect the concerns raised by the tenant/member and the information provided by NRH.

E-4-1 Complaint Review Process First Steps to Resolution and E-4-2 Complaint Resolution Checklist outline in detail the steps complainants must take to appear before the NRH Board of Directors. An appearance before the Board of Directors with respect to a complaint about a housing provider is appropriate only in the event of major legislative non-compliance.

It is necessary for the complainant to demonstrate that he/she has brought the complaint to all the proper bodies for resolution, as per the Complaint Resolution Checklist. The Chief Executive Officer will verify with the complainant that all steps have been followed.

If the matter has proceeded to a higher body (ex. Appeals Committee, Landlord and Tenant Board etc.), the decision is considered final and cannot be reviewed further.

Complaints Regarding Rent Supplement Landlords

In the case of complaints from tenants in Rent Supplement units, the relationship is considered to be between the landlord and tenant, so concerns should be directed to the landlord. In the event that the landlord is unable to resolve the issue, complainants should contact the NRH Rent Supplement Coordinator, who will attempt to mediate between the two parties. In the event that the Rent Supplement Coordinator is unable to resolve the dispute, the *Request to Address NRH Board/ Complaint Review Process and Complaint Resolution Checklist* outline in detail the steps complainants must take.

As with non-profit and cooperative housing communities, an appearance before the NRH Board of Directors regarding a Rent Supplement unit is appropriate only in the event of major legislative non-compliance.

It is necessary for the complainant to demonstrate that he/she has brought the complaint to all the proper bodies for resolution, as per the Complaint Resolution Checklist. The Chief Executive Officer will verify with the complainant that all steps have been followed.

If the matter has proceeded to a higher body (ex. Landlord and Tenant Board etc.), the decision is considered final and cannot be reviewed further.

Complaints from Contractors or Suppliers

If you are a contractor or supplier: As per *E- 4-1 First Steps to Resolution*, issues related to tender award decisions are to be brought to the attention of the Capital Works Manager.

Complaints from the General Public

If you are a member of the general public: As per *E- 4-1 First Steps to Resolution* contact the NRH Division/ Unit Manager responsible for the program or service. If you are uncertain which manager to call, call 905-682-9201 or 1-800-232-3292 ext. 3930.

Inquiries From Elected Representatives

Concerns of elected representatives should be directed to the Divisional/Unit Manager or Chief Executive Officer. Within the context of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* and NRH Policy *C-16 Information Access and Privacy Protection*) and the appropriate consent forms required, the response should provide background and the general actions being taken by staff. In some instances, the elected representative may be satisfied with NRH staff responding to the constituent directly on their behalf. The elected representative should receive confirmation that the matter has been addressed.

SUPPORTING FORMS

- E-4-1 Complaint Review Process -- First Steps to Resolution
- E-4-2 Complaint Resolution Checklist
- E-4-3 Request to Address NRH Board of Directors
- E-4-4 Complaint Recording Form

RELATED POLICIES

- C-16 - Information Access and Privacy Protection



E-4-1
Complaint Review Process
First Steps to Resolution

These are the first steps to resolve concerns before applying to speak to the NRH Board of Directors. Please also refer to *E-4-2 Complaint Resolution Checklist*.

If you are an applicant: if you disagree with decisions regarding your application for affordable housing, contact the NRH Appeals Committee at 905-682-9201 ext. 3917 to arrange an appeals hearing as per policy.

Please note that decisions by the NRH Appeals Committee are considered final and, as such, cannot be reviewed further.

If you are a NRH tenant:

- Bring maintenance issues to the attention of your Tenant Support Representative (TSR) or to your Property Administrator (PA)
- Bring social issues to the attention of your Community Programs Coordinator (CPC) or Property Administrator (PA) to consider solutions
- Complete the *NRH Complaint Form* available through your PA or at www.nrh.ca

The NRH Appeals Committee reviews unresolved tenant concerns regarding overhoused status, transfer requests, withdrawal of Rent-Geared-to-Income (RGI) status and rent calculation issues in accordance with the *Housing Services Act 2011* (HSA). Please contact the NRH Appeals Committee at 905-682-9201 ext. 3917 to arrange an appeals hearing as per policy. **As indicated above, decisions by the NRH Appeal Committee, which include Board representation, are considered final and, as such, cannot be reviewed further.**

The Landlord and Tenant Board (LTB) resolves disputes between landlords and tenants that are governed by the *Residential Tenancies Act 2006* (RTA). For more information on the LTB and for information about legal aid, contact the LTB at 1-888-332-3234 or ltb.gov.on.ca. **Decisions by the Landlord and Tenant Board are also considered final and, as such, cannot be reviewed by NRH.**

If you are a tenant/member of Social Housing (Non-profit or Cooperative): all non-profit and cooperative housing communities are overseen by independent boards, which have their own policies and procedures. Day-to-day issues and matters governed by legislation are to be addressed by the housing provider board. Legislation includes the *Residential Tenancies Act*, *Housing Services Act*, *the Cooperatives Corporations Act* (for cooperative housing providers), *the Corporations Act* (for non-profit providers), *the Business Corporations Act*, housing provider by-laws, etc.

If you are not satisfied with the resolution provided by the housing provider board, contact the Housing Administrator assigned to your site for assistance.

You can also contact:

The Golden Horseshoe Co-operative Housing Federation
905-561-2667 or ghchf@primus.ca

The Co-operative Housing Federation (for co-operatives)
1-800-268-2537 or info@chfcanda.coop

The Landlord and Tenant Board (and Legal Aid)
1-888-332-3234 or www.ltb.gov.on.ca

Ontario Non-profit Housing Association (for non-profit communities)
1-800-297-6660 or mail@onpha.org

If you are a tenant in a Rent Supplement unit: contact your landlord. If you are unable to resolve with the landlord, please contact your Rent Supplement Coordinator for assistance.

The Landlord and Tenant Board (LTB) resolves disputes between landlords and tenants that are governed by the Residential Tenancies Act 2006 (RTA). For more information on the LTB and for information about legal aid, contact the LTB at 1-888-332-3234 or ltb.gov.on.ca. **Decisions by the Landlord and Tenant Board are considered final and, as such, cannot be reviewed by NRH.**

If you are a contractor or supplier: any issues related to tender award decisions are to be brought to the attention of the Capital Works Manager.

If you are a member of the general public: contact the NRH Division/ Unit Manager responsible for the program or service. If you are uncertain which manager to call, contact 905-682-9201 or 1-800-232-3292 ext. 3930.

<p>Please be prepared to show that you have followed the above first steps and have followed the Complaint Resolution Checklist for next steps before requesting to make a presentation to the NRH Board of Directors.</p>

E-4-2 Complaint Resolution Checklist

Before making a request to speak to the NRH Board of Directors, please make sure that you have followed the steps outlined below. Once you have followed these steps, please fill in a “Request to Address Board of Directors’ form.

You can contact Niagara Regional Housing (NRH) in the following ways:

By Phone: 905-682-9201 or 1-800-232-3292

By Mail: PO Box 344, Thorold, Ontario L2V 3Z3

Website: <http://www.nrh.ca/contact.shtml>

For Applicants

- If you disagree with decisions about your application, call ext. 3917 to arrange an appeal hearing through the Applicant/Tenants Appeals Committee

The NRH Appeals Committee is a standing committee of the NRH Board, which reviews and makes decisions on appeals from applicants and tenants regarding eligibility, priority status, permissible unit size/types, overhoused status, transfer requests, withdrawal of Rent-Geared-to –Income (RGI) status and unresolved rent calculation issues in accordance with the Housing Services Act 2011 (HSA).

Please note: Decisions by the Applicant/Tenant Appeals Committee are final and, as such, cannot be reviewed by the NRH Board.

For Tenants of NRH Owned Units/Public Housing

Maintenance Issues:

- Call your Tenant Support Representative (TSR) or Property Administrator (PA)
- If you are not satisfied, contact the Senior Property Administrator at ext. 3905
- If you are not satisfied, contact the Manager of Housing Operations at ext. 3915
- Contact the Executive Assistant to the NRH CEO at ext. 3930 ***only if the above steps have not provided a solution***

- Request to speak to the NRH Board of Directors **only if the CEO and above steps have not provided a solution**

Social Issues:

- Call your Community Programs Coordinator
- Complete the NRH Complaint Form available from NRH Staff or at www.nrh.ca
- If you are not satisfied, contact the Manager Community Resource Unit at ext. 3937
- Contact the Executive Assistant to the NRH CEO at ext. 3930 **only if the above steps have not provided a solution**
- Request to speak to the NRH Board of Directors **only if the CEO and above steps have not provided a solution**

For Tenant/Members of Social Housing Providers (Non-profits or cooperatives)

- Contact your Board of Directors
- If you are not satisfied, call the NRH Housing Administrator assigned to your site for assistance
- If you are not satisfied, contact Golden Horseshoe Co-operative Housing Federation, the Landlord and Tenant Board, or Ontario Non-Profit Housing Association (or seek independent legal advice). *Please see the E-4-1 for contact information for these organizations.*
- If you are not satisfied, contact the Manager of Housing Programs at ext. 3926
- Contact the Executive Assistant to the NRH CEO at ext. 3930 **only if the above steps have not provided a solution**
- Request to speak to the NRH Board of Directors **only in the event of major legislative non-compliance and if the CEO and above steps have not provided a solution**

For Rent Supplement Tenants

- Contact your landlord
- If you are not satisfied with the solution, contact the NRH Rent Supplement Coordinator
- If you are not satisfied, contact the Manager of Housing Programs
- If you are not satisfied, contact the Landlord and Tenant Board and/or Legal Aid (see E-4-1)
- Contact the Executive Assistant to the NRH CEO at ext. 3930 **only if the above steps have not provided a solution**
- Request to speak to the NRH Board of Directors **only in the event that the CEO and above steps have not provided a solution**

For Contractors or Suppliers

- For issues related to tender award decisions, call the Capital Works Manager at ext. 3906
- If you are not satisfied, contact the Manager of Housing Operations at ext. 3915 for review by the Tender Awards Committee
- Contact the NRH CEO at ext. 3930 **only if the above steps have not provided a solution**
- Request to speak to the NRH Board of Directors **only if the CEO and above steps have not provided a solution**

For Members of the General Public

- Complete the NRH Complaint Form available at www.nrh.ca/contact.shtml
- Contact the NRH Divisional/Unit Manager responsible for the program or service. If you are uncertain, contact the Executive Assistant to the NRH CEO at 905-682-9201 ext. 3930
- Contact the NRH CEO at ext. 3930 **only if the above steps has not provided a solution**
- Request to speak to the NRH Board of Directors **only if the above steps have not provided a solution**

Please be prepared to show that you have followed the above steps prior to requesting an appearance before the NRH Board of Directors.



**E-4-3
Request to Address
NRH Board of Directors**

The NRH Board of Directors meetings are open to the public. Individuals and delegations are welcome to address the Board of Directors. Please follow these steps:

- 1) Complete the Request to Address the Board of Directors Form
- 2) Send the completed form to the Executive Assistant to the NRH Chief Executive Officer (CEO), by noon (12:00 p.m.) of the Thursday two (2) weeks prior to the scheduled Board of Directors meeting.
- 3) Attach a brief outline or summary of your presentation or speech. A complete copy of your speech or presentation is not required.
- 4) Notify the Executive Assistant to the CEO if you will have any handouts for the Board and staff. You may wish to attach nineteen copies for distribution. Please let us know if you need help copying the handouts.

Contact: Executive Assistant to the CEO
Phone: 905-682-9201 ext. 3930
Fax: 905-687-4844
Mail: Executive Assistant to CEO, Niagara Regional Housing
PO Box 344, Thorold ON L2V 3Z3

Other Important Information:

- You will be contacted within five (5) business days to confirm the date, time and location of your presentation.
- Please note that due to the length of Board meetings, presentations are limited to 10 minutes.
- The Board normally can hear a maximum of two presentations at any one meeting. If requests exceed this limit, your request may be placed on the agenda of the next meeting.

**NOTE: Before completing the request form,
please read all of the information regarding the complaint process.**



**FORM - REQUEST TO ADDRESS
THE BOARD OF DIRECTORS**

Attention: Board Chair and Directors
Niagara Regional Housing
c/o Executive Assistant to the CEO
PO Box 344
Thorold, ON L2V 3Z3

Date of Request: _____

Name of Individual: _____

Name of Organization: _____

Address: _____

Contact Number(s): _____

Subject of Presentation: _____

A signed outline of the subject of the presentation is to be provided to the Executive Assistant to the CEO. This information will become part of the official record and will be considered a public document.

A summary of the presentation is attached:

Nineteen (19) photocopies of the presentation are attached:
(OPTIONAL: Please indicate if you need assistance with copying)

Requests to address the NRH Board of Directors are to be received by the Executive Assistant to the CEO by **noon (12:00 p.m.) on the Thursday two weeks prior to the scheduled Board of Directors meeting**, in order to be included on the agenda.

The personal information collected on this form is for the purpose of contacting the individuals and/or organizations requesting an opportunity to appear before the NRH Board of Directors.

Complaint Recording Form

Niagara Regional Housing (NRH) will investigate and resolve all genuine complaints and issues within our means. We will make every reasonable effort to assist in resolving matters that arise within our communities. However, it is the responsibility of our tenants to act in accordance with their *Tenancy Agreement* and to attempt to resolve minor disputes prior to filing a formal complaint.

How to Record a Complaint

To record a complaint, complete the back of this form and:

- Mail or deliver it to NRH --
Niagara Regional Housing
Niagara Region Headquarters
Campbell East
1815 Sir Isaac Brock Way
(formerly 2201 St. David's Road)
PO Box 344, Thorold, ON L2V 3Z3

or

- Put it in the NRH drop box in your community --
Attention: Property Administrator

If you are a tenant and need help to complete this form please call your Community Programs Coordinator.

To file a Formal Complaint, please see the NRH Complaint Process Policy at www.nrh.ca or call 905-682-9201 ext. 3917.

When Resolving Complaints, NRH will:

- **Investigate** all serious complaints
- Make every reasonable effort to **help** resolve issues
- Consider evicting tenants who, despite all efforts to resolve the problem, still unreasonably disturb, harass, or otherwise discriminate against other tenants
- **Deal immediately** with tenants who behave violently towards other tenants or NRH staff or otherwise threaten their safety or security

When Resolving Complaints, NRH will not:

- Get involved in rumours
- Get involved in minor disputes or complaints
- Act on a complaint if the complaint is discriminatory
- Get involved in issues where NRH, as the landlord, has no authority to deal with the complaint
- Consider evicting tenants if there is limited documented evidence or no witnesses

Complaint Recording Form

Date of Incident	Time of Incident	Name and Address of People Involved	Details of Incident -- please include how the incident has negatively affected you

Are you willing to appear at Tribunal to provide evidence in this matter? Yes No
 Have authorities been involved, such a police, fire, etc.? Yes No

If yes, please provide the Incident File or Report Number and all the details and supporting documents.

Your name:

Your address:

Your phone and e-mail:

I, _____, declare that the information I have reported is truthful.

Signature: _____ Date: _____

Privacy Notification and Consent

Personal information contained in this form or in any attachments is collected by Niagara Regional Housing (NRH) in accordance with the *Freedom of Information and Protection of Privacy Act* or the *Municipal Freedom of Information and Protection of Privacy Act* and will be used only as set out in this form.

Please call 905-682-9201 if you need this information in a different format or translated into another language.