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YOU HOLD THE KEY
FIX THE CO-OP HOUSING CRUNCH


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Co-op housing and municipal representatives pose at the Queen's Park day of advocacy.

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EVICITION LAW REFORM ABOUT TO COME INTO FORCE

The new eviction system for co-ops, passed by the Ontario legislature last September, will be coming into force in the near future—likely on June 1. This article reviews what's being done to implement the new system and the resources that will be available to help your co-op understand and use it.

Bill 14, the *Non-profit Housing Co-operatives Statute Law Amendment Act, 2013*, was the culmination of over ten years of work by the housing co-op sector to bring about eviction law reform. The Bill amends the *Co-operative Corporations Act* and the *Residential Tenancies Act* to move most co-op eviction disputes from the courts to the Landlord and Tenant Board (LTB). It also makes other changes to eviction law to make it fairer and more cost-effective for both co-ops and their members. For student co-ops, the Bill also clarifies the rules around fixed-term membership and the co-op's right to gain possession of the unit at the end of the term, which is a big improvement to the system for these co-ops. (For more background on the legislation, read *Queen's Park passes eviction law reform bill* in the Fall 2013 issue of *Ontario NewsBriefs*.)

The work to implement the law is being done by the Social Justice Tribunals Ontario (SJTO). The SJTO is the body that oversees the Landlord and Tenant Board and other social justice tribunals in Ontario, such as the Human Rights Tribunal. They are working on the notices, application

forms and rules that the LTB will use once the co-op's internal process is done.

"If a member doesn't move out on the eviction date set by the co-op's board, the co-op will go to the LTB in almost all cases instead of going to court," says **Diane Miles**, Manager of Co-op Services for CHF Canada's Ontario Region. "Co-ops will serve members with an LTB notice and, unless the member is able to resolve the situation as allowed under the LTB rules, will then file an application with the LTB."

The process for co-op evictions at the LTB will be somewhat different from the one used for other eviction applications. Some of the differences will arise from unique features of the eviction system used by co-ops compared to other landlords—such as the internal hearing a co-op member is entitled to before going to the LTB. A number of other differences in procedure will be introduced because the SJTO wants to pilot some new approaches that might

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Changes to the internal eviction process

The main changes in eviction law are to the external process—how the co-op enforces the eviction decision. But there have also been some changes to the internal process used by the co-op.

Many of the internal steps remain the same. A decision by the co-op board is still required and the member is entitled to a notice of the board meeting and a notice of the decision. However, the process has been simplified. Because the LTB will conduct a full hearing based on the merits of the case, minor irregularities in the co-op's internal process will be less important.

One of the internal changes is to how documents are served. Notices can no longer be posted on the unit door of the member. In addition to normal methods of service, such as handing it to the member, documents can now be served by sliding them under the door, leaving them in the mailbox where mail is normally delivered, or mailing it to the member's place of work.

The other major change to the internal process concerns appeals by the member. The Co-op Act no longer requires the co-op to allow an appeal of a board decision to evict to a members' meeting if the member facing eviction asks for it. The co-op can still allow appeals, but this provision must be in its by-laws. This means that each co-op will need to make a decision about what rules it wants to set for appeals. A co-op could decide to allow appeals on all possible grounds, only on some grounds, or not to allow any appeals. Since co-op by-laws currently have a clause allowing appeals (as required by the old rules in the Co-op Act), co-ops will need to continue to allow appeals unless they amend their by-laws to change or remove the provision. This will be a major decision for each co-op.

Watch for the new model Occupancy By-law and guide to help your co-op with these changes to the internal eviction process.

GETTING READY FOR THE NEW EVICTION SYSTEM: A CHECKLIST

Use this checklist to make sure your co-op is ready when the new eviction rules come into force.

- Download the new legislation, the *Co-operative Corporations Act* and the *Residential Tenancies Act* from the elaws website. (<http://www.e-laws.gov.on.ca>)
- Make sure your lawyer knows that there are changes to the eviction system coming into force.
- Review the new model Occupancy By-law, make any changes necessary, and have them approved by your co-op's board of directors and confirmed by the members.
 - As part of your work on the co-op's by-law, decide whether you want to allow appeals of eviction decisions to the membership.
- Sign up for training in the new system at the CHF Canada AGM or at a fall education day in your region.
- If your co-op is currently working through an eviction, decide whether you will start over if it hasn't yet gone to court.
- Find a paralegal to represent the co-op at the LTB or look at training your manager to do this, if the manager is employed directly by the co-op. (Employees of a management company cannot represent the co-op unless they are qualified as a paralegal.)

THE MANDATE OF CHF CANADA'S ONTARIO REGION IS TO

- provide housing co-ops in Ontario with the support they need to operate successfully under provincial and municipal laws and programs
- speak up for co-op housing and promote its growth in the province, and
- give Ontario members democratic control over the services provided by CHF Canada at the provincial level.

We carry out our mandate in co-operation with local federations of housing co-ops.

CAMPAIGN TO *FIX THE CO-OP HOUSING CRUNCH* PICKS UP STEAM IN ONTARIO

Over the last number of months CHF Canada's Ontario Region has stepped up its efforts to protect low-income members in federal co-ops with expiring operating agreements. "Since we won eviction law reform last fall, the total focus of our government relations work has been on ensuring that the Ontario and municipal governments understand how critical the issue of expiring federal subsidies is for housing co-ops and their members," says **Harvey Cooper**, the Ontario Region's Manager of Government Relations.

This work is part of the Canada-wide campaign, *You Hold the Key – Fix the Co-op Housing Crunch*, which calls on provincial and federal governments to act together to protect low-income co-op members at risk of losing their homes.

Momentum in the campaign continues to build across the province with local federations playing a lead role in their regions and motivated co-op members and staff coming out in force to campaign events. Much of the work is being done in partnership with Ontario municipalities which have made the campaign to fix the affordable housing crunch a top priority. Co-op activists were front and centre in recent months at municipally sponsored rally events in Ottawa, Toronto and London.

On March 19, the Ontario Region, the **Co-operative Housing Federation of Toronto** (CHFT) and the City of Toronto joined together to highlight housing issues,

particularly the end of operating agreements, in a day of advocacy at the Ontario legislature. Over 50 co-op members and housing advocates took part in the day. They held meetings with 10 MPPs from all political parties, and were also recognized in Question Period.

Tom Clement (L) and Harvey Cooper (R) leave the press conference at the Ontario legislature.



At the joint press conference with the City of Toronto and Toronto Community Housing, Harvey Cooper and CHFT's Executive Director, **Tom Clement**, both highlighted that all levels of government have a role to play in ensuring the rent-g geared-to-income subsidies are not lost when the operating agreements end. Clement noted that there is a lot of fear in co-ops right now about the loss of subsidies, and that governments need to work together to find a solution.

The day was capped off by a reception for provincial and City of Toronto politicians, co-op members, and other housing advocates where then Minister of Municipal Affairs and Housing, the Honourable Linda Jeffrey, and housing critics MPP Jim McDonnell, and MPP Cindy Forster, all spoke about the importance of the end of operating agreements issue and highlighted the valuable role co-ops play in Ontario.



Local federations will be using the annual meeting of Ontario members in Ottawa on June 6 to continue to raise awareness of the campaign to *Fix the Co-op Housing Crunch* and build member engagement in it.

Resolution #R2, *You Hold the Key – Fix the Co-op Housing Crunch in Ontario*, was submitted by CHFT and supported by all Ontario federations. It calls on Ontario members to

- endorse the *You Hold the Key* campaign
- call on the Ontario government to share in the cost of a long-term rent supplement program to replace expiring subsidies and continue to press the federal government to use savings from expiring subsidies to help pay for this program, and
- play their part to make the campaign a success.

To read the full resolution, go to the AGM Information Centre on the CHF Canada website.

There are lots of ways for co-ops and their members to get actively involved in the campaign. Check out the campaign web section available at www.chfcanada.coop/ea and the new Facebook group *You Hold the Key – Fix the Co-op Housing Crunch* where people can exchange ideas and stories.



Apply now for energy saving program

The saveONenergy Home Assistance Program (HAP) was set up by the Ontario Power Authority to help low-income Ontarians conserve electricity. Housing co-ops and other social housing providers are eligible to take part in the program *as long as residents meet certain income criteria*.

The application process for this program has been complicated, which has discouraged some co-ops from using it. The rules, however, have been simplified over time and some housing co-ops have participated in the program to do energy retrofits.

One of those co-ops is **New Generation Co-operative Homes** in Kitchener which used the program to install new light bulbs, showerheads and aerators in all 30 units. Co-op Co-ordinator, **Bonnie Quackenbush**, was pleased with the results even though the retrofits didn't

directly benefit the co-op since members pay their own utilities. "Anything that can help our members is good for the co-op."

Funding for the HAP is coming to an end this

December. The program is being redesigned and will be re-launched sometime in 2015, but it isn't clear what level of funding the program will receive or what sorts of incentives will be available to social housing providers.

If your co-op is interested in doing energy retrofits and is thinking about the HAP program, you should apply now to take advantage of the current funding.

New Generation Co-op.



ONTARIO REGIONAL DIRECTOR ELECTION

Voting for the position of Ontario Regional Director on the CHF Canada board will take place online between April 15 and May 15. Delegates should by now have received a mailing with instructions on how to vote. Please note that **voting for the position will not take place at CHF Canada's AGM.**

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later get applied to all eviction applications.

Ontario Region staff are giving advice to the SJTO on the new system for co-ops. We have held several meetings with SJTO staff and commented on draft forms and the rules of practice the LTB would use. The SJTO will post the proposed rules and forms on their website and invite feedback. The Ontario Region will advise co-ops when this happens.

The Ontario Region is developing a new model Occupancy By-law to help co-ops operate using the new eviction rules. It will incorporate the new requirements related to eviction and will also suggest other changes

that co-ops should consider making to their Occupancy By-law. "The previous by-law was developed in 1992 and has served us well," says Miles. "But, over 20 years things change and it is time to update the by-law in a number of areas. The new eviction system is the perfect opportunity to do this. We hope to have the by-law available by the end of April or early May."

In addition to the Occupancy By-law, there will be a by-law guide and other resources to help co-ops learn about the new system. These resources will be launched at the AGM in Ottawa in early June with workshops on the new eviction rules and the new Occupancy By-law. Check the AGM Information

Centre on CHF Canada's website for details on these workshops.

This will be a busy time for Ontario housing co-ops. Make sure you take the steps necessary to get ready for the new system. See the sidebar on page 3 for a checklist of what you need to do.

Watch for more details on eviction law reform implementation in the next few months. For more information, please contact Diane Miles, **Judy Shaw** or **Keith Moyer** at the Ontario Region office at 1-800-268-2537. In southwestern Ontario, call **Denise McGahan** at 1-800-644-3949.

EMERGENCY PREPAREDNESS STARTS WITH YOU

By Ed Cipriani, Halton Region

This winter's ice storm reminds us that we all need to be prepared for emergencies, because emergencies can happen at any time and any place. Whether it is an ice storm or chemical spill, power outage or a natural disaster, preparation is the key to creating a disaster-resilient community that is ready for any emergency.

Co-ops need to learn how to deal with emergencies and lessen the impact on its members. Each co-op and its members will need to be prepared to cope on their own for at least the first 72 hours of an emergency, while fire, police and paramedics help those in desperate need. Being prepared really is your best defence, both for the co-op and your members.

Your co-op and members should be aware of what to do before, during and after an emergency. Develop a plan and keep it in a safe place. Remember to include the special needs of the members (e.g. accessibility, medicines).

The co-op should make a plan that includes two safe locations where people in the co-op can be evacuated to. One should be nearby, such as a local library or community centre. The other one should be farther away, outside your neighbourhood, in case the emergency affects a large area. Your co-op should make sure members know about these locations and how they will travel to a safe location if evacuation is advised.

Always be informed. Sign up for Ontario's emergency alerts, and learn more about the hazards you can face and how you can be prepared for them at: <http://www.emergencymanagementontario.ca/english/ontariowarnings/ontariowarnings.html>

During an emergency, you should stay tuned to local news channels. Be sure to have a portable, battery-operated or crank radio in your emergency kit in case of power outages.

EMERGENCY KIT

Assemble an Emergency Go-To-Kit to use during an evacuation of the co-op, individual units or community. Your Go-To-Kit should include the items listed in the checklist below and should fit into an easy-to-carry container, such as a backpack or duffel bag. Make sure everyone knows where to find a Go-To-Kit. A basic kit includes:

Essentials

- Food (nonperishable for minimum of three days)
- Manual can opener
- Bottled water (4 litres per person for each day)
- Medication(s)
- Flashlight/Radio (crank or battery-run)
- Extra batteries
- First-aid kit
- Candles and matches/lighter
- Hand sanitizer or moist towelettes

- Important papers (identification, contact lists, copies of prescriptions, etc.)
- Whistle (to attract attention, if needed)
- Zip-lock bag (to keep things dry)
- Garbage bags

Special Considerations

- Items for babies and small children—diapers, formula etc.
- Prescription medication
- Medical supplies and equipment
- Pet food and supplies
- Any other items specific to your family's needs

Extra Supplies for Evacuation

- Clothes, shoes
- Sleeping bags or blankets
- Personal items (soap, toothpaste etc.)
- Playing cards, travel games, other activities for children

Other Tips

- Pack the contents of your kit in an easy-to-carry bag(s) or a case on wheels.
- Store your kit in a place that is easy to reach, and ensure that everyone in your family knows where it is.
- Your water supply is meant to cover what you would drink as well as what you might need for food preparation, hygiene and dishwashing.
- Check and refresh your kit twice a year—when the clocks shift to/from daylight savings time is a good time. Check all expiry dates and replace food and water with a fresh supply. Check batteries and replace as needed.
- Keep your cell phone or mobile device fully charged.

Council profile: David Waters



David Waters has successfully transitioned from a career in the hospitality industry to the co-op housing sector. For many years Dave worked in hotels in the food

and beverage department. But, in 2006 he felt a career change was necessary. He began working for a property management company, running a seniors' community and a seasonal campground. In 2007 he began his current position as Property Manager at **Faethorne Place Housing Co-op**, a 60-unit HSA co-op in Sarnia.

David has taken on a number of roles in the co-op sector. He has been a member of the **Co-ordinators Association of Southwestern Ontario (CASO)** and served for three years as its President. The CASO meetings "have proven to be a valuable tool and helped me to develop and enhance my skills as a co-op manager," says David.

Recently, David was trained as a workshop leader and he has begun to lead workshops and act as an outside chair for meetings in southwestern Ontario. "I have very much enjoyed that experience and I am looking forward to continuing that work," says David. He also serves on the Lambton Housing Advisory Committee, bringing

forward the issues of concern to housing co-ops to the municipal service manager, Lambton County.

David was acclaimed as the staff organizations member on Council at the 2013 annual meeting in Calgary. "I feel that I can have a strong voice; I am driven to succeed, and want to do whatever I can to help the co-op sector move forward and stay strong within our communities and country."

In his Council role, he has been appointed to the Co-operators Ontario Regional Committee.

David is married with two daughters and three step-children. For many years he enjoyed being a foster parent.

Staff changes at Ontario Region

After over 30 years serving the co-op housing movement in a variety of roles, **Dale Reagan** is stepping down from his position as Managing Director of CHF Canada's Ontario Region this summer. Dale began his career in co-op housing working as a manager at **ForWARD 9 Community Development Housing Co-op** before moving to the **Co-operative Housing Federation of Toronto** to work in member education and management consulting. He became Executive Director of the **Co-operative Housing Association of Ontario (CHAO)** in 1988 and stayed on as Managing Director of CHF Canada's Ontario Region when CHAO merged with CHF Canada in 1996.

"It is difficult to find the words to describe Dale's contribution to co-op housing in Canada, without writing a book anyway," says **Nicholas Gazzard**, CHF Canada's Executive Director. "From early days on the CHF Canada Education Committee and development work at CHFT, to his leadership at CHAO, and finally nearly 20 years heading up CHF Canada's Ontario Region, Dale has exemplified integrity, intelligence and dedication. He has been a pioneer of the 2020 Vision program and

an architect of our eviction law reform success in Ontario. He will be greatly missed both professionally and personally by his many friends at CHF Canada. We wish Dale every happiness as his life takes a new direction this summer."



New mandatory health and safety training

New training requirements for occupational health and safety awareness come into force on July 1, 2014. The requirements are set out in Regulation 297/13 of the *Occupational Health and Safety Act*.

The new rules require that all workers and supervisors take health and safety awareness training. Workers must take the training “as soon as reasonably possible” and supervisors must take it “within one week of working as a supervisor.” Employers are required to keep a record of training completed.


The Ministry of Labour has set up an online training program that meets the requirements. It takes about one hour to complete and can be found on the Ministry’s website at <http://www.labour.gov.on.ca/english/hs/training/>.

When they are done the course, staff can print out a certificate of completion of the course, which can be carried forward to future employers.



resource ROUNDUP

CHF Canada regularly develops new resource materials to help co-ops with management and governance. Here is a list of new resources produced by CHF Canada and some older resources that are worth checking out if you haven’t done so already. Unless otherwise stated the material is posted in the Resource Centre on our website.

Resource	Description	Location
Model <i>Human Rights By-law</i> , for co-ops in Ontario	Minor updates have been made to this by-law to reflect changes to the Ontario human rights code list of prohibited grounds.	Forms, by-laws and more
 Make the move to co-op housing	Produced in 2010, your co-op can use this brochure in your marketing to tell people about co-op housing.	Managing your co-op/ Keeping your co-op full
Evaluating your co-op manager	A tool to help co-ops complete an evaluation of the services offered by a manager they employ. There is also a version for co-ops that contract with a management company.	Governing your co-op/ Working with your manager

To stay up to date on the latest training opportunities for members and staff, check out the Training section of the Resource Centre.

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