

Administration	Corporate	Board Approved Date:	21-02-24
Policy	Accommodation	Revision Date:	N/A
Policy No.	20-077	Internally Approved Date:	21-02-12
References	References Human Rights Code, 1990 Accessibility for Ontarians with Disabilities Act, 2005 Guidelines on Developing Human Rights Policies and Procedures (OHRC) Human Rights Policy Eviction Prevention Policy Unit Interior Maintenance Policy		
Forms	Consent to Disclosure of Personal Information Accommodation Letter		

### 1. Policy Statement

DRNPHC 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 DRNPHC and from having a successful tenancy. Accommodation will be provided in accordance with the principles of dignity, individualization, and inclusion. DRNPHC will work co-operatively, and in a spirit of respect, with all partners in the accommodation process.

### 2. 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 DRNPHC and to support successful tenancies.

### 3. Scope

This policy applies to all staff, contractors, 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 of DRNPHC 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 Chief Operating Officer, and/or the service manager, and/or other stakeholders as required to identify solutions and opportunities to accommodate the needs of staff, contractors, board members, volunteers, tenants and applicants.

### 4. Definitions

**Applicants**

An individual or household who is applying for tenancy at DRNPHC.

**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

The Ontario *Human Rights Code* prohibits discrimination or harassment based on these personal characteristics. The specific protected grounds include: age, ancestry, citizenship, colour, creed, disability, ethnic origin, family status, gender identity and gender expression (recently added to the *Code*), marital status, place of origin, race, sex (including pregnancy), sexual orientation, receipt of public assistance (in housing) and record of offences (in employment).

#### Designated staff

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

#### Discrimination

Treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit or opportunity enjoyed by others, because of their race, citizenship, family status, disability, sex or other code protected grounds.

#### Tenant

A person who has signed a lease and who enjoys all of the rights and responsibilities of tenancy as set out in the Residential Tenancies Act.

#### 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.

## 5. Procedure

### a) Communication

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

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 commitment to following the Code will be noted in the tenant handbook.

b) 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.

c) Documentation

Staff will keep detailed notes regarding their interactions with the individual requesting accommodation, including: the accommodation(s) requested notes on the discussion that staff have with all stakeholders in the request copies of all supporting documentation from experts, as well as research undertaken by staff

d) 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. Where necessary and appropriate, staff will also conduct independent research.
- The accommodation process is a collaborative and co-operative process between the individual and DRNPHC. 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.

e) Identification of required accommodation

All representatives of DRNPHC have a responsibility to help reduce barriers to participation and to promote inclusion. Therefore, where a DRNPHC representative believes that an accommodation may be of benefit to a tenant or applicant, they will confer with staff to determine the most effective and appropriate method to address the need and provide assistance to the individual.

Clear and detailed documentation must be compiled, including how the need for accommodation was discovered, actions of DRNPHC, 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.

f) 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 DRNPHC's internal policies and procedures, staff will be permitted to exercise their discretion. In cases where the accommodation required is contrary to legislation and/or service manager directives, staff will consult with the Chief Operating Officer or designate.

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

Once an appropriate accommodation has been identified, staff will send a letter to the individual outlining the accommodation that has 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 Chief Operating Officer or designate for follow-up.

g) Accommodation(s) with cost

In cases where the required accommodation will cost less than \$500 staff will be permitted to exercise their discretion.

In cases where the required accommodation is anticipated to cost more than \$500 staff are required to consult with, and gain approval from, the Chief Operating Officer.

Staff will research and, if possible, identify and apply for, potential external sources of funding which may reduce the financial burden placed on DRNPHC.

h) Undue hardship

If 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 DRNPHC Chief Executive or Officer will seek legal counsel if appropriate. The Chief Executive Officer will make the final decision regarding the accommodation request.

DRNPHC 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.

End.