

## Human Rights and Accommodation Policy

**Policy Number:** PSHC-004A

**Date Approved:** September 10, 2019

**Date Effective:** September 10, 2019

**Date Amended:** Not Applicable

**Procedure Number:** PSHC-004B

### 1. Background

Under the *Ontario Human Rights Code, 1990*, all housing providers have a duty to accommodate *Code*-related needs of tenants, to make sure that the housing they supply is designed to include people identified by *Code* grounds, including:

- Race, colour, or ethnic background
- Religious beliefs or practices
- Ancestry (including individuals of Indigenous descent)
- Place of origin
- Citizenship (including refugee status)
- Sex (including pregnancy and gender identity)
- Family status
- Marital status (including same-sex partnerships)
- Disability (including physical, mental and developmental disabilities)
- Sexual orientation
- Age
- Receipt of public assistance

The Perth & Stratford Housing Corporation (the PSHC) acknowledges its responsibility 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 PSHC and from having a successful tenancy. The PSHC will provide this duty in accordance with the principles of respect for dignity, individualization, integration, inclusion and co-operation.

## 2. Policy

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- 2.1.** The PSHC will, short of undue hardship, accommodate applicants and tenants based on *Human Rights Code*-related needs that can include, but are not limited to:
- Making modifications to units (e.g. sound-proofing, installation of accessibility upgrades such as ramps or wall-mounted grab bars);
  - Modifying ways that information is communicated to tenants (e.g. providing notices in different formats, offering information in different languages);
  - Assisting with completing documents and forms (e.g. social housing and internal transfer applications, supporting documentation such as Accommodation Forms);
  - Modifying policies and processes (e.g. extending deadlines to report income changes);
  - Providing a list of contact supports to call in emergency situations; and
  - Working with outside professionals to address someone’s needs, if agreed to by the tenant.
- 2.2.** Accommodations will be made based on an individual tenant’s unique needs and circumstances. The PSHC acknowledges that what may work for one person may not work for others and that accommodations may need to be revisited over time to make sure they continue to meet the tenant’s needs appropriately.
- 2.3.** When the best possible accommodation would cause undue hardship, the PSHC will still explore suitable, interim and next-best solutions using a co-operative process that maximizes respect, dignity, and confidentiality of the tenant seeking accommodation.
- 2.4.** In situations where tenants may not be able to disclose or communicate their needs, particularly in situations that involve some form of mental illness, PSHC staff will engage the individual or household in a discussion regarding their potential accommodation needs.
- 2.5.** The PSHC has a duty to explore and implement interim or long-term accommodation solutions that might help address a situation where a tenant’s conduct is disruptive or dangerous to other tenants. The PSHC will endeavour to manage the legitimate concerns of other tenants, while not tolerating any discriminatory views and preferences.

### 3. Definitions

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**Accommodation:** the act of providing an arrangement, understanding, or compromise to meet a need. In human rights terms, it means the duties of an employer, service provider, or landlord to give equal access to people who are protected by Ontario's Human Rights Code (Code).

**Applicants:** an individual or household who is applying for tenancy at the PSHC.

**Barriers:** 1) a part of the physical or built environment which limits or prevents the accessibility of a space; 2) a policy, procedure, or requirement that excludes individuals or groups from fairly and equally accessing a good, service, or resource; or 3) methods of communication that impede the ability to access goods, services or resources.

**Code-Protected Grounds:** grounds upon which the discrimination of individuals or groups is prohibited under the *Human Rights Code, 1990*. Prohibited grounds for discrimination are listed in **Section 1: Background**.

**Discrimination:** any distinction, conduct, or action based on a *Code*-protected ground – whether intentional or not – 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 (Ontario Human Rights Commission, 2009).

**Public Assistance:** financial/income support provided by the government more commonly referred to as social assistance – includes Ontario Works, Ontario Student Assistance Program (OSAP), Ontario Disability Support Program (ODSP), Old Age Security (OAS), and Employment Insurance (EI).

**Tenant:** a person who has signed a lease and who enjoys all the rights and responsibilities of tenancy.

**Undue Hardship:** the point at which a necessary accommodation(s) would require an "action requiring significant difficulty or expense" on the part of the organization when considered in light of the following criteria: 1) the cost; 2) the presence of outside sources of funding, if any; and 3) health and safety requirements for other tenants and staff, if any. Only when all three criteria are met can an organization decline the accommodation of a tenant or household.

### 4. Legislative Authority

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*Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*

*Human Rights Code, R.S.O. 1990, s. H. 19*

### 5. Other Relevant Policies

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PSHC-001 Cannabis Growth & Usage Policy

## **6. Attachments**

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Procedures for Human Rights and Accommodation Policy (PSHC-004B)

Form 108a - Request for Accommodation

Form 108b - Medical Verification Form