

OLD GRACE HOUSING CO-OPERATIVE

RESIDENTS, GUESTS AND SUB-OCCUPANTS POLICY

1. Background and Purpose

This OGHC policy is informed by the model co-op bylaws of the Co-operative Housing Federation of Canada . This policy is designed to clearly define who may live in the units of OGHC householders (see definition of “householder”) and applies to anyone who is living in the OGHC as a householder, guest, or sub-occupant.

Unlike renting an apartment, owning a condominium or house, living in OGHC is residing in a community of people who share OGHC values and philosophy. It is important that members have the security and peace of mind that arises from knowing not only who their neighbors are, but also what rules everyone agrees to live by, in particular with regard to who may or may not reside in or visit the co-op. While some of these rules fall under existing municipal and provincial regulations, OGHC and many co-ops across the country have found it important to have their own policy regarding the expectations of householders and their guests.

Co-op units are the homes of their householders who have the right to have guests visit their units and stay with them for various, but limited, periods of time. It is to the benefit of all co-op residents that the conditions under which guests and sub occupants are welcome at the OGHC are widely known and that all householders and their guests are treated equally. That is the purpose of this policy.

Units subsidized by Manitoba Housing may fall under occupancy policies of the Government of Manitoba. Policies specific to housing subsidies will be clarified at the time the subsidy is granted and agreed to by the householder and the government of Manitoba.

2. Philosophy:

OGHC residents have the right to have guests residing with them for periods of time in accordance with provincial and municipal laws and regulations. OGHC is a co-operative, governed by its own policies, principles and values and householders and their guests and sub-occupants are required to follow those as well.

3. Administration:

Implementation of this policy is the responsibility of the OGHC Board of Directors which may delegate day to day operation to a committee of the Board or the property manager. All information related to this policy is governed by the *OGHC Personal Information Protection Policy (PIPP)* and related confidentiality agreements. The Board will report to the OGHC membership annually.

4. Definitions:

Member: a person at least 18 years of age who has been approved for co-op membership by the OGHC Board of Directors, and who has purchased one member share (see OGHC Organizational Bylaws, Section 6.01).

Household: a housing unit, occupied by one or more members of the co-op, their children or adult dependents, and guests.

Householder(s): members of the co-op who have purchased the additional member shares required for occupation of the unit allocated to them.

Child: minor child or foster child of the householder(s) who lives full time or part time in the unit with their parent or foster parent. As long as the householder says that the youth is their child, the co-op will accept that statement.

Dependent: an adult (over 18 years of age) who is dependent on the householder(s) and who lives in the unit of the householder(s) on a full or part time basis.

Casual/Short term Guest: a person staying in a household for a maximum of three cumulative months a year, inclusive of all visits.

Long Term Guest: a person staying in a household for a period exceeding 3 cumulative months a year, and who may or may not be a co-op member. A long term guest may or may not be related to a member. Home stay students are deemed to be long term guests for the purposes of this policy, regardless of their length of stay with the householder(s).

Sub-occupant: a person or persons occupying a unit in the temporary absence of the householder(s) from the co-op. The person may be a pet-sitter, house-sitter or renter.

Property Manager: an individual or firm hired by the Board of OGHC, or a member appointed by the Board of OGHC to serve in that role, to manage tasks delegated by the Board of OGHC in accordance with the Property Manager job description.

5. Unit Occupancy

5.1 Who is considered part of a household ?

- one or more members of the co-op who are recognized as the householders,
- minor children or foster children of the householder(s),
- any other OGHC members living in the unit,
- long term guests of the householder(s) who have been approved by the OGHC Board of Directors including adult children and adult dependents.

5.2 Who is not considered part of the household?

- casual guests of the householder(s),
- sub-occupants approved by the OGHC Board of Directors.

6. Children and Foster Children Turning Eighteen

6.1 Upon turning eighteen, children or foster children of the householder(s) who wish to continue living in the same household must either apply for long term guest status (see section 8 of this policy) or for membership in the co-op.

6.2 The application for membership will be reviewed by the OGHC Membership Committee which will then make a recommendation to the OGHC Board of Directors (see *OGHC Membership Application and Approval Policy*).

6.3 If the application for co-op is approved, the applicant will be asked to pay for one (1) membership share and then will become a voting member of the co-op with full member rights.

6.4 If the application for co-op membership is denied, the applicant has the right to request a review of the Board's decision (see *OGHC Membership and Application and Approval Policy*). He/she may reapply for membership in the co-op at a future date.

6.5 Subject to Board approval, the applicant may continue living with the householder(s) as a long term guest for an indefinite period.

7. Casual/short term guests:

7.1 A casual/short term guest may not stay in a unit for more than 3 cumulative months in any given year. Casual/short term guests will be considered as staying in the unit even if they are absent for brief periods.

7.2 OGHC householders must advise the property manager of any guests staying in their unit for more than 3 days and indicate the projected length of the visit. The OGHC Board of Directors may set a time limit for the visit and the number of guests in keeping with OGHC policies and practices.

8. Long term guests

8.1 Householder(s) who wish to have a guest stay for a period longer than 3 months must make a written request to the OGHC Board of Directors. The request must be signed by the householder(s), the co-op members who live in the unit and the guest.

8.2 The Board may approve the guest's stay for a maximum time period or an indefinite period. The decision must be recorded in the Board meeting minutes.

8.3 An *OGHC Long Term Guest Agreement* must be signed by the householder(s), a Board representative, and the guest, stating the terms and length of the agreement (see Schedule A to this policy).

8.4 Long term guests who are not co-op members have:

- No right to vote at members' meetings
- No right to a place on the co-op's internal waiting list for housing units
- No right to occupy the unit independent of the householder(s).

8.5 Indefinite long term guest agreements are subject to board review every 2 years. Long term guests are encouraged to apply for co-op membership in order to have full member rights.

8.6 Where the household is receiving a housing charge subsidy, the income of the long term guest must usually be included in the household income and declared as such, in accordance with provincial regulations.

8.7 In the event of persistent and valid complaints about the behavior of a long term guest, the OGHC Board of Directors can change or cancel a Long Term Guest Agreement with reason at any time. The Board will give notice to all co-op members of the household and the long term guest that a meeting to review the agreement is occurring and invite all household co-op members and the guest to be heard. They will be advised of the Board's decision within 7 days. There is no appeal.

9. Responsibility for Behavior of Guests

9.1 Guests who do not follow provincial and municipal legislation, regulations and OGHC by-laws, policies and values will be asked to move out of the co-op.

9.2 Damages for which guests are responsible will be charged to the OGHC householder(s) with whom the guest is staying.

9.3 If a guest has been asked to leave the co-op, a householder cannot permit that person to be a casual/ short term or long term guest or a sub-occupant without advance written approval from the OGHC Board of Directors. The Board may treat that person as a trespasser and may remove them from co-op property.

10. Vacancy

10.1 If a unit will be vacant for more than 3 days, the householder(s) must advise the property manager in writing, of their expected dates of absence.

10.2 If a person other than another co-op resident member will be responsible for the unit during the householder's absence, then the property manager must also be advised of the visiting person's name, and the expected frequency of visits to the unit (eg. daily or less often).

10.3 All householders must conform to the requirements of their own household insurance policy regarding the frequency with which vacant units must be checked.

10.4 During the vacancy, the householder(s) remain responsible for all monthly housing charges and other co-op related charges.

11. Sub-occupancy

11.1 If the householder(s) wish to have another person occupy the unit in their absence (as a pet-sitter, house-sitter, or renter), they must make a written request to the OGHC Board of Directors to that effect. Permission must be obtained in advance of leaving the co-op and the sub-occupant must be approved by the Board.

11.2 The householder(s), the sub-occupant and a representative of the Board, as well as all co-op members living in the unit must sign the *OGHC Sub-occupancy Agreement* (see Schedule B).

11.3 Normally, sub-occupancy can last only 12 months, but the Board can allow a longer term at its discretion.

11.4 OGHC householders receiving a monthly housing charge subsidy must comply with Manitoba Housing regulations regarding sub-occupancy.

11.5 No householder may rent a unit or any part of a unit through a booking service such as VRBO, Air BnB or the like.

11.6 The householder(s) remain responsible to pay all OGHC monthly housing charges and other co-op related charges related to their unit during sub-occupancy. The householder(s) and the sub-occupant will make their own financial arrangements.

11.7 Householders may not profit from sub-occupancy.

12. Eviction

12.1 If a person (co-op member or guest) has been asked to move out of the co-op or has left the co-op in response to a Notice to Appear, or a domestic violence incident, this decision will be recorded in the Board meeting minutes.

12.2 A householder cannot allow that person to stay in their unit as a short or long term guest. Similarly, they cannot allow that person to be a sub-occupant of their unit.

12.3 A person who is asked to move out of the co-op as a result of this policy must leave within the period determined by the Board of Directors.

12.4 The OGHC may treat a person who has been asked to move out of the co-op as a trespasser and may remove them from the co-op property. If a householder allows that person on the co-op property, the householder will be considered in default under this policy.