

# Wyndham Hill Co-operative Homes Inc.

## By-law No. 10

### Member Selection By-law (replaces By-law No. 2, Schedule A)

A By-law, which details the procedures for applying for membership and being allocated an appropriate unit.

This By-law contains the rules for selecting members and allocating units for Wyndham Hill Co-operative Homes Inc. The *Co-operative Corporations Act* (the *Act*) regulates how the Co-op must be run. Certain parts of the *Act* contain rules, which are not included in this By-law. Applicants and members should refer to them when questions come up.

Passed by the Board of Directors on October 6, 2004.

Confirmed by a two-thirds majority vote of members present at a General Meeting held November 10, 2004.

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# **Article 1: Membership Policy**

## **1.1 Purpose of Policy**

- (a) To enable the co-op to choose the best possible membership for the Co-op, taking into account the needs of the co-op community and the needs of the individual.
- (b) To serve the needs of people who are not adequately served by other forms of housing while obtaining the best possible co-op members.

## **1.2 Criteria for Membership**

- (a) All applicants must meet the following Membership Criteria in order to be accepted for membership in the Co-op:
  - 1. A willingness to participate in the ongoing development of the co-operative as a community;
  - 2. A willingness to participate in the ongoing operation of the co-operative;
  - 3. A willingness to abide by the By-laws, Agreements, Policies and Rules set from time to time by the Co-operative;
  - 4. A willingness to respect the human and civil rights of others and to generally live peaceably with fellow Co-op members;
  - 5. An indication of commitment to long term residence; and
  - 6. Financial responsibility and a willingness to show proof thereof.
- (b) In addition, the applicant must demonstrate a need appropriate to available units, as may be determined from time to time by the Co-op.
- (c) All applicants must be treated equally and fairly by the Co-operative, including during the appeal stage of an application. When considering applications, the co-op must comply with the Ontario Human Rights Code, and where applicable, the Social Housing Reform Act.

### **1.3 Application Process**

- (a) Prior to being considered for membership and residence in the Co-op, all applicants sixteen years of age or older must:
  - 1. Attend an information meeting sponsored by the Co-op;
  - 2. Submit all prescribed application forms with complete information as identified on the form (including the Wellington and Guelph Co-ordinated Access Housing Registry application form);
  - 3. Provide all financial and other information necessary to conducting credit and reference checks;
  - 4. Attend an interview conducted by the Co-operative;
  - 5. Have their application recommended to the Board of Directors for acceptance.
- (b) An application for membership that has been approved by the Co-op's Board of Directors shall be placed on the Co-op's External Waiting List.
- (c) If an application for membership has been rejected by the Co-op's Board of Directors, the Co-op's Membership Appeals Policy (Article 4) shall apply.

### **1.4 Assignment of Units**

- (a) In cases where there is more than one application for a unit, the following priorities shall prevail:
  - 1. First preference for an available unit shall be given to present members of the Co-op who have applications on the Internal Waiting List.
  - 2. Second preference for an available unit shall be given to applications on the External Waiting List.
- (b) In cases where two or more applications have the same priority for an available unit, the application first approved will be given preference.

## **Article 2: Internal Waiting List Policy**

### **2.1 Internal Waiting List**

- (a) The Co-operative shall maintain an Internal Waiting List:
- to enable Co-op member households to relocate to another unit in the Co-op;
  - to meet the changing housing needs of the Co-op member households;
  - to better enable the Co-op to provide units appropriate to the housing needs of members and applicants.

### **2.2 Waiting List Priority**

- (a) Priority of applications on the Internal Waiting List will be in the following order:
1. Member households who need to vacate their present unit because of damage to the unit that threatens their safety or health.
  2. Member households with special physical or health needs as verified in writing by a health professional.
  3. Member households who have had their occupancy rights in their present unit terminated according to By-law No. 8, Article 7.2.
  4. Member households with a change in the number of residents requiring or requesting a unit with more bedrooms or fewer bedrooms.
  5. All other approved applications according to the date that the application to the Internal Waiting List was received by the Co-op.
- (b) In the case where two or more applications on the Internal Waiting List have the same priority, the application in greater need, as determined by the Co-op, will have the higher priority.

### **2.3 Application for the Internal Waiting List**

- (a) Application to the Internal Waiting List must be made in writing to the Co-op on the appropriate form for that purpose.
- (b) Applicants may request a specific unit(s), a specific type of unit, or a specific area of the co-op.
- (c) Applicants will be told, upon request, where their application will be located on the Internal Waiting List.

## **2.4 Eligibility for an Internal Move**

- (a) Member households who are in receipt of a Schedule "E", "Eviction Decision", are not eligible for an internal move; however, their application will be returned to its original position on the Internal Waiting List subject to a successful appeal by the member household.
- (b) Member households are not eligible for an internal move if they have made an internal move during the past two years, except where the move is necessitated by damage to a unit, health needs or a change in household size.
- (c) Member households are not eligible for an internal move if they are in arrears (unless they have, and are complying with, a repayment schedule acceptable to the Co-op), if they are not participating in the affairs of the Co-operative, or if they are otherwise in violation of their Occupancy Agreement with the Co-op. They may be placed on the Internal Waiting List if the breach is corrected.
- (d) Member households are not eligible for an internal move until the Maintenance Committee, after conducting an inspection of the member's current unit, recommends such a move.
- (e) A member household family size must be appropriate for that unit, as set out in By-law No. 8, Article 7.2.

## **2.5 Offer and Acceptance of a Unit**

- (a) If a member household on the Internal Waiting List cannot be contacted, the unit will be offered to another household.
- (b) A member household must indicate the acceptance of a new unit within 48 hours of the unit being offered. They must sign an Occupancy Agreement within five days of the unit being offered.
- (c) A member household who could not be contacted to be offered a unit will retain their position on the Internal Waiting List.
- (d) If the member household has refused two consecutive units as identified on their application, their application will be removed from the Internal Waiting List, and any subsequent request for an internal move will be considered a new application.

## **Article 3: External Waiting List Policy**

### **3.1 External Waiting List**

The Co-operative shall maintain an External Waiting List:

- to enable the co-op to fill vacant units as quickly as possible in order to minimize vacancy loss;
- to enable the co-op to offer vacant units to those applicants who have been approved for membership; and
- to ensure that units are allocated fairly.

### **3.2 Placement of Applications on the External Waiting List**

- (a) Applications that have been approved for membership will be placed on the External Waiting List in accordance with their date of application (unless the Board of Directors has approved priority placement based on criteria established in its Operating Agreement or in any successor agreement and where applicable, the Social Housing Reform Act).
- (b) The Co-operative will maintain separate Waiting Lists for each size of unit. Separate lists may also be maintained for those who require Housing Charge Subsidy and those who do not.
- (c) Approved applicants will be placed on the appropriate Waiting List according to the size of unit for which they are eligible.
- (d) At least once a year, the Co-op will contact all approved applicants on the External Waiting List to find out if:
  1. they are still interested in residing in the Co-op;
  2. there has been any change in the number of bedrooms which they require;
  3. there has been any change in their financial circumstances; and/or
  4. there has been any change in contact information (e.g. new address, phone number or e-mail address)
- (e) If the Co-op is unable to contact an approved applicant on the External Waiting List, that applicant will be removed from the list.

### **3.3 Offer and Acceptance of a Unit**

- (a) If an applicant on the External Waiting List cannot be contacted within 48 hours of the unit becoming available, the unit will be offered to another applicant.
- (b) An applicant must indicate the acceptance of a new unit within 48 hours of the unit being offered. They must sign an Occupancy Agreement and make arrangements for paying Housing Charges and Security Deposit within ten days of the unit being offered.
- (c) An applicant who could not be contacted within 48 hours to be offered a unit will retain their position on the External Waiting List.
- (d) Once the applicant has refused two consecutive units as identified on their application, their application will be removed from the External Waiting List, and any subsequent application will be considered a new application.



## **Article 4: Membership Appeals Policy**

### **4.1 Membership Appeals**

- (a) The Co-operative shall allow applicants who have not been accepted for membership to appeal this decision. The appeal procedure is different in cases where non-acceptance is based on a lack of financial responsibility than where non-acceptance is based on other reasons.

### **4.2 Non-Acceptance based on a recommendation from the Member Selection Committee**

- (a) The Member Selection Committee may recommend that an application not be accepted only on the grounds of failure to meet the Membership Criteria (see Article 1.2), other than a failure to demonstrate financial responsibility (which is ultimately the responsibility of the Treasurer).
- (b) In all cases, the Member Selection Committee must conduct at least one interview prior to recommending that an application for membership not be accepted.
- (c) A recommendation that an application not be accepted must take the form of a written report to the Board which includes:
  - 1. the applicant's strengths and weaknesses in terms of each criterion for membership selection;
  - 2. a statement of how acceptance of the application would be contrary to the Membership Policy; and
  - 3. an outline of how the membership selection process has, to that point, been "effective and fair".
- (d) The Member Selection Committee's report shall be delivered to the Board by a representative of the committee as soon as possible after the committee's decision has been made.
- (e) The Board may, at that point, decide to accept or reject the recommendation of the committee. If the Board decides to not accept the application for membership, it may defeat the motion for membership normally employed, or simply not introduce such a motion.
- (f) The Board may defer further consideration pending further action by the Member Selection Committee (e.g. another interview, preparation of another report, etc.).

### **4.3 Appeal Process**

- (a) As soon as the Board has not accepted a membership application based on a Member Selection Committee recommendation, the applicants shall be notified:
  - 1. that the application has not been accepted;
  - 2. that the applicant(s) has the right to appeal;
  - 3. that the staff is willing to meet with the applicant(s) to provide assistance in preparing for any appeal;
- (b) Under no circumstances should reasons for the Committee's recommendation or the Board's decision be given, in accordance with By-law No. 7, Article 2.4.
- (c) If the applicant(s) desires, staff shall meet with him/her to review the criteria for membership and the appeal procedure.
- (d) If the applicant(s) does not wish to meet, he/she shall be informed of his/her rights under this By-law prior to the Board meeting dealing with the appeal.
- (e) If the Board of Directors wishes to meet with the applicant, he/she shall be notified of the date, time and place of the Board meeting.
- (f) The Board may wish to meet with the applicant(s), asking them to explain how they meet the criteria for membership. Board members who, as members of the Member Selection Committee, have participated in an interview of the applicant(s) should not attend this part of the meeting.
- (g) The Board may ask questions of the applicant(s), particularly with respect to perceived weaknesses in terms of the criteria for membership selection.
- (h) The Board may also meet with a representative of the Member Selection Committee to review the applicant's responses and so determine whether or not the representative would consider a different recommendation.
- (i) The Board decision may occur in the context of considering a motion to approve the application for membership. If the Board decides to not accept the application for membership, it may defeat the motion for membership normally employed, or simply not introduce such a motion.
- (i) The Board decision shall be minuted (in the Confidential section of the minutes), indicating in the case of rejection which criteria for membership selection are not satisfied by the applicant.

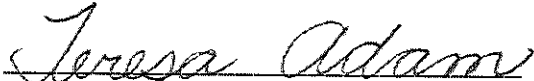
- (j) The applicant(s) shall be notified immediately of the Board's decision. The Board shall not be obliged, nor shall the applicant be entitled to received, reasons for the rejection.

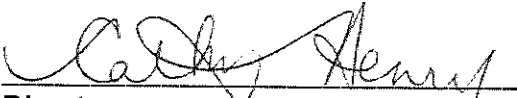
#### **4.4 Non-Acceptance based on a Recommendation from the Treasurer**

- (a) In some cases, the co-op's Treasurer will recommend (after consultation with staff and applicant) that, on the basis of a lack of financial responsibility, an application not be accepted. This will normally occur before the application is referred to the Member Selection Committee for an interview.
- (b) The procedure followed in such a case is similar to that outlined above, with appropriate changes as necessary (e.g. during its discussion of the appeal, the Board may meet with the Treasurer, rather than a representative of the Member Selection Committee).

CERTIFIED to be a true copy of By-law No. 10 of Wyndham Hill Co-operative Home Inc.

Passed by the Board of Directors at a meeting held on **October 6, 2004** and confirmed by a two thirds vote at a meeting of members held **November 10, 2004.**

  
Corporate Secretary

  
Director

# Article 1: Membership Policy

## 1.1 Purpose of Policy

- (a) To enable the co-op to choose the best possible membership for the Co-op, taking into account the needs of the co-op community and the needs of the individual.
- (b) To serve the needs of people who are not adequately served by other forms of housing while obtaining the best possible co-op members.

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  - 4. A willingness to respect the human and civil rights of others and to generally live peaceably with fellow Co-op members;
  - 5. An indication of commitment to long term residence; and
  - 6. Financial responsibility and a willingness to show proof thereof.
- (b) In addition, the applicant must demonstrate a need appropriate to available units, as may be determined from time to time by the Co-op.
- (c) All applicants must be treated equally and fairly by the Co-operative, including during the appeal stage of an application. When considering applications, the co-op must comply with the Ontario Human Rights Code, and where applicable, the Social Housing Reform Act.

**I have read this policy and I understand what is required of me to be approved for membership.**

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<b>Applicant print</b>	<b>Applicant Sign</b>	<b>Date</b>
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<b>Applicant print</b>	<b>Applicant Sign</b>	<b>Date</b>
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