



Addressing a Breach of the Tenant Engagement System Code of Conduct

Owner: Operations

Approval Level: ELT

Effective Date:



1.0 Purpose

The purpose of this procedure is to outline the process to address an incident(s) or behavior involving a Tenant Engagement System (TES) member that is in contravention of the TES Code of Conduct.

2.0 Scope

This procedure applies to all TES Members who participate in and represent other tenants in formal roles within the TES. This includes the following roles:

- Tenant Circle members
- Tenant Council members
- Citywide Tenant Advisory Committee members
- Tenant Community Action Table members
- Tenant Directed Fund related member (ie. Tenant Action Fund Table)
- Ad-hoc committees (ie. Tenant-Staff Working Groups) and other roles created within the TES as deemed necessary

3.0 Principles

The following principles inform the process of addressing an incident that breaches the TES Code of Conduct:

- **Timeliness**
 - TCHC staff will work to address the incident and conduct the review process in a timely manner.
- **Clarity**
 - TCHC staff will ensure that all steps of the review process are communicated clearly to all individuals involved.
- **Dignity**
 - There is zero tolerance for behaviour, remarks or actions that can be interpreted as racist, discriminatory or qualify as harassment against tenants or staff.
- **Fairness**
 - The review process will be conducted without bias or favoritism and will use an impartial approach. Any conflicts of interest must be disclosed.



4.0 Breach Severity

A breach occurs when a TES member has acted in a way that goes against the expectations outlined in the TES Code of Conduct or the staff Code of Conduct¹. Breaches can be divided into three types: minor, major and severe breaches.

The classification of activity as a minor, major and severe breach will be completed by a TCHC staff member, generally, a local engagement Community Services Coordinator (CSC) and Community Safety & Support (CSS) Manager. In making that classification, TCHC staff will take into account the severity of the alleged breach as well as the general circumstances in which it occurred (such circumstances could include but are not limited to: the impact the alleged behaviour could reasonably have on others, the conduct of any other person involved in the alleged breach, and any other situational factors that may mitigate or worsen the impact of the alleged breach). In classifying a breach where anti-Black racism (ABR) is involved, TCHC staff will consult with the *TES Guide for Responding to Anti-Black Racism* toolkit and if further clarification is required consult the Centre for Advancing the Interests of Black People to ensure an ABR lens is included. In classifying a breach where dimensions of diversity are involved, TCHC staff will consult with the Senior Consultant, Diversity and Inclusion to ensure an equity lens is included.

To remain a TES member, tenants must not engage in anti-social or behaviours falling under the Eviction for Cause Policy before or during their time as a TES Member and remain in compliance with the TES Code of Conduct.

In classifying an alleged breach as minor or major, the TCHC staff member making the assessment shall consider the table illustrated below containing examples of minor, major and severe breaches:

¹ The staff code of conduct applies to every employee and director of Toronto Community Housing. This Code also applies to volunteers, contractors, and vendors when they have regular dealings with residents, tenants, employees, and members of the public on behalf of Toronto Community Housing (the word 'employee' in this Code will be modified where necessary).



Minor Breach	Major Breach	Severe Breach
<ul style="list-style-type: none"> • Single instances of behaviour that disrupt the function of the TES and its proceedings, including but not limited to: <ul style="list-style-type: none"> ○ Disrupt or impede TCHC staff function and daily routine ○ Swearing, obscene, offensive, name calling, profane or foul language (includes swearing in foreign languages or offensive hand gestures or symbols i.e. gun symbols) ○ Insulting or derogatory comments, jokes, statements or other actions designed to be harmful, hurtful, or demeaning to another person ○ Unnecessary shouting ○ Withdrawal of volunteer activities, favouritism, or the intentional exclusion of 	<ul style="list-style-type: none"> • Repeated instances of minor breaches • Single instances of behaviour that disrupt the function of the TES and its proceedings, including but not limited to: <ul style="list-style-type: none"> ○ Activities that impact a tenancy (i.e. eviction proceedings, etc.) ○ Violation of privacy rights or sharing information that should be kept private ○ Negative/hurtful remarks about another tenant or TCHC staff's gender identity, gender expression, or sexual orientation ○ Negative comments about a person's disability or age ○ Racism, including but not limited to anti-black racism and anti-indigenous racism ○ Negative comments about a person's citizenship, immigration status, or place of origin 	<ul style="list-style-type: none"> • Sexual assault (including sexual harassment) against another tenant, TCHC staff or other partners or agencies, or their members • Physical assault resulting in physical harm against another tenant, TCHC staff member, or other partners or agencies, or their members • Misuse of TES or third party funding (i.e. Agency) • Engaging in any type of fraud as defined in the Fraud Prevention Policy, or any action intended to conceal or avoid detection of activity prohibited by this policy • Display electronic or physical pornography • Active involvement in criminal activity and/or criminal offences listed



<p>others for an improper reason</p> <ul style="list-style-type: none"> ○ Imitating a foreign language or accent ○ Misuse of position in TES to exert inappropriate influence on other tenants or TCHC staff ○ Dishonest behaviour including misrepresentation of information in interactions with TCHC staff and other tenants ○ Failure to attend mandatory training ● Instances of unexplained lateness or absence from scheduled TES-related activities 	<ul style="list-style-type: none"> ○ Negative comments about a person's creed, religion, spirituality, or faith ○ Spread hurtful rumours about other tenants or TCHC staff (in print materials or online via social media/email/text message) ○ Circulating any e-mail messages which could be offensive based on a prohibited ground under the Human Rights Code ○ Using a fob/passcard to access areas for personal reasons which are not related to their volunteer activities ○ Failure to respect and treat with care the property of other tenants, staff, vendors, volunteers which are brought on the premises of TCHC property ○ Consumption of drugs or being under influence of alcohol during volunteer activities. The exception is 	<p>under the Criminal Code on TCHC property</p> <ul style="list-style-type: none"> ● Intimidating, threatening or stalking another tenant, TCHC staff, or other partners or agencies, or their members personal or familial safety ● Sharing or releasing TCHC confidential information by verbal conversations or in writing, text messaging, formal documents, files, e-mails, computers, data records etc. Examples include information related to TCHC's financial affairs, marketing plans, tenants, residents, resources, contractors, proposed initiatives, strategy, members of the public, employees, etc. ● Deliberately causing damage or destroying TCHC property, facilities or equipment.
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	over the counter or physician-prescribed medication and drugs	
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5.0 Procedure for Addressing a Breach of the TES Code of Conduct

When addressing a breach of the TES Code of Conduct, TCHC staff will take into consideration:

- The nature, impact and severity of the breach;
- Whether the breach is the first or a repeat occurrence;
- The tenant's acknowledgement of responsibility and willingness to address their behaviour and rectify the situation;
- The tenant's race. In cases where the tenant has demonstrated anti-Black racism, staff will take an anti-Black racism lens and refer to the *TES Guide for Responding to Anti-Black Racism* toolkit or refer to the Centre for further support
- In cases where the tenant has demonstrated negative actions in regards to a person's dimension(s) of diversity, staff will take an equity, diversity, and inclusion lens refer to the Senior Consultant, Diversity and Inclusion for further support.

Minor Breaches

A minor breach will be addressed by the local engagement CSC. If the CSC witnesses the breach, they will use conflict resolution and their best judgment to de-escalate the situation. If another tenant or TCHC staff witnesses a minor breach, those individuals should report the breach to the local CSC for follow-up within one (1) business day.

Within three (3) business days of receipt, the following actions will be taken by the CSC to address a minor breach:

1. Meet with the tenant and issue a verbal warning and work to identify a solution;
2. Refer to the TES Code of Conduct and Roles and Responsibilities documents to highlight expectations for behaviour;
3. Create an incident report and document the incident in HoMES and monitor the situation.

All relevant parties involved in the incident will be notified of the final outcome.

Major Breaches



A major breach will be reported to and addressed by the local engagement CSC, Community Safety and Support Manager (CSS Manager), and Regional General Manager/ Assistant General Manager/ Manager, Tenancy Management. When there are instances of anti-Black racism and a need for an equity lens, the Centre and the Senior Consultant, Diversity and Inclusion may be involved, respectively. The removal of a TES member is considered a last resort. All relevant parties involved in the incident will be notified of the final outcome.

The following process will be used by TCHC staff to address a major breach:

Step One: Immediate Intervention/ Incident Intake

If another TCHC staff witnesses the incident, they will de-escalate it immediately and notify the tenant that they will be following up with them. The staff should report the breach to the local CSC for follow-up within one (1) business day.

If tenant(s) witness the incident, they should report the breach to the local CSC for follow-up.

Following immediate intervention, the CSC will:

1. Notify the severity of the incident to their supervisor (i.e. CSS Manager) within one (1) business day
2. Gather any documentation to demonstrate the severity of the breach and classify the breach's severity according to the criteria
3. Create an incident report and document the incident in HoMES
4. In instances of Anti-Black Racism (ABR), notify the Centre by email at Centre@torontohousing.ca within one (1) business day
5. In instances requiring an equity, diversity, and inclusion lens, notify the Senior Consultant, Diversity and Inclusion by email at diversity@torontohousing.ca within one (1) business day

Step Two: Meeting with Tenant and Letter Circulation

Within three (3) business days of the reported incident, the CSC and CSS Manager will arrange an in-person or online meeting with the tenant. The tenant may be accompanied by one (1) support person.



- The CSC and CSS Manager must receive verbal confirmation of the tenant's attendance for the meeting.
- In the meeting, the CSS Manager will outline the severity of the incident and review how the incident breached the TES Code of Conduct and Roles and Responsibilities document.
- They will hear the tenant's perspective and set expectations for opportunities to correct behaviour.

For ABR related instances the CSC and CSS Manager will:

- Consult the *TES Guide for Responding to Anti-Black Racism* toolkit to resolve the issue
- If further support or clarity is needed, consult the Centre Resolutions Coordinator and/or extend an invite to the tenant meeting
- Consult the Centre Resolutions Coordinator for recommendations during the thirty (30) business days observation period

For EDI related instances the CSC and CSS Manager will:

- Consult the Senior Consultant, Diversity and Inclusion and/or extend an invite to the tenant meeting
- Consult the Senior Consultant, Diversity and Inclusion for recommendations during the thirty (30) business day observation period

Following the conversation, the CSC will:

1. Document the date and details of the conversation in HoMES
2. Provide the tenant with a copy of the "Step Two" letter
 - The letter outlines the outcomes of the meeting and;
 - The steps the tenant will take to correct their behavior. These steps could include a plan to address arriving late/missing meetings or a plan to work collaboratively on a project with their fellow Committee members.
 - The tenant must either verbally or electronically confirm receipt of the letter
3. The CSS Manager will report the outcome of the conversation to the General Manager// Assistant General Manager/ Manager, Tenancy Management.



Following confirmation of the receipt of the “Step Two” letter, the CSC and CSS Manager will commence an observation period of up to thirty (30) business days.

- At the end of the observation period, the CSC and CSS Manager will assess whether the offending behaviour has continued and if the tenant has met the expectations set out in the Step Two letter.
- If the behavior has not continued, the CSC will issue a resolution letter to the tenant, and include the documentation in the tenant’s file in HoMES.

Step Three: Second Meeting with General Manager/ Assistant General Manager/ Manager, Tenancy Management in Attendance

- If there are additional reports of behaviour, then the CSC and CSS Manager will arrange a second in-person or online meeting with the tenant and the Regional General Manager/ Assistant General Manager/ Manager, Tenancy Management in attendance within three (3) business days of the reported behaviour. The tenant may be accompanied by one (1) support person.
- For ABR instances, consult the *TES Guide for Responding to Anti-Black Racism* toolkit to resolve the issue and; and consult the Centre for guidance prior to the meeting if needed
- For EDI instances, consult the Senior Consultant, Diversity and Inclusion for guidance prior to the meeting, if needed.

As part of Step Three, the CSC and CSS Manager will:

1. Review the process undertaken to date
2. Review membership expectations
3. Review the impact of the incident on their participation in the TES
4. Outline a resolution for their behaviour and/or actions
5. Issue “Step Three” letter outlining:
 - a. i) actions taken by staff,
 - b. ii) actions taken by tenant to improve behaviour and
 - c. iii) consequences of continued behavior which will result in their removal from the TES.
6. Document the meeting outcome and letter in HoMES



Step Three is considered to be unsuccessful if the individual does not attend the meeting or alternatively, if in the view of the CSC and CSS Manager, the offending behaviour continues following the meeting.

- Following confirmation of the receipt of the “Step Three” letter, the CSC and CSS Manager will commence an observation period of up to thirty (30) business days.
- At the end of that period, the CSC and CSS Manager will assess whether the offending behaviour has continued and if the tenant has met the expectations set out in the “Step Three” letter.
- If Step Three is unsuccessful, the CSC and CSS Manager will proceed to Step Four.

Step Four: Removal of a TES member

Step Four is the removal of the TES member from their position. This step must only be taken when previous steps have proven unsuccessful. The Regional General Manager/ Assistant General Manager/ Manager, Tenancy Management will provide a recommendation for removal to the TES Accountability Committee. Once the Committee signs off on the removal of a TES member, the decision is final.

The CSS Manager will draft the removal letter and attach it in HoMES to outline:

1. The reason for removal
2. The impact on their eligibility to participate in the TES (i.e. ineligible to participate in the by-election for the vacant position or in the election for the next term)
3. The date of removal (i.e. upon receipt of the removal letter)

The letter will be approved and signed by the Regional General Manager/ Assistant General Manager/ Manager, Tenancy Management. Once the tenant has received the letter, the CSC and CSS Manager will post a removal notification bulletin board within the relevant communities. Privacy and confidentiality of the affected individual will be respected.

Severe Breach



A severe breach warrants immediate removal of a TES member and will be reported to the local engagement CSC, CSS Manager, and Regional General Manager/ Assistant General Manager/ Manager, Tenancy Management. All relevant parties involved in the incident will be notified of the final outcome. The following process will be used by TCHC staff to address a severe breach:

Step One: Immediate Intervention

If TCHC staff witness the incident, they will de-escalate it immediately and notify the tenant that they will be following up with them and notify the appropriate authorities as required.

Following immediate intervention, the local CSC will:

1. Document the incident in HoMES
2. Notify the severity of the incident to their supervisor (i.e. CSS Manager) within one (1) business day
3. Gather any documentation to demonstrate the severity of the breach and classify the breach's severity according to the criteria
4. Notify the Centre for breaches involving Anti-Black Racism instances and consult the *TES Guide for Responding to Anti-Black Racism* toolkit
5. Notify the Senior Consultant, Diversity and Inclusion for breaches involving Equity, Diversity, and Inclusion instances.

Step Two: Removal of TES Member

Step Two of a severe breach is the removal of the TES member from their position. The CSC & CSS Manager will arrange an in-person or online meeting with the tenant to notify them of the removal. The tenant may be accompanied by one support person. If the tenant does not attend the meeting, the tenant will be mailed the removal letter.

1. The CSC will draft the removal letter and attach it to HoMES outlining:
 - a) The reason for removal
 - b) The impact on their eligibility to participate in the TES (i.e. ineligible to participate in the by-election for the vacant position or in the election for the next term)



- c) The date of removal (i.e. upon receipt of the removal letter)
2. The letter will be approved and signed by the Regional General Manager. The decision to remove the TES member by the General Manager is final.
3. Once the tenant has received the letter, the CSC and CSS Manager will post a removal notification bulletin boards within the relevant communities. Privacy and confidentiality of the affected individual will be respected.

6.0 Compliance and Monitoring

Tenant Engagement System (TES) Accountability Committee

The purpose of the TES Accountability Committee is to ensure that procedural fairness is respected when the TES Code of Conduct is breached. For a severe breach, the Committee will review the process undertaken by staff but will not re-adjudicate.

The TES Accountability Committee is made up of five (5) members with: three (3) tenants appointed from the City-Wide Tenant Advisory Committee and two (2) TCHC staff. TCHC staff will be appointed by the TES Manager. One TCHC staff member and one tenant will serve as co-chairs of the Committee.

The TES Accountability Committee will be informed of any final decisions made by TCHC to ensure transparency within the TES. In the event of the removal of a TES member due to a severe breach, the CSS Manager will provide a summary of the removal process to the committee for information only. In the event of a removal of a TES member due to a major breach, the CSS Manager will provide the committee with a recommendation for removal and provide to the Committee for final sign-off.

TCHC Staff

When conducting their duties, TCHC staff are expected to comply with all TCHC policies and procedures including the staff Code of Conduct. Failure to comply with these terms or follow the steps noted in Section 5.0 Procedure for Addressing a Breach of the TES Code of Conduct referenced in this document may be subject to actions as deemed appropriate by TCHC. Should a tenant wish to file a complaint against a staff member or another tenant, refer to the *Tenant Complaint Process*.



7.0 Definitions

Anti-Black Racism (ABR): The policies and practices rooted in Canadian institutions that reflect and reinforce beliefs, attitudes, prejudice, stereotyping and/or discrimination directed at people who identify as Black and are part of the African diaspora.

Anti-Social Behaviour: A tenant engaging in any behaviour in their tenancy (other than accumulating arrears) that causes TCHC to take or consider taking legal action against the tenant at the Landlord and Tenant Board or another tribunal. Anti-Social Behaviour includes illegal acts, threats, intimidation and/or harassment towards other TCHC tenants or staff and any other behaviour that puts the health, safety and/or wellbeing of other TCHC tenants and staff at risk.

Breach: Any behavior or incident that is in contravention of the Tenant Engagement System (TES) Code of Conduct or the staff Code of Conduct

CABR Strategy In 2020, TCHC established a Confronting Anti-Black Racism (CABR) Strategy team to develop a company-wide confronting anti-Black racism strategy approved in 2021. The strategy and its 8-Point Plan aim to identify systemic barriers, provide recommendations to address anti-Black racism issues embedded in TCHC policies, programs, and service delivery, and help create a diverse, inclusive, and equitable environment for tenants and staff.

Citywide Tenant Advisory Committee member: A group of tenants who will represent the broader tenant community and provide input on the overall tenant engagement system, as well as corporate policies and initiatives. These tenants will be selected through an open-call application process.

Dignity: An individual's perception about respect and trust, equal treatment, valuation of one's worth, fair-treatment, autonomy, and freedom of expression and decision making

Diversity: Diversity is about the individual. It is about the unique dimensions, qualities, and characteristics we all possess.

Equity: Equity refers to the fair and respectful treatment of all people. TCHC will proactively address systemic issues that will create a level playing field and equal access to opportunities. TCHC will also do



everything they can to identify and eliminate unfair biases, stereotypes, or barriers that may limit full participation in our system.

Equity, Diversity, Inclusion (EDI) Strategy- is a corporate wide framework to assist in understanding and addressing the unique and diverse needs of residents and staff at TCHC and embed equity, diversity and inclusion in the culture and practices of TCHC.

Inclusion: Inclusion is about the collective. It is about creating a culture that strives for equity and embraces, respects, accepts, and values difference.

Intersectionality: The interconnected nature of social categories such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage.

Local Initiative Funding for Tenants (LIFT): The Local Initiative Funding for Tenants (LIFT) are resources available to tenants to fund projects and initiatives that foster community development.

Prohibited Ground: The *Ontario Human Rights Code* (The Code) prohibits discrimination in employment on the following grounds: citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex / pregnancy, gender identity, gender expression, family status, marital status, sexual orientation, and record of offences.

Tenant Action Fund members: Members of the Tenant Action Funds Tables include TCHC tenants from across the city. They review tenant funding requests for community projects and initiatives that respond to tenant-identified priorities. This is to be retired when the Local Initiative Funding for Tenants is launched in June 2025.

Tenant Circle member: All tenants can join their building or townhouse community's Tenant Circle. Members will focus on the community's development priorities and decide how tenant funding is spent on projects and initiatives.

Tenant Community Action Table (TCAT) members: All tenants are invited to participate in the regional TCATs. Spaces will be provided to share knowledge, discuss what is working well, and learn from each other. These Tables will give members more opportunities to engage with subject matter experts like TCHC staff, community partners, and service providers.



Members will also be able to provide feedback on tenant-related processes and policies.

Tenant Council member: Elected tenant leaders from each building or townhouse who comprise of subregional Tenant Councils. These councils will focus on leadership development, community development priorities, and initiatives.

Tenant Engagement System (TES) member: A TCHC tenant that is a volunteer and participates in the activities, programming or committees of the TES.

Tenant-Staff Working Groups: A group of tenants and staff that collaborate to make recommendations that support the operations of TCHC.

Tenant Volunteer: any tenant of TCHC who is not a member of TES and gives their time to performing a defined task directly on behalf of TCHC on an unpaid basis and/or is in receipt of a stipend or honorarium from TCHC for their volunteer efforts

The Centre: The Centre for Advancing the Interests of Black People ("The Centre") was established to lead the organization in implementing the Confronting Anti-Black Racism Strategy to focus on cultural reform at TCHC. The strategy and the Centre work to effectively and sustainably support TCHC toward improving outcomes for Black staff and tenants.

8.0 Governing and Applicable Legislation

- Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- Ontario Human Rights Code
- Residential Tenancies Act, 2006

9.0 Related Policies and Procedures

TCHC Specific Policies & Procedures

- Accessibility Policy
- Eviction for Cause Policy
- Eviction for Cause Procedure
- Human Rights, Harassment and Fair Access Policy



- Non-Residential Use of Space Policy for Tenants and Tenant-Led Groups
- Staff Code of Conduct
- Tenant Charter
- Tenant Funds Distribution Policy

TES Specific Policies & Procedures

- Tenant Engagement System Volunteer Policy
- Tenant Engagement System Code of Conduct
- Breach of the Tenant Engagement System Code of Conduct
- Tenant Engagement System Elections Procedure
- Tenant Engagement System Guide for Responding to Anti-Black Racism toolkit