



Tenant Human Rights Complaint Procedure

Procedure Owner: Legal Services

Approval: Executive Leadership Team (ELT)

First Approved: December 2024

Effective Date: June 2026

Purpose

The purpose of this Procedure is to set out a process for Toronto Community Housing (TCHC) Tenants to make a Complaint to TCHC when they believe they have not been treated in a way that is consistent with the *Human Rights Code* or with TCHC's Tenant Human Rights Policy. The Procedure creates a centralized intake and resolution system for all human rights Complaints at TCHC and describes the steps that TCHC will when receiving a complaint alleging a breach of its Tenant Human Rights Policy.

Scope

The Procedure applies to all TCHC Tenants and employees.

The Procedure is to be used when Tenants have a Complaint (as defined in the "Definitions" section below) that relates to TCHC's obligations under the *Human Rights Code* or TCHC's Tenant Human Rights Policy. This Procedure does not replace TCHC's other policies and procedures related to the *Human Rights Code* including but not limited to the Transfer Policy and the procedures pursuant to that Policy.

Tenants with complaints that are not related to TCHC's obligations under the *Human Rights Code* or its Tenant Human Rights Policy should make those complaints under TCHC's existing [Tenant Complaint Process](#).



Employees with complaints that are related to TCHC's obligations under the *Human Rights Code*, as an employer, should refer to TCHC's Human Rights Policy (Staff) and the Human Rights Policy (Staff) Procedure for Staff Complaints.

The protected grounds applicable to TCHC under the *Human Rights Code* are:

- citizenship
- race
- place of origin
- ethnic origin
- colour
- ancestry
- disability
- age
- creed
- sex/pregnancy
- family status
- marital status
- sexual orientation
- gender identity
- gender expression
- receipt of public assistance

For more information about the application of this Procedure, Tenants can refer to the [Tenant Human Rights Complaint Procedure Tenant Guide \(PDF\)](#). For more information about the application of the way in which the Tenant Human Rights Policy or the *Human Rights Code* applies to their TCHC tenancy, Tenants are encouraged to visit the Ontario Human Rights Commission website at OHRC.on.ca, the Humans Rights Legal Support Centre or speak to their local legal clinic.

If Tenants are unclear on whether this Procedure applies to their complaint or what to do about a human rights issue at TCHC, they should contact the



human rights team by phone at **416-981-4241** (TRS 7-1-1) or by email at HumanRights@torontohousing.ca.

Definitions

1. **“Acknowledgment Letter”** means the Tenant Human Rights Complaint Acknowledgment Letter.
2. **“Centre”** means TCHC’s Centre for Advancing the Interests of Black People.
3. **“Complaint”** means a complaint a Tenant makes when the Tenant believes:
 - TCHC has Discriminated against or Harassed them on the basis of one or more of the protected grounds under the *Human Rights Code*;
 - TCHC has failed to provide the Tenant an environment free from Discrimination and Harassment by not adequately investigating and responding after a Tenant advises TCHC that a third party such as another TCHC Tenant, a guest or a TCHC vendor has Discriminated against or and Harassed the Tenant on TCHC property;
 - TCHC has failed to accommodate their needs related to one or more of the protected grounds under the *Human Rights Code*; and/or
 - they have been mistreated by TCHC because they filed a Complaint under this Procedure or otherwise tried to assert their rights under the *Human Rights Code*.
4. **“Complaint Form”** means a Tenant Human Rights Complaint Form.
5. **“Decision Letter”** means the Tenant Human Rights Complaint Decision Letter.
6. **“Discriminate/Discrimination”** means any form of unequal treatment based on a ground, protected under the *Human Rights Code*. Discrimination can impose extra burdens or deny benefits, resulting in a disadvantage to certain groups of people by perpetuating prejudice



or stereotyping. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral. Discrimination may take obvious forms, or it may happen in subtle ways.

7. **“Duty to Accommodate”** is the legal obligation to take steps to eliminate barriers that result in unfair treatment of individuals or groups protected under the *Human Rights Code*. It also includes an obligation to meet the special needs of individuals and groups protected by the *Human Rights Code* unless meeting such needs would create undue hardship. Failure to accommodate a person short of undue hardship is a form of discrimination
8. **“Harass/Harassment”** means a course of vexatious comments or actions, based on a ground identified in the *Human Rights Code*, that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy. Examples of Harassment include:
 - Expressions remarks, jokes, teasing or innuendos related to a protected ground
 - Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means
 - Comments ridiculing a person because of characteristics that are related to a ground of discrimination. For example, this could include comments about a person’s dress, speech or other practices that may be related to their sex, race, gender identity, or creed.

If a person does not explicitly object to Harassment, or appears to be going along with it, this does not mean that the behaviour is okay. The behaviour could still be considered Harassment under the *Human Rights Code*.

9. **“Human Rights Code”** means the Ontario *Human Rights Code*, RSO 1990 c. H.19.



10. “**Procedure**” means this Tenant Human Rights Complaint Procedure.
11. “**Reconsideration Decision Letter**” means the Tenant Human Rights Complaint Reconsideration Decision Letter.
12. “**Reconsideration Request Form**” means the Tenant Human Rights Complaint Reconsideration Request Form.
13. “**TCHC**” means Toronto Community Housing Corporation.
14. “**Tenant**” means a person who has signed the lease for a given unit with TCHC and, for the purposes of this Procedure, an authorized occupant of the unit. Tenant does not include individuals who are present in a unit as guests of a Tenant.

Procedure details

1. Receiving Complaint

- 1.1. A Tenant who wishes to make a Complaint to TCHC that they have been treated in a way that is not consistent with the Tenant Human Rights Policy and in relation to TCHC’s obligations under the *Human Rights Code* must fill out a Complaint Form by one of the below methods:
 - 1.1.1. Online through TCHC’s website at torontohousing.ca/human-rights/complaint;
 - 1.1.2. [Complete the PDF form](#) and email it to HumanRights@torontohousing.ca;
 - 1.1.3. Take the completed PDF form to their local [Tenant Service Hub](#) office; or
 - 1.1.4. Over the phone to the Human Rights voicemail inbox at **416-981-4417 (TRS 7-1-1)**.
- 1.2. The Complaint should describe:
 - 1.2.1. Whose actions or behaviours are alleged to have Discriminated against and/or Harassed the Tenant. This could be a single person or a number of people and might include TCHC staff and/or third parties, such as another TCHC Tenant, a guest or a TCHC vendor;



- 1.2.2. How the actions or behaviours affect the Tenant's rights, as described in the *Human Rights Code*. If the actions or behaviours do not affect the Tenant's rights as described in the *Human Rights Code*, a different complaint process may still apply;
 - 1.2.3. When the actions or behaviours that are described in the Complaint occurred and are they continuing at the time that the Complaint is made;
 - 1.2.4. Whether there are any people or documents that the Tenant can identify that can provide information related to the Complaint; and
 - 1.2.5. Whether the Tenant can identify a specific remedy that they want to achieve from the Complaint, and, if so, what that remedy is.
- 1.3. If Tenants need assistance due to language, accessibility or other issues, employees may help a Tenant to complete and submit a Complaint Form or advise them of other resources if the Tenant requests their help. Employees may not fill out the form for the Tenant or help them decide what information to put in the form.

2. Acknowledging and directing Complaints

- 2.1. TCHC will send the Acknowledgment Letter to the Tenant within five business days of TCHC receiving the Complaint.
- 2.2. Upon receipt of the Complaint, TCHC will conduct an assessment in order to determine whether the Complaint falls within the scope of this Procedure and provides details that are sufficient to permit TCHC to determine, on its face, the facts that are relied on by the Tenant and how those facts support the Complaint that the Tenant's human rights have been infringed and warrants an investigation pursuant to this Procedure. In conducting this assessment, TCHC may, but is not required to, contact the Tenant in order to seek clarification of the allegations that are made in the Complaint. In the event that a Tenant



- does not respond to a request for clarification, TCHC will conduct its assessment based on the information provided in the Complaint.
- 2.3. If TCHC determines it will not be investigating the Complaint because it is outside the scope of this Procedure or for any of the reasons set out in this Procedure, the Acknowledgment Letter will state it will not be further investigated, the reasons why, and advise the Tenant of the manner in which the Complaint will be managed. For example, through the general complaints process, tenancy or vendor management, or maintenance request. It will also advise the Tenant they can request a reconsideration of this decision.
 - 2.4. If TCHC received the Complaint via the voicemail inbox, a copy of the transcribed Complaint Form will be enclosed with the Acknowledgment Letter. The Tenant will have the opportunity to correct any errors or omissions in the transcribed Complaint Form.
 - 2.5. TCHC may determine that it will not investigate a Tenant Complaint, in accordance with this Procedure, in the following circumstances:
 - 2.5.1. The Complaint or incident is reported anonymously and without sufficient detail.
 - 2.5.2. The Complaint relates to an event or events that occurred more than one year prior to the date of the Complaint. If the Complaint relates to a series of harassing and/or discriminating events, the Tenant can file a Complaint up to one year after the last event.
 - 2.5.3. The Complaint is trivial, frivolous, vexatious or made in bad faith/an abuse of process; or having regard to all the circumstances further investigation of the matter (or intervention) is determined to be unnecessary.
 - 2.5.3.1. Trivial Complaints involve allegations that are of such a minor nature that proceeding with an investigation is not in the public interest.
 - 2.5.3.2. A frivolous Complaint contains allegations that, even if true, are not a breach of TCHC's policies or



- obligations under the Human Rights Code or otherwise.
- 2.5.3.3. A Complaint is vexatious when the complaint has been the subject of a decision by an alternate complaint process that considered the human rights allegations, a reasonable offer to remedy the Complaint was rejected by the Complainant, and/or the Complaint was filed to annoy, embarrass or harass the respondent or is otherwise improperly motivated.
 - 2.5.3.4. Complaints are an abuse of process/made in bad faith in circumstances that include when an adequate remedy already exists or the Tenant is engaging in improper action – fraud, deception, intentional misrepresentation, or the Complaint is filed out of malice, hostility, personal animosity or vindictiveness
 - 2.5.4. If a party to the Complaint retains legal counsel and/or engages another Complaint forum. As this Complaints procedure is a mechanism for alternative dispute resolution, a mediation or investigation may be terminated if this occurs.
 - 2.5.5. If a Tenant has not exhausted other reasonably available avenues of resolution prior to making a Complaint under this Procedure. If this is the case, the Tenant may be required to exhaust these avenues before making a Complaint.
 - 2.5.6. Where a Complaint is against an employee of a TCHC vendor and the Complaint is already being investigated and resolved by the TCHC vendor in accordance with their internal dispute resolution processes that are consistent with this Procedure.
 - 2.5.7. The Complaint could result in the imposition of workplace discipline against a TCHC employee. In this case, the Complaint will be referred to the People and Culture Division



- to be addressed in accordance with TCHC's policies governing allegations of employee misconduct.
- 2.6. Where TCHC finds a Tenant has not exhausted other reasonably available avenues of resolution prior to making a Complaint under this Procedure, TCHC may direct the Complaint to be addressed in accordance with its tenancy management procedures;
 - 2.7. Where the Complaint relates to the actions or behaviours of a third party, TCHC may direct a Complaint alleging that:
 - 2.7.1. an employee of a TCHC Vendor or a Support Agency has engaged in Discrimination and/or Harassment a Tenant to the Vendor or Support Agency so that it can investigate the allegation in accordance with TCHC's Vendor Code of Conduct;
 - 2.7.2. an individual who is a member of a regulated profession has engaged in Discrimination and/or Harassment of a Tenant to the Chair of the Board of Directors to address the matter in accordance with the regulatory processes governing that profession;
 - 2.7.3. a member of the Board of Directors has engaged in Discrimination and/or Harassment of a Tenant to the Chair of the Board of Directors in order that the matter may be addressed in accordance with the Code of Ethics & Conduct for Board of Directors; and
 - 2.7.4. an employee of Toronto Seniors Housing Corporation ("TSHC") has engaged in Discrimination and/or Harassment of a Tenant, to TSHC so that it can conduct investigate the allegation.
 - 2.8. In the event that TCHC refers a complaint to a Vendor or a Support Agency in accordance with Section 2.5.2 and TCHC is not satisfied the vendor or support agency has investigated and resolved the Complaint to the standards of this Procedure in a timely manner, TCHC will conduct its own investigation under this Procedure.



- 2.9. In the event that TCHC finds that a Tenant, guest or employee of a vendor or support agency has Discriminated against or Harassed a Tenant, TCHC may:
 - 2.9.1. refer the Tenant to Operations staff in order to determine whether the Complaint can be resolved through the application of a management response which may include any of the following:
 - 2.9.1.1. meeting with the Tenant and the third party whose actions or behaviours are the basis for the Tenant's Complaint in order to attempt to correct the behaviour that has resulted in the Complaint;
 - 2.9.1.2. issuing a verbal or written warning to provide notice of behaviours that may put a tenancy, vendor relationship or access to TCHC properties at risk; and/or
 - 2.9.1.3. other reasonable actions that provide an appropriate response to the Tenant Complaint.
 - 2.9.2. initiate eviction proceedings against the Tenant who is found to have engaged in or whose guests have engaged in Discrimination and/or Harassment of another Tenant in accordance with TCHC's Policy on Evictions for Cause and its Evictions for Cause Procedure;
 - 2.9.3. terminate its relationship and/or its agreement with a vendor or support agency that fails to address Discrimination and/or Harassment of a Tenant by its employee(s).
- 2.10. TCHC may decide that an investigation would normally be conducted pursuant to this Procedure should be referred to an external investigator. Such a decision may be made when there are significant systemic or ongoing human rights issues that have not been appropriately remedied by internal interventions or where TCHC does not have the capacity to investigate the Complaint.
- 2.11. In such cases, Legal Services will be involved in retaining the external investigator and determining the authority and duties of the external investigator, as well as the scope of the investigation,



including policy issues which may arise. As part of the retainer, after providing a signed confidentiality undertaking, the external investigator will be sent the complaint and any documentation that forms the basis for the complaint.

2.12. The scope of the external investigator's duties shall be outlined in the agreement. To the extent possible, the external investigator shall adhere to this Procedure and the process set out for TCHC-led investigations.

3. Investigating Complaint

- 3.1. The relevant TCHC employee and Legal Services will investigate the Complaint by:
- 3.1.1. requesting further information from the Tenant as necessary;
 - 3.1.2. reviewing the relevant documentation;
 - 3.1.3. interviewing any potential witnesses and/or person who is the subject of a complaint;
 - 3.1.4. making factual findings about what is alleged to have occurred in relation to a complaint and whether the complaint has or has not been substantiated through the investigation;
 - 3.1.5. identify whether the factual findings support a conclusion that any TCHC's policies or the *Human Rights Code* have been violated; and
 - 3.1.6. assessing the appropriate response that would best address the issues the tenant has raised in the Complaint and correct any human rights violations by TCHC.
- 3.2. If there are any possible anti-Black racism aspects of the Complaint, Legal Services and/or other employees will consult with the Centre on the Complaint to assist in understanding those anti-Black racism aspects unless the tenant has requested that the Centre not be involved.



- 3.3. If the Tenant requests it or if the Legal Services and/or other employees believe it is necessary in the circumstances, Legal Services and/or other employees will meet with the Tenant to gather more information from them about the Complaint and/or discuss potential resolutions. Meetings will be conducted virtually or by telephone unless the tenant requires, based on a legitimate reason, that it be in person.
- 3.4. TCHC will interview a Tenant if:
 - 3.4.1. Legal Services believes the Tenant cannot share the information necessary to investigate and resolve the Complaint without a meeting for reasons such as a disability or language barrier;
 - 3.4.2. The credibility of the Tenant is particularly relevant to the Complaint; and/or
 - 3.4.3. Any other circumstances that make it necessary for TCHC to meet with the Tenant to investigate and resolve the Complaint.
- 3.5. TCHC will aim to conduct investigations into Tenant Human Rights Complaints in a timely manner accounting for the nature of the complaint and the steps that are required to be taken in order to conduct an appropriate investigation.
 - 3.5.1. A number of factors, including but not limited to the number of witnesses that must be interviewed, the number of documents that must be reviewed and the degree to which parties to the investigation and witnesses cooperate with the investigation, will impact the time required to conduct an investigation.
 - 3.5.2. TCHC will provide monthly updates in relation to the status of the investigation to the tenant while the investigation progresses.
- 3.6. TCHC will assess if there are any interim measures it must take during the investigation of the Complaint to ensure it is meeting its



obligations to the Tenant and implement those measures when necessary.

4. Confidentiality

- 4.1. Toronto Community Housing will take all reasonable steps to investigate complaints discreetly and maintain confidentiality; however, tenants should be prepared to have information about the complaint disclosed as this information may be necessary to investigate or otherwise address the complaint.
- 4.2. Employees who are contacted or interviewed under this procedure are expected to keep the fact that a complaint has been made and any information discussed strictly confidential. This includes not discussing the complaint or investigation (if any) with other potential witnesses.
- 4.3. Tenants who submit a complaint in accordance with this procedure are expected to keep the fact that a complaint has been made and any information discussed strictly confidential. This includes not discussing the complaint or investigation (if any) with other potential witnesses.

5. Issuing Decision Letter

- 5.1. TCHC will send the Decision Letter to the Tenant within 10 business days of completing the investigation into the Complaint.
- 5.2. The Decision Letter will include an explanation of the result of TCHC's investigation into the Complaint, including a finding about whether TCHC policies or the Human Rights Policy was violated, and the steps TCHC will take to address the Complaint, if any.
- 5.3. The Decision Letter will advise the Tenant that they may ask for reconsideration of TCHC's resolution of their Complaint and how to do so.



6. Reconsiderations

- 6.1. Tenants who disagree with the resolution of their Complaint or TCHC's decision not to investigate their Complaint may request reconsideration on the grounds:
 - 6.1.1. They have new and relevant information; and/or
 - 6.1.2. TCHC made a serious error in procedural fairness or considering the facts relevant to the Complaint that affected the resolution of the Complaint.
- 6.2. To request a reconsideration, Tenants must submit the Reconsideration Request Form to the human rights email inbox within 30 days of receiving the Decision Letter or Acknowledgment Letter or, if they are unable to do so, by submitting the Reconsideration Request Form in writing at their local Hub office or leaving a voicemail with the human rights voicemail inbox.
- 6.3. TCHC may allow late reconsideration requests where the Tenant was unable to submit the Reconsideration Request Form for reasons beyond their control or because of an accommodation need under the *Human Rights Code*.
- 6.4. TCHC will review the reconsideration request using the steps in section 3 above with the exception that a senior manager will be involved in reviewing the request.
- 6.5. A different Legal Services employee than the employee who investigated the initial Complaint will review the Reconsideration Request.
- 6.6. TCHC will send the Reconsideration Decision Letter to the Tenant within 10 business days of completing its investigation of the reconsideration request.
- 6.7. The Reconsideration Decision Letter will include an explanation of the result of TCHC's investigation into the reconsideration request and the steps TCHC will take to address the request, if any.
- 6.8. Subject to any new information, TCHC's decision on the reconsideration request will be final.



7. Incorporating Complaints received outside of the Procedure

- 7.1. A Complaint received outside this Procedure (ex. through the Ombudsman, City Councillor or other advocate) may be treated in the same manner as a formal Complaint received under this Procedure, that is, as if it were a written Complaint.
- 7.2. If the Tenant has provided their consent to share information, the Decision Letter will be copied to the person or office involved in lodging the Complaint.

8. Re-assigning Complaints to different employees

- 8.1. If the Complaint includes allegations against an employee responsible for resolving Complaints under this Procedure, it will be reassigned to another appropriate employee.
- 8.2. If the Complaint includes allegations against a TCHC employee that may result in disciplinary action, Legal Services may refer the Complaint or part of the Complaint to TCHC's People and Culture Division for further investigation.

Compliance and monitoring

- This Procedure will remain in force unless it is amended as part of TCHC's annual review of the Procedure.

Other related policies and procedures

- [Tenant Human Rights Policy](#)
- Tenant Transfer Policy
- Tenant Transfer Procedure
- [Tenant Accommodation Request Procedure](#)
- [Tenant Human Rights Complaint Procedure Tenant Guide](#)



Commencement and review

Revision	Date	Description of changes	Approval
First approval:	December 2024	New	ELT
Revision 1	October 2025	<ul style="list-style-type: none">• Expanded scope and purpose• provided more specifics about investigating third party complaints, confidentiality and circumstances in which TCHC will not investigate a complaint	ELT

Next scheduled review date is June 2027 – according to policy review schedule – minimum every two years.