



**Policy Name: Guests and Unauthorized Occupants**

**Policy Number: SH-006-2019**

**Administrative Approval Date: 2019-02-20**

**Council Approval Date: N/A**

**Most Recent Amendment Date: 2019-02-08**

**Effective Date: 2019-03-01**

**By-law reference: N/A**

**Supersedes: New**

**1. Policy:**

The District Municipality of Muskoka will permit a guest of a rent-geared-to-income (RGI) household to remain in the unit for a period not exceeding 14 days within a 30 day period.

In the event that a guest of the RGI household resides in the unit for a period exceeding 14 days within a 30 day period without the prior written approval of the District, the guest will be deemed to be an unauthorized occupant and the household may no longer qualify for occupancy of the RGI unit.

**2. Purpose:**

The purpose of this policy is to:

- a) Allow tenants to have guests for up to 14 days within a 30 day period;
- b) Ensure that all occupants of a RGI unit, including those who join the household, are compliant with the RGI eligibility policy (SH-002); and
- c) Ensure that RGI subsidies are based on the true household income, including all occupants of the unit.

**3. Definitions:**

- a) **Guest** – a person who stays with a RGI household for a limited time not exceeding 14 days within a 30 day period and whose principal residence is elsewhere. The income of a guest is not included in the calculation of the RGI subsidy for the household.
- b) **Unauthorized Occupant** – a person whose extended stay exceeds the time periods that define a guest and who has not been added to the household as an eligible occupant according to the RGI Eligibility policy (SH-002).
- c) **Visitor** – a person who spends time with or stays with a household for a short period of time and not normally overnight. A visitor has a principle residence elsewhere.

**4. Guests & Visitors:**

- 4.1 A visitor may come to the unit as frequently as they are invited by a member of the household.
- 4.2 A guest may be invited by a member of a household to stay in their unit for up to 14 days within a 30 day period without the consent of the District.
- 4.3 Guests and frequent visitors may be asked to provide proof of residence elsewhere.
- 4.4 Extended stays - If a household would like a guest to stay in the unit for longer than 14 days, the tenant must submit a written request to the District Housing division, stating the guest's name and home address, the length of time the guest will be in the unit and the reason for the request. i If approval is granted, the District will advise the tenant in writing of the length of stay permitted.
  - ii The District may refuse the request for reasons including, but not limited to, the mandate of the building or complaints received about the guest's previous behavior or the previous behavior of a member of the household;
  - iii At the end of the approved stay, the tenant may be asked to provide confirmation that their guest has vacated the unit, which may include an inspection of the unit.
- 4.5 At all times, the tenant is responsible for the behaviour of their visitors and guests.
- 4.6 If a tenant vacates their unit, any visitors and guests must also vacate the unit. Any visitors or guests remaining in the unit after the tenant has vacated will be identified as trespassing and appropriate actions will be taken, including notification to the police.
- 4.7 In the event that a guest of the tenant resides in the RGI unit for a period longer than 14 days in a 30 day period without the written approval of the District, the guest shall be deemed to be an unauthorized occupant and the tenant may no longer qualify for RGI subsidy or occupancy of the RGI unit as outlined in the RGI Eligibility policy (SH-002).
- 4.8 In the event that a tenant wishes their guest to be added to the household as either a tenant or an occupant, they must apply to do so according to the requirements of the RGI Eligibility policy (SH-002).
- 4.9 No member of the household can act as surety for any individual who is not a signatory to the lease or an occupant on the lease.

**Related Policies/Procedures:**

- RGI Eligibility (SH-002)

**Reference: (approval and amendment details, legal references)**

- Housing Services Act, 2011
- Ontario Regulation 367/11

