

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: I. Social Housing	Effective Date: Dec. 1, 2015
Topic: I.5. Provider Responsibilities	<b>New</b>
Subject: 5.6. Duty to Accommodate	
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**POLICY**

The DSB acknowledges its responsibility under the Ontario Human Rights Code and other legislation to accommodate the needs of tenants. The DSB acknowledges the principles of accommodation are: respect for dignity, individualization, integration and full participation.

The DSB will work with tenants to find options for them, to provide contacts for associated agencies and/or to implement feasible accommodations. The DSB will fulfill its obligations to accommodate, where such obligation does not amount to undue hardship as set out by the Ontario Human Rights Code.

**PROCEDURE**

The [test for undue hardship](#) is set out fully in the Ontario Human Rights Commission [Policy and Guidelines on Disability and the Duty to Accommodate](#). The same standard applies to all grounds of the Human Rights Code.

Consideration has been given to the 10 Year Housing and Homelessness Plan for this procedure. The DSB will investigate access to outside sources of funding, where they exist, to help defray costs associated with accommodation. The DSB will provide tenants with contact information for outside agencies that may be able to provide the accommodations.

**Principles of Accommodation**

The key principles of accommodation are: respect for dignity, individualization, integration and full participation.

**Respect for Dignity**

Dignity will include consideration of how accommodation is provided and the person’s own participation in the process. The DSB will consider different ways of accommodating people identified by *Code* grounds along a continuum, ranging from those ways that most respect privacy, autonomy, integration and other human rights values, to those that least respect those values.

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## **Individualization**

There is no set formula for accommodating people identified by *Code* grounds. Each person's needs are unique and will be considered afresh when an accommodation request is made. Some accommodations may meet one person's needs and not another's.

## **Integration and full participation**

Accommodations will be developed and implemented with a view to maximizing a person's integration and full participation. Achieving integration and full participation requires barrier-free and inclusive design and removing existing barriers. Where barriers continue to exist because it is impossible to remove them at a given point in time, then accommodations will be provided to the extent possible, short of undue hardship.

A request for accommodation could be major or minor. A tenant could request an additional grab bar, a lower light switch, an automatic door opener or full unit modification for wheelchair accessibility.

Health and safety issues will arise in various housing contexts and have the potential to affect individual tenants and the broader housing community. If the potential harm is minor and not very likely to occur, the risk will not be considered serious.

## **Operational Procedures**

The DSB will accept requests in good faith, unless there are objective reasons not to do so. Where necessary, staff and/or other service providers may make reasonable requests (from tenants, medical professionals, or others) for information that is necessary to clarify the nature and extent of the accommodation need. The DSB will resolve accommodation requests in a timely way and take an active role in making sure that alternative approaches and possible solutions are investigated.

Tenants requesting a fully modified unit will be offered any available modified unit in the DSB portfolio or Non Profit portfolio where possible. Future new fully modified units will be developed where appropriate, in buildings where a modified unit is absent.

Regardless of which DSB staff is contacted (Integrated Program Assistant, Custodian, Supervisors, etc.) the information from the tenant requesting

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accommodation will be recorded in a tracking system (Work Order) and uploaded to the Tenant Electronic File.

Currently, all requests are referred to the Maintenance Coordinator for initial evaluation. Minor accommodations (less than \$500) will be resolved at this level. These include but are not limited to: grab bars, raised toilets, and strobes (hearing impaired alarm system), etc.

Major accommodations (greater than \$500) are re-assigned to the Supervisor of Infrastructure & Asset Management for further review and communication with the Housing Program Supervisor.

### **Full Modification**

Currently the DSB has 4 fully modified units of the 252 single bedroom/Bachelor units within its portfolio. The DSB will increase the number of fully modified units to a total of 10, based on actual demand (one in each of the multi-unit buildings).

The DSB will continue to administer the Ontario Renovates Program to assist families with modifying their home for accessibility. The DSB family housing units are only able to receive minor modifications based on the vintage of their design and layout (bathrooms and bedrooms are all on upper floors and narrow halls).

### **Lease Options:**

In the event that there are no disabled tenants on the waitlist, a vacant modified unit will be rented, following a 3 month vacancy, to tenants without disability. The lease agreement under this scenario will be written to ensure that the tenant without disability will be transferred to a 'regular' unit upon availability. New applicants requiring modified units will be placed on the waitlist for a suitable unit as per current practice.