WILLIAM PUNNETT HOUSING CO-OPERATIVE INC.

BY- LAW NO. 11

Membership Approval and Unit Allocation By-Law

Passed by the Board of Directors on January 14th 2014

Confirmed by the Members on

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1. GENERAL

ARTICLE 1 About this By-law

This By-law takes the place of or amends all previous by-laws or decisions that deal with membership approvals, unit allocations and waiting lists. Some related provisions appear in the Co-op's Occupancy By-law, and Organizational By-law. If there is a conflict between documents, the following will govern in order of authority:

- first, the Canadian Cooperatives Act
- second, the Co-operative Corporations Act
- third, the operating agreement
- fourth, this By-law, and
- fifth, the other by-laws of the co-op, unless the by-laws state differently

1.1 Special meanings

Certain words have special meanings when used in this By-law.

(a) *"Overhoused"* is the term used to describe a household where there are fewer occupants than permitted under the minimum applicable occupancy standards.

(b) *"Underhoused"* is the term used to describe a household where there are more occupants than permitted under the maximum applicable occupancy standards.

(c) *"Applicable Occupancy Standards"* means the occupancy standards, if any, set out in the Co-op's Occupancy By-law.

1.2 Aims of the process

The aims of the application and membership approval process are to make sure that:

- applications are evaluated fairly against the Co-op's membership criteria
- applicants have enough information to decide whether they are interested in living in the Co-op
- the Co-op has enough information to evaluate the application
- the process minimizes loss of revenue caused by vacancies.

1.3 Non Discrimination

In assessing applications for membership the Co-op will comply with the *Ontario Human Rights Code* and will not discriminate against anyone in a way that is prohibited by the *Human Rights Code*. The Co-op will assess applications on the basis of the Co-op Principle of Open and Voluntary Membership.

1.4 Membership criteria

Applicants for membership in the Co-op must meet the following standards:

- at least one member of the household is aged 18 years of age or older
- the household size meets the applicable Occupancy Standards
- applicants have:
    a) a positive attitude towards living in a community with people from different social, economic, and cultural backgrounds, and a commitment to treating other members with respect
    b) an interest in contributing to the operation and life of the Co-op
    c) a willingness to maintain the unit in good repair
- applicants are prepared and willing to participate in the development of the Cooperative as a community
- applicants are prepared to abide by the By-laws, agreements, rules, policies and regulations set out by the cooperative
- applicants are prepared to respect the rights of others
- applicants shall intend to live in the cooperative for at least one year

The Co-op will apply these standards equally to all applicants.

2. APPLYING TO THE CO-OP

ARTICLE 2 Applying to the Co-op

2.1 Application rquirements

All applicants must apply to the Co-op on the application form that the Co-op provides. Application forms must be complete and signed by all adult household members.

All members of the applicant's household who are 18 years of age or older and intend to live in the Co-op must apply for membership or long-term guest status. If they do not, the Co-op will not consider the application.
All applicants must go through the Co-op's membership process.

All applicants must provide proof of income in a form determined by the co-op.

2.2 Confidentiality

Each applicantmust sign a form that gives permission for the co-op to conduct a credit check and landlord check, for purposes of determining rental history. The co-op will use the information obtained only in connection with the application and with the applicant's membership, if accepted.

2.3 Membership process

The Board may adopt procedures for dealing with member applications. Until the Board decides otherwise, the procedures will be as stated in Schedule B. The procedures shall conform to this By-law.

3. WAITING LISTS

ARTICLE 3 Waiting Lists

3.1 Two waiting lists

There are two waiting lists in the co-op:

- "The Internal Waiting List"
- "The External Waiting List"

The "Internal Waiting List" is made up of people who live in the Co-op who

  - are required to transfer under the Co-op's by-laws
  - want or need to move to a different unit.

The "External Waiting List" is made up of households who do not live in the co-op but have applied for a unit.

3.2 Priority

The Internal Waiting List normally has priority over the External WaitingList.

Articles 4 and 5 of this by-law describe how the Internal and External Waiting Lists are set up and used by the Co-op.

4. INTERNAL WAITING LIST

ARTICLE 4 Internal Waiting List

4.1 Member's right to apply

Subject to Article 4.3, members may apply to transfer to any size or type of unit for which they qualify (or will qualify at the time of transfer). All households must meet any applicable occupancy standards.

To be placed on the internal wait list, the aplicant shall be a member in good standing.

All requests to transfer to another unit in the Co-op must be submitted to the Co-op office using a form provided by the Co-op. The Co-op may use the form attached to this By-law as **Schedule C Internal Transfer Form**.

4.2 Transfers required under the co-op's Occupancy By-law

For households that have to make a required transfer under the Co-op's Occupancy By-law the rules are set out in Article 6 of the Occupancy By-law. These households have greater priority than households described in 4.4 of this by-law.

4.3 Members requesting an internal transfer

For members requesting an internal transfer that is not required under the Occupancy By-law, priority will be lower than households described in 4.3 of this by-law. Priority for determining an applicant's place in this category on the internal waiting list will be the later of:

- the date that a completed application for transfer is received by the co-op and
- the earliest date on which the member is first permitted to make an application for transfer under Article 4.6, Minimum Period of Residence.

Priority within this category is chronological unless an exception is made for such reasons as economic (a market-paying member wants to move to a less expensive unit), conflicts with neighbours or health reasons. If a member requests an exception to the chronological list, a notice will be given to applicants higher on the list in order that they might indicate any reason why they should have preference. Confidential information on the person requesting the exception will not be given. The board will determine the order of priority for such exceptions, based on the severity of the situation.

4.4 No trading of units

No trading of units directly between members will be permitted.

4.5 Minimum period of residence

(a) Except where the internal transfer is required under the Co-op's Occupancy By-law, applicants for internal transfer must have been resident as members in a unit in the Co-op for a minimum of one year immediately prior to submitting an application to transfer. Following an internal transfer, members must have been resident in that unit for a minimum of one year immediately prior to applying to transfer to another unit.

(b) The Board may waive the one-year residency requirements set out in (a) of this section, for any the following reasons:

- the number of persons in the member's household exceeds the maximum applicable occupancy standards; or
- the member's household size has changed and, as a result of the change, the household qualifies for a size of unit for which it was not previously eligible; or
- the household needs to move to a less expensive unit because of an unexpected change in financial circumstances; or
- any other special need recognized by the Board exists.

(c) A person who moved into the Co-op to join a member already resident may not apply to transfer independently of that member for a period of two years after becoming a member and will not be eligible to have the waiting period waived under (b) of this section.

4.6 Relocation of part of household

If one or more, but not all, residents who live together in a unit wish to transfer to a separate unit, they may do so provided that:

- at least one of the persons remaining in the original unit is a member of the Co-op and at least one of the persons moving to the new unit is a member of the Co-op;
- at least one member remaining in the old unit and at least one member moving to the new unit have resided in the old unit for the minimum period of residency set out in paragraph 4.6 (a) Minimum Period of

Residence;

- the household is not in arrears or if the household is in arrears, the household complies with 4.10 Arrears;
- the size of the household remaining in the old unit and the size of the household moving to the new unit will, at the time of the transfer, meet the applicable occupancy standards;
- any new residents in a household who are 18 years of age or older are accepted for membership or given long-term guest status in the Co-op;
- the Board is satisfied that the household remaining in the old unit and the household moving to the new unit will meet the obligation to pay housing charges for the unit in the amount and at times they are due;
- if the new household requiresrent geared-to-income assistance, they must apply to the co-op following the standards as set out in the housing charge assistance policy.

4.7 Unit allocation priority

(a) When a unit becomes vacant, or the Co-op determines that a unit is going to become vacant, the Co-op will offer the unit to qualified members on the internal transfer list who have indicated an interest in that unit or that type of unit and have been approved by the board of directors.

The units will be offered in accordance with the members' record dates or approved exceptions as set out in paragraph 4.4.

(b) The unit will not be offered to anyone on the external waiting list until it has been refused by all persons on the internal transfer list who have indicated an interest in that unit or that type of unit.

4.8 Serious damage to unit

Despite anything in the Co-op's By-laws, if the Board determines that a household is required to move because of fire or other serious damage to their unit, or contamination of their unit or any other reasons that require the unit to be vacant, the board can offer any vacant unit to that household. When the household's original unit is repaired they will move back. The Board can decide to give them the option of staying in the new unit.

4.9 Arrears

A household on the internal waiting list will not be eligible to be allocated a unit that becomes available if the household is in arrears, with the exception of:

- a special needs household that no longer requires a special needs unit
- a market-paying household that wishes to transfer to a less expensive unit and has signed a Payment Agreement and is meeting the terms of the Payment Agreement.

4.10 Role of staff in making offers

(a) Co-op staff are not authorized to make offers to households that are on the internal waiting list. All offers must have board approval prior to the offer being made

(b) Co-op staff will keep the Board up to date on information they may have regarding potential move-outs and internal moves. This is to permit offers to be made quickly.

4.11 Priority if member unavailable

If the Co-op is unable to contact the member with priority on the internal waiting list within one week, or seven days the unit will be offered to the next eligible member on the internal waiting list. The original member will retain his or her priority on the waiting list but the household will be considered to have refused the unit. The Co-op will maintain written records of the contacts made with each household including date and time of contact.

4.12 Effect of refusals

Households on the internal waiting list may refuse two units that have been offered and retain their priority on the internal waiting list. If they refuse three units that meet the conditions specified by them in their application, they will be removed from the internal waiting list.

4.13 Notification of acceptance by applicant

(a) For all households on the internal waiting list that have been offered a unit for which they are eligible, members must notify the Co-op office within 72 hours whether they wish to accept the unit. If they fail to do so, they will be considered to have refused the unit.

(b) Once a member on the internal waiting list has accepted a unit the member must vacate his or her existing unit and move into the new unit on the date specified when the unit was offered. Acceptance of the unit may not be withdrawn without the consent of the Board. Members of the household cannot appeal the Board's decision.

5. EXTERNAL WAITING LIST

ARTICLE 5 External Waiting List

5.1 Maintaining the external waiting list

(a) The external waiting list will comprise applicants who have completed the co-op application form required. The list will include geared-to-income households, as well as market households.

(b) The record date for determining an applicant's place on the Co-op's external waiting list will be the date when a completed application form is received from the applicant, or the ranking assigned to a geared-to-income household when there is subsidy available to be offered.

5.2 Offer of Units to Applicants on the External Waiting List

(a) Co-op staff will be authorized to make offers to households that are on the external waiting list, once they have been approved for membership by the board of directors

(b) A unit will be considered available to an applicant on the external waiting list if no member who has requested an internal transfer is eligible or no such member has accepted the unit.

(c) When a unit becomes available to an applicant on the external waiting list, it will be offered to the first household on the external waiting list that has completed the co-op's membership process (Schedule B), has been accepted for membership, is eligible for that size and type of unit, and indicates it wants the unit.

5.3 Withdrawal of membership approval

Where new information about an approved applicant comes to the attention of the Co-op prior to the offer of a unit the Co-op may make any appropriate change to its waiting list or may withdraw its approval of the application for membership without liability. If approval of the application is withdrawn the application will be treated as if originally refused.

5.4 Priority if applicant is unavailable

If the Co-op is unable to contact the household with priority on the external waiting list within one week or seven days, the unit will be offered to the next eligible household. The original household will retain its priority on the waiting list. In order to avoid vacancy losses, the Co-op can contact several households (in order of priority) within the time frame. The Co-op will maintain written records of the contacts made with each household including date and time of contact.

5.5 Priority if offer is refused

(a) If a household refuses the first unit offered, that household wll be moved to the bottom of the waitlist.

5.6 Notification of acceptance by applicant

(a) A household offered a unit will be given 72 hours to decide whether to accept the unit and sign the occupancy agreement.

(b) If the household does not, within 72 hours, inform the Co-op office, that it accepts the unit and signs the Occupancy Agreement, it will be considered to have refused the unit.

(c) Once an applicant has accepted a unit under this Article, the acceptance may not be withdrawn without the consent of the board. The board will not be obliged to permit the withdrawal of an acceptance and the decision of the board in this regard will not be subject to an appeal.

5.7 Deposits and charges

(a) The Co-op's Occupancy By-law, Article 3, sets out the charges required from members.

(b) A Security Deposit equal to $1500.00 anda parking deposit equal to one months parking charge if applicable is due prior to occupancy.

The Security Deposit may be returned after the household has vacated the unit and met all of the requirements regarding vacating a unit that are in the Co-op's Occupancy By-law. The Co-op will not pay interest on the Member Deposit.

(c) The applicant must pay the monthly housing charge beginning on the date specified in the Occupancy Agreement or on the date the member gets the keys to the unit, whichever is earlier.

6. NO LIABILITY

ARTICLE 6 No Liability

6.1 No liability

(a) Anything in the Co-op's by-laws, or any commitment made by anyone that is not authorized by the Board will not create any liability for the Co-op.

The Co-op will not be liable to anyone for:

- any error, omission, or mistake concerning the waiting lists
- the allocation of units
- the failure to allocate units

(b) The provisions of the co-op by-laws are for the benefit of the Co-op and its members. They do not create any rights in favour of non-members. Anyone who is accepted for membership will have no right to make any claim respecting any breach of this by-law or any of the other Co-op By-laws.

(c) The Co-op will in no case have any liability if a unit is not available for occupancy on a date notified or agreed to with anyone because of failure of the prior occupant to vacate or need for repairs or maintenance work.

6.2 Matters Not Addressed in By-law

The Board will decide anything relating to membership approval and waiting lists not set out in the By-law or the Co-op's other By-laws.

Certified to be a true copy of By-law 11of William Punnett Housing Cooperative, Inc. Passed by the Board of Directors at a meeting held on January 14th 2014 and confirmed by a two-thirds vote at a meeting of members held on ______________________

c/s
Secretary

Schedule A

Sample Application Form

1. Applicant

Last Name:
First Name:
Date of Birth:
Female ❑ Male ❑

Address (including postal code):

Phone (home):
Phone (work):
E-mail:

2. Co-Applicant

Last Name:
First Name:
Date of Birth:

Female ❑ Male ❑

Address (including postal code) if it is different from the applicant's:

Phone (home)
Phone (work)
E-mail

3. Other household members

Last Name	First Name	Female / Male (F / M)	Date of birth (day/month/year)	Relationship to the applicant (if applicable)

4. Unit

What size of unit do you need? ___________________________________

1 bedroom townhouse or apartment
2 bedroom townhouse or apartment
3 bedroom townhouse or apartment
2 bedroom accessible apartment
1 bedroom accessible apartment

Do you or any of the household membersrequire an accessible unit? ______________

5. Housing Background

Have you ever lived in a housing co-operative?

If yes, where?____

How long have you lived at your current address?

____

If you have lived there less than 5 years, please give your previous address including landlords name and phone numbers

____

____

____

How much do you pay in rent each month? ____

If you pay for utilities, how much do you pay? _______________________________________

Landlord's phone number ____

Do you own any property?

If yes, where? Please explain____

6. **Parking**
List all vehicles belonging to the household.

Make	Colour	Licence Number

7. **Pet Policy/By-Law**

The co-op has a pet policy/by-law that allows *a maximum of two pets (cat or dog)* What pets doyou have?

____

____

I declare the above information is correct. I agree that this information may be used for a credit check. I understand that this information is requested strictly for the purposes of facilitating a credit check and will be kept confidential.

Signature: ____

Date: ________________________________

Participation By-Law:

Each member is obligated to participate in the activities of the co-op by attending all general members meetings.

REMINDER*:*

- When submitting this application ensure that you also enclose 3 consecutive pay slips or proof of 3 consecutive months of income for **each adult applying for membership**.

- ***When you submit this application***please bring a cheque for **$25.00 (for each adult person)** for the Credit Check. This must be completed before you can be approved for Membership

TO BE COMPLETED BY APPLICANT - FOR THE USE OF THE CO-OP CO-ORDINATOR ONLY

B. Applicants:

Last name:	**First name**:	**S.I.N. #**
Last name:	**First name**:	**S.I.N. #**

C. **Income Information**: (List Gross Monthly income (**before deductions**) for all members of your household, from all sources. You must include letters of income verification from all source of household income (**3 consecutive pay slips**)

Name of Company	**Length of Time Employed**	**Address of Employer**	**Gross Monthly Income**

Bank

Name of Applicant	**Name of Bank and Address**	**Account #**

TO BE COMPLETED BY THE CO-ORDINATOR:

Date Received	Fees	Unit Size	Gross Income	Credit Check	Referred to Committee

Consent Form
Applicant Mandatory Consent
Information: The word information means credit information, personal information, information about the services you use that are provided by William Punnett Housing Cooperative, Inc. and information relating to your current housing situation including information regarding the duration of your tenancy, monthly rent, emergency contacts and any matters relating to your lease/tenancy/occupancy agreement, including misrepresentations relating to, defaults under and/or breaches of your lease/tenancy/occupancy agreement.
Credit Information means information about you, including your name, age, date of birth, occupation, place of residence, previous places of residence, marital status, co-occupant's/spouse/same sex partner 's name and age, number of dependants, particulars of education or professional qualifications, places of employment, previous places of employment, estimated income, paying habits, outstanding debt obligations, cost of living obligations, involvement in bankruptcy proceedings or landlord and tenant disputes, assets, and banking information (including account and credit card information).
Personal Information means information about you other than credit information that is relevant to your suitability as a member/occupant, including your social insurance number (optional), driver's license number, vehicle license plate number, vehicle make and year, and information from references which you provide about your character, reputation, physical or personal characteristics or mode of living or about any other matter concerning you that is relevant to your suitability as a member/occupant.

Collection, Use and Disclosure of Information
In consideration for William Punnett Housing Cooperative, Inc. accepting you as a tenant and entering into an occupancy agreement with you, you expressly consent to and authorize the following.

1. William Punnett Housing Cooperative, Inc. may obtain information about you through a tenant check and/or credit or consumer report conducted by Rent Check Credit Bureau and as permitted or required by law. You expressly authorize Rent Check Credit Bureau to provide information regarding you to William Punnett Housing Cooperative, Inc.

2. William Punnett Housing Cooperative, Inc. may use information about you to determine your suitability as a member and as permitted or required by law.

3. William Punnett Housing Cooperative, Inc. may disclose information about you as permitted or required by law and to Rent Check Credit Bureau in order to be included within a database of tenant information, and/or within a file on you , for purposes of:

    - Tenant reporting and credit reporting in accordance with the *Consumer Reporting*

Act (Ontario)

- ➢ Establishing a credit history and a rental history
- ➢ Comparing with aggregate statistical data for purposes of tenancy and credit scoring, and
- ➢ Supporting the credit approval process.

4. You expressly authorize Rent Check Credit Bureau to retain information regarding you indefinitely for the purposes outlined in section 3 above, subject to any legal restrictions.

5. You expressly authorize Rent Check Credit Bureau to disclose information regarding you to its members and subscribers as required or permitted by law and for the purposes outlined in section 3 above.

6. You agree that you will not withdraw your authorization and consent to the collection, use and disclosure of information about you by Rent Check Credit Bureau as outlined in sections 1 to 5 above.

7. You agree that all statements on this application are true and authorize William Punnett Housing Cooperative, Inc. to verify all references given.

Please provide your consent by checking the following box and signing in the appropriate spaces below.

- ☐ Yes, I have read and agree to the collections, use and disclosure of information as outlined above.
- ☐ Yes, I have read and agree to the collections, use and disclosure of information as outlined above.

I have read, understood and voluntarily agree to the terms and conditions outlined above.	I have read understood and voluntarily agree to the term and conditions outlined above.
____________________________	____________________________
Applicant's Signature	Applicant's Signature
____________________________	____________________________
Print Name	Print Name

Schedule B

Membership Approval Process

1. Roles and Responsibilities
The Board of Directors will delegate the responsibility for the membership process to a Membership Committee.

The Board of Directors will appoint the members of the Membership Committee and approve the job description for the committee. The Membership Committee can be the Co-op staff, a committee of members or Co-op staff and members. All persons involved in the membership process must sign Confidentiality Agreements.

The Membership Committee shall conduct interviews and make decisions to recommend acceptance or refusal of applications. All recommendations are forwarded to the board of directors for approval.

2. Interview process
The Co-op staff is responsible for conducting landlord and credit checks, completing an Application Summary Sheet, and scheduling interviews.

The Application Summary Sheet will include the following information:

- names, ages and relationships of the household
- rental history
- size of unit requested

Every member of a household that is 18 years of age or older must attend the interview. The interviewer (s) will complete and sign the Interview Form including their recommendations. The form will be forwardedto the Board for approval.

3. Membership Decisions

The board can make a decision to approve or refuse an application, or the board can make other decisions such as a second interview.

4.Contract between the Co-op and the approvedapplicants

When an applicant is approved for membership there will be deemed to be a contract between the Co-op and the applicant where by the Co-op is obligated to allocate a unit to the applicant in accordance with the Membership Approval and Unit Allocation By-law and to permit the applicant to take occupancy and become a member in accordance with the Organizational By-law.

Schedule C

Internal Transfer Application

Name: ____

Current Unit: ____

Number of bedrooms in current unit: _____________________________________

Number of bedrooms now requested: _______________________________________

Other household members who will be living with you:

Name	Date of birth	Relationship to applicant (if applicable)

Length of time in current unit:____

Reasons for Requesting Transfer:

- Overhoused (fewer occupants than allowed underapplicable occupancy standards)
- Underhoused (more occupants than allowed underapplicable occupancy standards)
- Medical condition or disability makes the unit inaccessible or aggravates a condition
- Current housing charge unaffordable (market-paying household)
- Other (specify)

____

Please add any relevant details about why you are seeking a transfer

I understand that the Internal Transfer process is subject to the provisions of the Membership Approval and Waiting List By-law and that the Co-op may require documentation to support this application to transfer.

Signed: ____________________________________

Date: ____________________________________