

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

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### **1. Authority**

1.1 This Policy is issued under the authority of the Yukon Housing Corporation (“YHC”) Board of Directors

1.2 *Housing Corporation Act*, RSY 2002, c. 114:

4 (2) Without restricting the generality of subsection (1), the corporation may undertake, carry to completion, or assist in the provision, development, maintenance, and management of housing

- a) generally;
- b) for families and individuals;
- c) for employees of the public service;
- d) for students;
- e) for senior citizens;
- f) for families and individuals receiving social allowances or social assistance.

### **2. Application**

2.1 This Policy applies to YHC housing units rented out under the Rent Geared to Income Housing Program (the “Program”).

### **3. Purpose**

3.1 The purpose of this Policy is to explain how eligibility of victims of violence is determined under the Program for the purposes of the Rent Geared to Income Residential Tenancy Agreement. This Policy is incorporated by reference into these Residential Tenancy Agreements.

3.2 The purpose of this policy is to provide "priority consideration" for those persons who are able to demonstrate an immediate need for housing because they are at risk of abuse from a "perpetrator" with whom they have recently lived or currently live with; "victims" of "violence" are better able to move to a life free from abuse if they have access to secure and stable housing.

3.3 YHC does not offer emergency shelter or 'respite' housing; however, YHC recognizes the value of giving "priority consideration" to those most in need, who may not be able to afford private rental accommodations. This policy aims to assist with the safety of the applicant and/or other persons of the household by enabling them to leave an unsafe and abusive situation.

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

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- 3.4 This policy aims to assist those who have demonstrated their preparedness for "independent living" or with minimal support services that can be provided by community agencies.
- 3.5 This policy and all related procedures reflect YHC's:
- a) desire to assist "victims" of "violence" who require housing;
  - and
  - b) decision-making process for who shall be accorded "priority consideration" to access available housing.
- 3.6 This policy establishes:
- a) eligibility criteria that apply to persons seeking consideration under the policy;
  - b) methodology by which applications are approved;
  - c) confidentiality provisions that apply under the policy;
  - d) criteria that apply to unit-offers to approved applicants;
  - and
  - e) criteria that apply to unit-leases with approved applicants.

#### **4. Definitions**

- 4.1 "independent living" means a person who can independently maintain their personal health and well-being in a self-contained living unit, and who can fulfill tenancy obligations including paying rent, caring for their unit and maintaining appropriate relations with neighbours.
- 4.2 "perpetrator" means the person in a close relationship who chooses to behave in ways that harm, control, or dominate another and is the individual's spouse, common law partner, intimate partner, parent, or child.
- 4.3 "priority consideration" means persons who are considered "victims" of "violence" under this policy will be given precedence in consideration to access YHC housing.
- 4.4 "verifier" means a person who is a recognized, practicing professional associated with an agency or organization, and who is:
- a) police officer;
  - b) medical or mental health professional such as a doctor, nurse, psychologist or psychiatrist;
  - c) registered social worker or (social service) case manager;
  - d) Yukon government "victim" services (unit) worker;
  - e) Executive Director of a transition home; or
  - f) other social service provider in the field of family "violence" prevention/intervention.
- 4.5 "victim" means the person who is in a close relationship with the

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

---

"perpetrator" and is, or has been, purposely harmed by the unwanted actions of the "perpetrator".

- 4.6 "violence" includes one or more incidents of deliberate behavior in a close relationship in which one person chooses to dominate, control or harm another through physical or sexual force, actual or threatened, including emotional and/or financial abuse which leads an individual to fear for her or his safety, or the safety of a family member.

### **5. Eligibility**

- 5.1 An applicant for "victim" of "violence" housing status is eligible to apply for housing regardless of their income level.
- 5.2 An applicant for "victim" of "violence" housing status is eligible to apply for housing regardless of whether the applicant is in arrears as per YHC's Arrears policy. If the applicant is in arrears for former YHC-tenant lease charges or unit damages, the applicant must sign an Agreement to Pay to pay the outstanding balance that YHC deems is owed by the applicant. A former tenant with arrears will be allowed to apply for housing under the conditions they are eligible and sign an Agreement to Pay and provided they have not been evicted from Yukon Housing Corporation housing for non-payment of arrears within the previous six months. Applicants and Tenants with an existing Agreement to Pay are not eligible for a second Agreement to Pay unless authorized by the Director, Housing Operations. Non-payment is grounds for eviction.
- 5.3 To be eligible for "victim" of "violence" housing consideration, an applicant must:
- a) be a Canadian citizen, landed immigrant or a refugee;
  - b) be of eligible age as per YHC's Minimum Age of Eligibility Policy;
  - c) be in an abusive home situation, be seeking temporary refuge with friends or relatives or be moving into, or living in, an emergency/transitional facility;
  - d) obtain and provide to YHC third party verification of "violence" from a "perpetrator" and be at risk of further abuse from the "perpetrator"; and
  - e) demonstrate preparedness for "independent living".

### **6. Ineligibility**

- 6.1 Applicants are ineligible for a unit if they are:
- a) living in an affordable, adequate dwelling located away from the "perpetrator";
  - b) provide misinformation to YHC; or
  - c) unable to provide complete information required under this policy.

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

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### **7. Application Process**

- 7.1 Housing "priority consideration", under this policy, shall not be initiated, or approved, until the following documentation is received from applicant:
- a) standard rental application form;
  - b) evidence of eligibility to reside in Canada;
  - c) proof of eligible age as per YHC's Minimum Age of Eligibility policy;
  - d) two pieces of identification acceptable to YHC;
  - e) one piece of identification acceptable to YHC per child; and
  - f) a completed verification form by a third party "verifier", in accordance with section 4.4, who is familiar with the applicant's circumstance that may be supplemented with other supportive documentation such as a certified copy of a court document identifying "violence" against the individual.
- 7.2 Approved applicants shall be subject to YHC's standard tenancy agreements.

### **8. Verification**

- 8.1 Before YHC can consider an applicant for priority housing, the applicant must provide YHC with third party verification of an applicant's situation. This verification must be in writing and submitted by verifier.
- 8.2 Under this policy, "verification" means: a verification form prepared by a third party "verifier" in accordance with section 4.4 who is familiar with the applicant's circumstance, which may be supplemented with documentation such as a court document identifying "violence" against the individual (e.g., restraining order, Peace Bond, or an Emergency Intervention Order).
- 8.3 The completed YHC verification form must be dated within three months of the date of receipt of application.
- 8.4 For the purposes of this policy, "verifiers" shall use the following list of "indicators" to assess the applicant's situation of "violence". These indicators of abuse warrant inclusion for an applicant to access "priority consideration" in YHC's housing program:
- intentional, or reckless acts that causes bodily harm or damage to property;
  - conduct that, considered reasonably in the context of all

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

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relevant circumstances of the relationship, constitutes physical, sexual, emotional, or financial abuse, including but not limited to:

- physical injury caused to the person by the "perpetrator";
- the application of force by the "perpetrator" against the person to force the person to perform degrading acts or engage in sexual activities, against her or his will;
- attempts to harm the person or another person of the household;
- the use of a weapon against the person or another person of the household;
- threats to harm the person or another person of the household;
- threats to use a weapon against the person or another person of the household;
- terrorizing the person which may include: destroying and/or injuring the person's property; and/or the harming of pets;
- enforcing social isolation upon the person;
- other words, actions, threats, or gestures which lead the person to fear for her or his safety, or the safety of a family member;
- unwarranted control over the person's daily personal or financial activities which may include forcing a person to provide personal financial information; and/or
- depriving the person of food, clothing, medical attention, shelter, transportation, or other necessities of life.

### **9. Termination of Application**

9.1 An applicant's priority shall be terminated under the following circumstances:

- a) applicant indicates that she/he no longer wishes to be on the "priority consideration" list;
- b) applicant finds other housing that is safe, adequate and affordable;
- c) applicant cannot be located. Two full weeks are to be dedicated to attempts to locate the applicant. The Community Housing Manager and/or another person designated by YHC shall make this effort, and all contact efforts shall be documented.

### **10. Confidentiality**

10.1 "Victim" of "violence" applicants shall sign a form authorizing YHC to release/exchange of information pertinent to the assessment of the applicant's circumstances for eligibility, continued eligibility and tenancy, and rent assessment purposes.

10.2 YHC shall collect and disclose such information only to the extent that

# **Yukon Housing Corporation**

## **Policy – Victims of Violence**

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is necessary for these purposes. However, YHC may compile non-personal, aggregate data for statistical purposes of program monitoring, reporting and evaluation.

- 10.3 To ensure applicant safety and privacy is not compromised, applicants shall be requested to identify their preferred method of contact by YHC. YHC staff shall make every effort to respect contact requests that are workable within YHC's usual business practices. Applicants who subsequently enter into a lease-arrangement with YHC shall be required to update their contact information.
- 10.4 Throughout the applicant/tenant process, any and all information provided by the applicant or tenant must be treated with the highest degree of confidentiality. Only the Community Housing Manager, and/or another person designated by YHC, is to interview and/or maintain contact with the applicant regarding their situation.
- 10.5 The Community Housing Manager and/or another person designated by YHC is responsible for instituting and using measures to ensure that the information submitted is kept secure and is only accessible for lawful purposes.

### **11. Allocation**

- 11.1 An approved applicant shall be notified and offered the first available unit of appropriate size based on YHC standards. However, due to housing availability, if an applicant is offered and accepts housing in a unit that does not meet YHC standards or the special/ medical needs of the applicant, the applicant may apply for a transfer to a more appropriate unit.

If the applicant is offered and accepts a housing unit that exceeds minimum-size standards, the household will be required to relocate to a smaller unit when a more appropriate unit becomes available.

- 11.2 If the applicant refuses the first available unit, the applicant's application will no longer be considered as a priority application under this policy but exceptional circumstances may be considered on a case-by-case basis. At the applicant's request, their application may be considered as an application under the general allocation rules for social housing.
- 11.3 A support person or advocate for the applicant is encouraged to accompany the applicant when viewing the unit under offer.

### **12. Lease**

# Yukon Housing Corporation

## Policy – Victims of Violence

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- 12.1 Approved applicants who have accepted a unit-offer shall be required to enter into a lease-agreement with YHC.
- 12.2 Applicants approved for tenancy under this policy will not be provided extraordinary or additional building or personal safety and security measures beyond those that are routinely afforded by YHC to all other tenants.
- 12.3 Applicants approved for tenancy under this policy will be exempted from the annual household income limits for the first two years of tenancy, unless tenancy status changes. The mechanism to evict, based on income threshold, will be as set in the *Residential Landlord and Tenant Act*.

### 13. Transfer of Victim of Violence Tenants

- 13.1 Existing tenants may apply for a priority transfer due to safety and security concerns but will be required to provide a police file number confirming any incident of "violence" or threatened "violence" from the "perpetrator". This section does not apply for victims of psychological or financial abuse.

### 14. Appeal

- 14.1 An applicant who wishes to appeal a decision made by the Community Housing Manager regarding this policy may appeal the decision.

### 15. Administration

- 15.1 This policy shall be assessed on a regular basis to determine if the policy achieves its intended purpose.

YHC APPROVAL	Effective Date: February 1, 2018	Version Number: 2
	Sections Amended: S. 5.2 (December, 2017)	
	President, YHC Approval: <i>(original signed)</i>	Chair, YHC Board Approval: <i>(original signed)</i>