

Request for Decision

Tenant Complaint Process

Presented To:	City Council
Presented:	Tuesday, Oct 29, 2019
Report Date	Wednesday, Oct 16, 2019
Type:	Referred & Deferred Matters

Resolution

THAT the City of Greater Sudbury, in its capacity as Shareholder and Board of Directors for the Greater Sudbury Housing Corporation, approves the Tenant Complaint Process as outlined in the report entitled "Tenant Complaint Process" from the General Manager of Community Development, presented at the City Council meeting on October 29, 2019.

Relationship to the Strategic Plan / Health Impact Assessment

This report supports Council's Strategic Plan in the area of Housing by supporting an open and transparent process for Tenant Complaints. The report aligns with Population Health Priorities of Families, Resiliency and Housing.

Report Summary

This report documents the process for tenant complaints related to policies, procedures and services provided by Greater Sudbury Housing with respect to its residents.

Financial Implications

There are no financial implications associated with this report.

Signed By

Report Prepared By

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Director, Housing Operations
Digitally Signed Oct 16, 19

Financial Implications

Liisa Lenz
Coordinator of Budgets
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Recommended by the Department

Steve Jacques
General Manager of Community Development
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Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
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BACKGROUND

During 2017, a group of eleven (11) local housing corporations enlisted the services of a law firm to develop a tenant complaint process that was open, transparent and consistent between housing corporations. The Greater Sudbury Housing Corporation (GSHC) modelled its tenant complaint process on the law firm's recommended model.

The tenant complaint process developed for the local housing corporations was not finalized and approved by the GSHC Board of Directors prior to the transition to a quasi-independent operating model with Council as the Board of Directors.

This report seeks Council approval for the tenant complaint process which has been updated to reflect the City of Greater Sudbury Customer Service strategy timelines.

TENANT COMPLAINT PROCESS

As a reflection of the City of Greater Sudbury's vision, mission and core values, Greater Sudbury Housing Operations is committed to assisting tenants in a manner that reflects the City's customer service strategy and meets tenant expectations to deal with complaints in a respectful, safe and confidential manner. This process provides tenants with a clear path to make their concerns known.

Greater Sudbury Housing Operations (GSHO) will ensure that complaints and concerns are investigated and responded to effectively and appropriately. A complaint made will not result in retaliation towards the tenant or barriers to assistance, programs and services provided while living within any of the properties owned by the Greater Sudbury Housing Corporation. All employees and volunteers are responsible to adhere to this process and are committed to address all complaints in an effective and timely manner.

The Tenant Complaint Process applies to all tenants of the Greater Sudbury Housing Corporation. For the purposes of this process, a complaint is defined as an expression of dissatisfaction with a policy, decision, or procedure offered or made by GSHO.

The Tenant Complaint Process:

- Outlines the response guidelines for all verbal and written complaints or concerns received by Greater Sudbury Housing Operations while ensuring the process reflects the City's new customer service response standards, and
- Provides a transparent process for reporting and handling of complaints from tenants, staff and volunteers.

This tenant complaint policy is intended to document the procedures that the Housing Corporation will follow with respect to complaints made about its policies and services. If the tenant complaint is related to a decision as a result of the application of legislation contained in the Housing Services Act, 2011, (i.e. eligibility, unit size or the rent calculation) this tenant complaint process does not apply. It would be subject to a separate internal

review process under the rules and timelines outlined in legislation and local rules approved by Council and the Service Manager.

A copy of the proposed Tenant Complaint Process is attached as Appendix A for review and approval of Council as the Board of Directors

NEXT STEPS

If approved, the Tenant Complaint Process will be communicated to all tenants , tenant associations or tenant led groups of the Greater Sudbury Housing Corporation. Copies will be provided to all new tenants at lease signing, posted on bulletin boards within GSHC buildings, and available on the Sudbury Housing website.



Tenant Complaint Process

The Greater Sudbury Housing Operations (GSHO) expects that in the normal course of its interactions with its tenants there will be occasions when tenants are dissatisfied with the service they have received or with decisions made by GSHO. For the most part, such issues are expected to be resolved with Housing Operations front-line staff.

This Tenant Complaint Process is intended to deal with complaints that are made in good faith and that are not resolved after initial attempts between the Complainant(s) and GSHO staff.

This process is intended to benefit tenants and GSHO as a whole. Dealing with complaints through this process will help minimize instances of dissatisfaction and provide valuable guidance in improving procedures and, consequently, the tenants' experiences with GSHO.

This Tenant Complaint Process does not replace the Internal Review Process which allows for tenants to appeal decisions made with respect to the application of legislation such as eligibility for housing, unit size, status on waitlist or calculation of rent. The timelines and process for appeal of those types of decisions is outlined in the Housing Services Act, 2011.

Purpose of the Tenant Complaint Process

The purpose of this Process is as follows:

- To provide tenants and GSHO staff with a clear understanding as to how a complaint will be addressed where initial attempts to resolve the dispute have not been successful and;
- To ensure that GSHO deals with complaints as an opportunity to address issues and improve its ongoing relationship with, and service to, its tenants.

Application of the Tenant Complaint Process

This process applies to all tenants of Greater Sudbury Housing Corporation.

What is a "Complaint"?

A "Complaint" is an expression of dissatisfaction with a policy, decision, or procedure offered or made by GSHO. The Tenant Complaint Process is initiated by a complaint which may be made in writing, over the phone, or in person, as set out below.

Examples of a complaint may relate to a perceived failure of the organization to do something that it has agreed to do, an error, unprofessional behaviour of staff, or a failure of GSHO to observe its own policies.

Because this process is intended to be used after initial attempts to resolve a matter have proved unsuccessful, a Complainant will be asked to confirm that:

- They have taken positive steps to resolve the issue on their own and that these actions have been unsuccessful; and/or
- They are not able to do so for reasons beyond their control and therefore require assistance from the GSHO.

Note: The Complainant should be able to explain what happened, who was involved, who took what actions, and include dates and times.

Complaint Example:

A tenant who requires a repair to his or her unit must first request maintenance through the established processes with GSHO. The tenant may make a complaint under the Tenant Complaint Process in the event there is no response to the tenant's request in a timely manner, or where the tenant feels the response is unsatisfactory.

How to Make/File a Complaint

A Complainant may make a complaint in a variety of ways including, but not limited to:

- Paper form (submitted in person at the GSHO central office or sent by fax or mail), with forms available from GSHO;
- Internet portal submissions on Sudbury Housing website and/or email submission to GSHO;
- Intake interview procedure, with a staff member, which may be by phone or in person;
- Intake voice message system, to the office, whereby a Complainant may leave the necessary information (in this case, a staff member will contact the Complainant to obtain any missing information and formalize the complaint); or
- Other intake methods as may be determined by GSHO.

Greater Sudbury Housing Operations recognizes that some complainants may require special assistance in bringing their complaints forward. Forms can be made available in different languages and will be compliant with the Accessibility for Ontarians with Disabilities Act, 2005. And, where necessary, GSHO shall ensure that a tenant who cannot read, write or speak English receives the assistance required to file a complaint.

The following information may be collected:

- Name of the complainant;
- Address of the complainant;
- Additional contact information for the complainant (phone number, email address);
- Description of the incident or reason for the complaint, including information such as the names of all parties involved, when and where the incident occurred, and what was said or done/not done;
- Steps taken to address the incident, or an explanation of why no steps were taken; and
- What kind of resolution is being sought by the complainant.

Such information will be strictly confidential and used only to assist a complainant in resolving the complaint.

Complaints relating to personnel are kept separate and apart from tenant or employment files, as the case may be.

Initial Response/Acknowledgement of Receipt

In accordance with the City's customer service standards, within two (2) business days of receiving a formal complaint, GSHO shall provide the complainant with a response confirming receipt of the complaint.

Response/Interim Response

An interim response will be prepared within ten (10) business days and the final response should be completed within fifteen (15) business days. If there are delays in meeting these timelines, the reasons for the delay should be communicated to the complainant.

This interim response will explain how the complaint will be addressed, including:

- The name of GSHO representative responsible for handling the complaint;
- When the complainant can expect to be contacted;
- The expected timeline for resolving the complaint; and
- How the complaint and its resolution will be communicated.

Staff involved will be notified of the complaint and will have the opportunity to address the complainant's concerns. If the complaint relates to that particular staff member, the complaint will be handled by the Senior Department Manager.

Who to Contact about your Complaint – Decision Makers – Four Stage Escalation Process

Every effort should be made to resolve complaints at the "front-lines" without resorting to the internal tenant complaint process. In general, GSHO uses a four (4) stage escalation process to handle and review a complaint.

1. GSHO Front-line Staff
2. GSHO Front-line Managers
3. GSHO Department Senior Managers
4. CGS Director of Housing Operations

Note: Where all steps of the four stage escalation process have been utilized and proven unsuccessful, GSHO shall advise the complainant that it has further recourse to the CGS Service Manager. Please also see the 'Further Recourse' section in this document.

How a Decision is Made

1. Front Line Staff and Managers Review (Informal)

GSHO front-line staff receiving a verbal complaint may attempt to solve it immediately and informally without the need for a tenant to proceed to submit a formal Complaint Form.

Where a complaint is resolved informally, GSHO is not required to provide a written response to the complainant.

When a complainant requests a formal review of the complaint, or where the complaint relates to a specific staff person, or where the complaint involves an allegation of criminal activity, the complaint shall be referred to a GSHO Senior Manager of that Department for review.

2. Senior Staff Review

When the informal complaint process has not been successful, and a formal written complaint is received, it shall be referred to the relevant GSHO Senior Manager, who may attempt to resolve the matter immediately, or initiate a formal review. In either case, the Senior Manager will advise the complainant of his or her decision.

Where a complaint is resolved immediately by the Senior Manager, the Senior Manager shall make note of the resolution and insert the same into the relevant file. In such a circumstance, a written response to the complainant is not required.

Where a complaint is not resolved by the Senior Manager within fifteen (15) business days of the commencement of the Staff Review, the complainant may submit the complaint for Formal Review. In the event the complaint is related to the actions of the relevant Senior Manager, the Staff Review shall be carried out by the CGS Director of Housing Operations.

3. Formal Review

If the complaint cannot be resolved by the Senior Department Manager, a formal review will be initiated. A formal review may be carried out by a GSHO Senior Manager who is not directly involved in the process or procedures giving rise to the complaint or the CGS Director of Housing Operations.

A formal review may include (without limitation) discussions with the complainant, discussions with staff involved, review of any relevant information, and obtaining third party evidence or expert advice.

The complainant will be advised in writing of the results of the formal review and, if the complaint is found to have been justified, the corrective action to be taken by GSHO. If the complaint is found not to have been justified, the complainant shall be so notified in writing with the reasons for such finding and any options for further recourse.

Potential Outcomes

By their very nature, all complaints will be different and may require different solutions. Without limiting the potential ways in which GSHO and complainants, working together, may be able to resolve a complaint, potential resolutions include:

- An apology in writing;
- A change to operating procedures;
- Reimbursement of funds;
- Third party mediation;
- A referral to other forms of redress; and/or

- No action required

Further Recourse

Recognizing that not all complaints will be resolved in a manner satisfactory to the complainant, where GSHO makes a decision that a complaint is not justified, and where all steps of the four (4) stage Escalation Process have been utilized and proven unsuccessful, GSHO shall advise the complainant that it has further recourse to the CGS Service Manager, GM of Community Development or, in appropriate circumstances, to other legislative processes such as making a complaint to the Landlord and Tenant Board or the Ontario Human Rights Commission. To the extent a statutory framework exists governing the resolution of a complaint, the complainant may pursue remedies through such framework.

