

Beyond the Key to the Front Door

A guide to helping tenants keep their homes

Participant's Guide

Acknowledgements

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Recovery from homelessness: our reason for hope

This workshop is about recovery from homelessness.

In recent years the mental health field has been exploring the concept of “recovery from mental illness” – where people with mental illness not only address symptoms of their illness, but also regain social roles and identities that they, and our society, recognize as valid, healthy and successful.

Like people with mental illness, people who have been homeless need to recapture their identity as successful tenants and householders. In other words, they need to recover from homelessness.

Our starting place is hope and the expectation of success. We do not believe that people are doomed to be homeless forever. We do not believe that the hospital/street/hostel cycle is inevitable. In fact, we see that with the proper support, over 80% of people who were thought to be “chronically homeless” can keep their homes year after year.

For example, in Toronto 89% of participants in the Tent City initiative, many of whom had been homeless for more than five years, were still housed 18 months later. In US studies, the success rate for similar initiatives has been 80% and up. Many Canadian supportive housing providers see success rates of 90% and over.

This success is the result of the supports we offer. Finding a home is the first step toward recovery from homelessness, but it is not enough. Just as filling a prescription does not automatically make a person living with mental illness healthy or self-sufficient, having an address does not make a person a successful tenant. Recovering from homelessness involves learning new skills, coping with challenges, and assuming a new role – the role of the householder.

Many, even most, of our clients will need support through this recovery, and without that support, they are in danger of losing their homes. This is a truth our clients recognize as well. In the evaluation of the Tent City pilot project, for example, 93% of the tenants said their support worker as “very important” to enabling them to keep their new homes.

These successes allow support workers to start from a position of hope.

Working in a difficult, under-funded field can often lead support staff to despair. But when staff feel “nothing will ever change” they undermine their clients’ ability to change as well.

When we speak of hope, we are not advocating a false optimism, where staff or clients say everything will turn out well when the facts suggest the opposite. Instead, we believe in a hope rooted in the real experiences of thousands of people who have recovered from homelessness to become successful tenants.

That does not mean we can know the future of every person we work with. It does mean we can confidently accompany them as they grapple with the tough realities of their lives.

Simple rules, complex people

Consultant and author Brenda Zimmerman describes three types of tasks: simple, complicated, and complex.

Simple tasks, such as baking a cake, can be achieved by anyone who can follow a recipe. The recipe has been tested to ensure that even someone with no particular expertise can succeed. The results are known, predictable and can be produced every time the recipe is followed exactly.

Complicated tasks, such as sending a rocket to the moon, require many experts to work together. The formulae may be very elaborate, and must be broken down into separate parts. Nonetheless, if the formula is followed, the results are highly predictable: what has worked in the past is a good guide to what will work in the future.

Complex tasks, like raising a child, do not depend on a recipe or formula. Every child is unique, and raising one child successfully gives no assurance of success with the next. Expertise can help, but is not enough: relationships are the real key to success. It is impossible to break down the work into separate parts. And the results are uncertain and unknowable.

When it comes to successful tenancies, some tasks are *simple*.

For example, a tenant's legal obligations are simply a matter of "following the recipe" – paying the rent, not disturbing neighbours or damaging the building, and so forth. No matter who the tenant is, if they follow the recipe, they will stay housed. The following section, *A short guide to landlord-tenant law*, describes the "recipe" in more detail.

Finding a home, on the other hand, is *complicated*.

There are many factors involved – the tenant's own wishes, their ability to afford what they want, and the prevailing vacancy rates – and, as well, there may be many players involved. However, there are some clearly defined steps that, if followed, can help someone find a home.

But the people we house are complex.

All human relationships are complex. But the people we house and support face challenges that are *extraordinarily* complex, such as:

- Serious mental illness
- Other chronic health conditions, including substance use, developmental disabilities and debilitating physical conditions
- Trauma
- Poverty
- Multiple barriers to employment
- The experience of chronic homelessness and instability
- Racism, stigma, homophobia and other sources of discrimination.

Recipes or formulae cannot address these complex challenges. Instead, every situation, like every person, is unique. Outcomes are both unpredictable and unknowable. But we do know that the quality of relationships is crucial to good outcomes, and more important than the expertise of either the support worker or the tenant.

It is this interplay between the simple, the complicated and the complex that underpins our role as support workers, and provides the framework for this workshop.

A short guide to landlord-tenant law

One part of successful tenancy is following the “landlord-tenant recipe” – the simple rules every landlord and tenant must follow.

Support staff can use the “landlord-tenant recipe” to:

- Show clients the very few, simple rules that lead to a successful tenancy
- Help clients identify where they will need support to meet the rules
- Equip clients to recognize when they are becoming ill, and cannot follow the rules.

Every province has its own legislation setting out these rules. This kit describes the rules set out in Ontario's *Residential Tenancies Act* (2006). The legislation in other provinces varies in detail, but tenants' obligations are very similar across Canada.

The *Residential Tenancies Act* sets out the rights and responsibilities of both tenants and landlords in Ontario. The *Act* also:

- Sets out when and how a tenant can be evicted
- Sets rules for rent increases
- Gives the Landlord and Tenant Board powers to hear applications from both landlords and tenants.

The *Act* covers:

- All residential tenancies including supportive housing
- Care homes
- Mobile home parks
- Land lease homes.

However, most non-profit housing is not covered by the rent setting rules.

The *Act* does not cover:

- Housing co-ops (they are covered by the *Co-op Corporations Act*)
- Temporary housing, including:
 - hotels and motels
 - seasonal rentals (up to four months)
 - respite care
 - some student housing
 - accommodation provided for rehabilitation or therapeutic services (up to one-year stay)
- Units where the kitchen and bathroom are shared with the owner.

The landlord's responsibilities

The landlord must:

- Give new tenants a pamphlet with information on the responsibilities of landlords and tenants, the role of the Landlord and Tenant Board (the Board), and contact details.
- Supply vital services: fuel, hydro, gas and hot and cold water. In Toronto, units must be heated to a minimum of 21 degrees Celsius.
- Comply with local health, safety and property standards and by-laws. Government inspectors can inspect buildings, give out work orders, and set fines.
- Supply care, services or food if these are part of the tenancy agreement.
- Provide receipts for any payment on demand and free of charge.
- Give a tenant the first right of refusal if the unit is turned into a condominium, and compensate the tenant for a condominium conversion, renovation or demolition.

The landlord must not:

- Collect a security deposit greater than one month's rent, or one week's rent if rent is paid by the week. The landlord must pay interest on the deposit, and apply the deposit to the tenant's last month's rent.
- Change locks without giving tenants a key.
- Enter the unit without permission or 24-hour notice.
- Harrass tenants or interfere with their quiet enjoyment of their home.
- Raise rents improperly.
- Force tenants to increase their rent to pay for major repairs or new services.
- Seize a tenant's property. The landlord can remove the property of a tenant under an eviction order (with the Sheriff) or if a tenant abandons a unit (with 30 days notice).
- Give false information in any document.
- Stop tenants from sub-letting, except in non-profit buildings.
- Unlawfully gain possession of a unit.
- Prevent political candidates from canvassing the building.

Some other rules for landlords

Landlords *can*:

- Charge tenants for the cost of replacing keys or making extra keys
- Charge tenants for the cost of NSF checks
- Ask for refundable deposits for keys or key cards
- Charge up to \$250 for a transfer to another unit at the tenant's request.

Landlords *cannot*:

- Have a "no pets" policy. However, the landlord can evict a tenant if the tenant's pet disturbs other tenants or damages property.

If the landlord does not meet these responsibilities, tenants can apply to the Landlord and Tenant Board. The Board can order the landlord to repay rents, reduce rents or compensate tenants.

The tenant's responsibilities

Tenants must:

- Pay the rent on time
- Keep the unit clean, unless the landlord has agreed to clean it
- Report maintenance or repair problems
- Repair or pay for damage they cause:
 - In the unit or common area
 - By accident or on purpose
 - By the tenant or anyone the tenant invites into the building
- Give 60 days notice if they plan to leave the unit before the lease's term is over.

Tenants can be evicted if they:

- Are behind in their rent payments
- Damage their unit or the building
- Threaten other tenants or disturb the quiet enjoyment of their homes. (The threat or disturbance can be caused by the tenant, their guests or their pet)
- Have more people in the unit than local by-laws allow
- Commit any illegal act or operate an illegal business in the building
- Misrepresent their income (if they live in social housing).

Tenants can be evicted at the end of their lease if:

- They repeatedly pay rent late
- They no longer qualify for rent-geared-to income subsidy (in an RGI building).

They can also be evicted if:

- The landlord needs the unit for his or her own use, or his or her caregiver's use
- The landlord wishes to convert the unit to a condominium, renovate it, or demolish it.

The eviction process

- The landlord must give the tenant a *Notice to Terminate a Tenancy*. The amount of notice given, and the form used, depends on the reason for the eviction.
- The tenant can prevent an eviction by:
 - Paying all rent arrears before the Landlord and Tenant Board hearing
 - Repairing any damage caused within 7 days
 - Making changes within 7 days so that other tenants are no longer disturbed
 - Meeting local occupancy standards within 7 days (e.g. reducing the number of people in the unit to meet the standard).
- If the tenant does not move out, or does not remedy the situation, the landlord must apply to the Board for an eviction order. The Board **must** hold a hearing before it can make an eviction order. The tenant will receive a copy of the Application and a *Notice of Hearing* giving the date, time and place of the Board hearing.
- A landlord and tenant can agree to use a mediator employed by the Board. Tenants can bring a lawyer, support worker or friend to the mediation. If an agreement is reached, and the tenant does not comply with the settlement, the landlord can re-open the application and ask for a Board hearing.
- At the Board, both the landlord and tenant can present their case and call witnesses. Tenants and landlords can be represented by a lawyer, or can represent themselves. The Board adjudicator will then make a decision and issue an order. If the tenant does not comply with the order, the landlord may call the sheriff to enforce it. Tenants can prevent an eviction for arrears by paying any outstanding rent and related landlord costs to the Board. This measure can be used only once during a tenancy.

How to support clients in an eviction

- Use the tips in the rest of this guide, and suggestions raised during the course, to prevent evictions.
- Make sure your clients know their responsibilities and rights. Some places to start:
 - The lease
 - This guide
 - The plain language materials published by Community Legal Education Ontario (CLEO).
- If your client is in conflict with the landlord, try to set up a face-to-face meeting with all three of you. If you work out a plan your client and the landlord can live with, write up the agreement at the end of the meeting, and ensure both parties sign it.
- Show your client a sample *Application to Terminate a Tenancy*. Ask your client to call you immediately upon getting an application, and to immediately go to the nearest legal aid clinic.
- If it seems eviction can't be avoided, help your clients decide on their next steps (e.g. where they can stay, where they might store their possessions). If possible, try to be there when the sheriff arrives.
- Use every opportunity, including mistakes and failures, as part of a movement towards learning and recovery.

Preventive measures or 5 keys to success: Ideas from support staff and tenants

Before we developed *Beyond the Key to the Front Door*, we met with agency staff, supportive housing providers, tenants and homeless people in six focus groups. Here is some of the advice gathered during these sessions. (These are written as quotes to retain the flavour of the advice, but in many cases we combined comments or turned phrases into full sentences.)

Key #1: Choice, not placement

Why it's important:

"I moved to a bachelor apartment after the hospital. The building was very bad. It took me a year to develop the courage to ask to move. I moved as far away from that place as possible."
– *tenant*

"The most important thing is to listen to your clients. If clients can't exercise choice at the beginning, then sometimes their only recourse is to keep getting evicted until they finally get the home they want." – *agency staff*

"Remember: no-one is looking for housing. Our clients are all looking for a **home**. It's got to work on a whole bunch of levels." – *agency staff*

"I have heard of agencies wanting to place a person in a unit, sight unseen. We insist on clients not only visiting the unit, but taking their time to consider it: checking the unit carefully, walking around the neighbourhood, and taking overnight to decide whether they want it."
– *agency staff*

"I've seen a client turn down a clean, spacious unit that I would have loved, but they were completely overwhelmed by it. You really can't judge what other people will want."
– *agency staff*

The issue:

No one gets everything they want in a home, and if you don't have much money and are battling stigma as well, your choices are often extremely limited. But most of us do get to make some choices about where we live, and our idea of a good place might be quite different from someone else's.

For example, is shared housing better or worse than having your own apartment? Is downtown better than the suburbs? Is it better to live in a neighbourhood where you know lots of people, or should you move as far away as possible? Is a hostel or the street better than a crummy home? These are all matters of personal preference. And experience suggests that if this choice is thwarted, then sometimes a tenant's only option is to thwart the housing until he or she gets the right choice.

How can you create a framework for making choices?

Because many people may find it hard to identify the characteristics of “the right home” — especially if they have not had good housing experiences—support staff may need to draw out client’s wishes. Some suggestions:

- Loss of continuity is one of clients’ most common complaints. The ideal is to have the same person who will support the client in their housing assist in the housing search.
- If you use an application form where clients list their preferences, use it only as a conversation starter. Many staff find they need more than one conversation with clients before completing the form. Some staff have partnered with cultural agencies, drop-ins or other groups that may know the clients well, and can better elicit the client’s preferences.
- Put housing choices in the context of the client’s larger goals, and then discuss what location would best enable them to meet those goals.
- Encourage tenants to reflect on their own strengths, and what sort of home would allow them to capitalize on those strengths.
- Ask clients about the places they lived in before—what they liked and what has not worked. Ask them to tell the story of their last home—how they found it, and why they are not living there now. You can ask clients how they picture themselves in their “ideal setting.” The ideal may be unavailable, but this question can help identify what is really important.
- Be entirely frank about price ranges, unit availability and any other choice constraints. Help clients recognize that no-one gets 100% of what they want in a home. Focus on what is truly crucial to them.
- Ensure clients understand the choices available. For most, that means looking at the social housing waiting list, known as “Housing Connections in Toronto.” For consumers-survivors of the mental health system and for people with substance use issues, it means knowing about the supportive housing options in Toronto, which they can find in CAMH’s Housing Guide 2004-2006. Applicants can choose:
 - whether they want self-contained or shared housing
 - which zone of the city they wish to live in
 - whether they are willing to live in apartment buildings or walk-ups
 - specific buildings
 - support, if applicable.

Because narrowing the choices lengthens the waiting time, some agencies urge applicants to keep their requirements to a minimum. But because tenants will lose their place on the list if they reject three offers, it is better to rule out clearly unwanted choices at the outset.

“I tell clients about my own search for housing – how I didn’t get everything I wanted in my first place, but it met enough of my needs to carry me over until I found a better place. I want them to have a path to follow when they can’t afford what they really want.” – agency staff

"If a person has been using, I ask, 'Where do you usually pick up?' I want the applicant to be able to identify the places that won't work as well as the ones that will." – agency staff

"I distinguish between wants and needs. If it's something the client wants and it's not available, then I explain why the choices are limited. If it's something the client needs and it's not available, that's my cue to put on my advocacy hat." – agency staff

Mike's story

Mike's client Jeff had grown up downtown, and wanted to find a new home there. But downtown rents were out of his reach, and the waiting lists for downtown social housing were particularly long.

Mike was able to locate a clean, safe and affordable apartment for his client just outside the downtown core. The apartment had excellent public transit and stores nearby – two of Jeff's priorities. But Jeff was adamant: he wanted to live downtown.

Mike didn't want to repeat the experience of Jeff's previous workers, who had found Jeff a home only to see Jeff evicted or abandoning the apartment. So Mike talked to Jeff about his own struggle to find an apartment he really liked. He pointed out that no one gets everything they want in a home, but each home could be a stepping-stone to something better.

Mike asked Jeff if he would be willing to look at this apartment, and if it met all of this needs except for location, to take it. Mike promised to keep working with Jeff to find a downtown apartment. Mike could also put his name on waiting lists for the buildings he really wanted. He could also use a successful tenancy in his temporary home to earn a good landlord reference and repair his sketchy tenant record.

Key #2: Orientation around move-in

Why it's important:

"At the time I moved in, I didn't know what to do with an apartment." – tenant

"It was the hottest day in July, but I didn't know how to turn off the furnace. I just wasn't shown how." – tenant

"It takes time to adjust to the rules after living on the street, and knowing what a proper rule is and what isn't." – tenant

"We got a pretty thorough orientation. We saw a video on fire prevention before we got the key. The fire plan and emergency numbers are posted on the bulletin board in the kitchen. Anything we didn't know, we got a chance to ask." – tenant

"Part of orientation is discussing how you live in a community, which is quite different from living in a hospital." – housing provider

The issue:

For most of us, moving day and the following few weeks will shape our feelings about a new home. If your client has never had a place of their own, or has been living in a hostel, hospital or boarding home, then their success as tenants may depend on a good orientation. Tenants can lose their home if they damage the unit or fail to remove garbage or fail to keep the unit clean. They also miss out on the full enjoyment of their home.

Orientation has three components:

- The tour—introduces the new tenant to the specific features of the home, such as:
 - How to work appliances
 - Where the thermostat is
 - Where the garbage chute is
 - Emergency exits
 - The neighbourhood: transit stops, local shops, community resources
- The responsibilities—explains the tenant's role in keeping their home, including:
 - Where, when and how to pay the rent
 - What changes can be made to a unit without the landlord's permission
 - When it's appropriate to call the landlord for a repair – and whom to call
 - How to plunge a toilet
 - When an electrical outlet is overloaded
 - How to distinguish garbage from recycling
 - What to do in a fire
- The skills—life skills needed for anyone to live independently (cooking, cleaning, banking).

Many agencies are well equipped to provide life skills training. But sometimes there is confusion about whether the landlord or the agency will orient tenants to their new unit, building and neighbourhood.

How can support staff ensure clients have a good orientation without insulting or patronizing them?

Here is some advice from our focus groups:

- **Don't** assume your client knows how to do the things you may take for granted. People who have lived a long time in hospitals, hostels or with their families may not know such basics as how to pay rent. Even experienced tenants may not know rules specific to their new building, such as how to dispose of garbage or leave the building in an emergency.
- **Do** remember that *everyone* needs help. Reflect on your own experiences as a first-time tenant. What were the things you didn't know? How did you find out? Remember that the solutions you may have used -- phoning a parent or a friend, asking the superintendent -- may be too daunting for tenants or not possible at all.
- **Do** assume there will be a transition period. People who have not had their own home before might move in very gradually. For example, they might stay only half of the time in the unit and spend the rest of the time at a hostel. They might sleep on the balcony rather than inside the unit. They might stay only in one corner of the room, or sleep in a box within the apartment. None of these "settling in" strategies threaten a successful tenancy, and do not need to be rushed through.
- Visit the building and tour the neighbourhood with your client before moving day. Point out important features. If you can enter the unit before moving day, do so. Answer questions, but in general avoid information overload. Your clients will be most focused on the move.
- If you can accompany a client to the lease signing, do so. Landlords typically use this encounter to give whatever information or instructions they plan to give. Ensure your client understands the lease before signing it. After this meeting, set a date for your next meeting in your client's home. Your client should start out by understanding that you will be meeting in the home, particularly in the first few weeks after the move.
- Visit your client in their home shortly after move-in. Work matter-of-factly through an orientation checklist. Explain that you use this checklist for everyone—they may already know many of the items on it (*see Appendix B: Move-in checklist*).
- Some landlords will also do a unit inspection with a new tenant, allowing the tenant to note any deficiencies in the unit. If the landlord does not do this inspection, you may wish to do it with your client. Use this inspection to request needed repairs, or simply to note the condition of the unit, so your client is not charged for damage they did not do (*see Appendix C: Unit inspection form*).
- Create a "feel free to ask" atmosphere. Note that everyone needs orientation in a new home—it's a natural part of settling in (*see Appendix B: Move-in checklist*).

- Help tenants know who to ask for help. For example, some tenants may not know if their building has a superintendent or what superintendents do. They may also not know what they have the right to ask.
- If your client lives in social housing, call a meeting between your client, landlord's staff (such as the co-op co-ordinator, support worker or superintendent), yourself, and any other person who supports your client. Ensure your client knows the right person to call in different situations. Ensure all the other parties understand what supports each will provide, and the limits of that support.

This meeting could happen before move-in or a few weeks after. For more ideas on working with landlords, see *Appendix D: Things to discuss with the landlord checklist*.

Randy's story

Randy had been homeless for 17 years. He was an active crack user with a schizophrenia diagnosis, although he was now completely alienated from the formal mental health system and had no psychiatrist.

Then he moved into a supportive housing apartment – a home he has kept for six years. But his orientation to tenancy has been a long, long process. When Randy moved in, he agreed to only two rules: to pay the rent, and to not allow his home to be used as a “crash pad” or centre for dealers. He was also told that constant “in and outs” from his apartment, complaints from other tenants, pipes and needles in the stairwells, would be signals that he was not keeping his end of the deal. In keeping with the housing provider's harm reduction philosophy, however, he was not required to stop using drugs himself or to participate in a treatment program.

Six months after he moved in, Randy was paying his rent on time, and there were no signs of dealing from his apartment. But his apartment was filled with garbage, replicating the chaos of the street. But there was absolutely no smell, no cockroaches and no rodents: Randy had washed every piece of garbage he had brought in.

After three years of constant support, Randy joined the gardening program. He didn't engage with other members of the garden club, but he did plant and water flowers. After six years, he has a clean kitchen and hallway, and the trash is a little more orderly in the rest of his apartment. His substance use has remained steady, and he is beginning to engage with a clinical case manager.

Sometimes move-in orientation may take as long as a person was homeless. The progress comes from helping tenants find strategies that meet such bottom lines as health, fire safety and respect for other tenants.

Key #3: Regular visits in the home

Why it's important:

"At the beginning, I didn't want someone to look after me. I felt they were intruding. When I first went to look for housing, I felt they didn't care about my own situation, it felt like they just wanted to get me any place and move me through the system. But they put up with me when I abused them. They stayed with me after my family couldn't help. You lose some of your privacy, but it's worth the price." – tenant

"It not like, 'We found you a place, now it's goodbye.' My worker's there anytime I need her." – tenant

"When a worker calls in to talk for a few minutes, it makes you feel better. Even if you were OK before the visit, it puts a spring in your step." – tenant

"Programs like Pathways to Housing in New York are getting funding when everyone else is getting cut back. Why? Because they end homelessness. They work, and they work because they visit tenants in their homes twice a month." – housing provider

"Instead of asking 'how are you feeling?' ask 'who are your neighbours? Do you ever hear them?.' Ask about real things that might be leading to potential problems." – housing provider

"When I moved into my own apartment I was so lonely. My support worker kept coming by and helped me look at what I could do in the daytime. I found the library, and I started focusing on school. Now I'm glad of my privacy." – tenant

The issue:

Many of the problems that can threaten a tenancy—a housekeeping problem, a hoarding issue, or damage to a unit—evolve over a period of months. Early intervention can stop these problems from becoming insurmountable. And that means seeing your client in his/her home.

How often you visit will of course need to be worked out with each of your clients, with more frequent visits at first, followed by periodic visits through the tenancy. Early intervention means you can begin to help your client find ways to solve the problem before it leads to an eviction (*see Appendix E: Determine what's at stake to find solutions: the issue is hoarding*).

How can support workers visit tenants in their homes without being intrusive or breeding dependency?

- From the outset, build in the assumption that you will make regular home visits. This is a service that you provide all clients starting in a new home. It is not because you are "checking up" on this particular client. Some agencies write this assumption into their support agreement with their client. Others simply create a matter-of-fact atmosphere that this is the way your agency works.

- Schedule the first visit a week or so after move-in. Use that visit to schedule next visits. Most agencies start with more frequent visits and taper off if they seem to be unnecessary. (The frequency of visits ranges enormously. Some agencies visit a client in a new home three times per week; others once a month.)
- Use these visits to talk about any issues your client raises as well as any signs of a tenancy-related problem—damage, hoarding, tenancy-related issues. You might also ask about neighbours and the neighbourhood—How are your neighbours? Do you ever see them? Is this place noisy or quiet at night?
- Walk together to nearby programs or services that might interest your client. Note any problems your client might be facing in the neighbourhood, such as encountering drug users on the street.
- Once your client seems settled and is clearly managing well, continue to visit in the home at least once every three months. This could be a very informal connection. For example, you might meet in your client's unit and then go out together.

How to know when a client is in trouble between visits:

- Ask the client how they (or someone else) can recognize they are unwell. Reach an understanding of what they will do, or whom they will call, if they see these signs.
- After the client has lived in the new home for a while, invite your client to give their landlord or a neighbour permission to call you directly if they see any of these signs, or anything else that is worrisome.
- If your client postpones, cancels or misses two consecutive appointments, go to their apartment. You can't force your way in, but you can let the client know you are concerned and available. If you believe your client is ill or has died, call 911.

Mary's story

Mary had been living in supportive housing for six months. Shortly after moving in, Mary had joined a methadone program. As part of a routine visit, Mary's caseworker asked how she was finding her neighbours. Mary said that she thought she would have to move out because she smelled marijuana in the hallways – even though she loved the apartment and had nowhere else to go.

Rather than beginning the search for a new home for Mary, or launching a complaint against the neighbours, Mary's caseworker asked why she had come to this conclusion. Mary said that her program required weekly urine samples that would allow her to take liquid methadone at home, rather than going every day to the pharmacist. She worried that inhaling second hand marijuana smoke would jeopardize the results of her drug test.

The case worker asked Mary whether she could ask her doctor about the impact of second hand smoke on her drug tests, but Mary was afraid her doctor would tell her to move out. So the caseworker volunteered to find out. She was able to tell Mary that technicians could distinguish second smoke from other drug use. With this information, Mary was able to talk to her doctor about the second hand smoke, and her commitment to continuing in the program.

Mary has now lived successfully in her apartment for two years. Her caseworker continues to visit.

Key #4: A system for paying the rent

Why it's important:

"I was hallucinating through dehydration, and had to be hospitalized. My worker got my rent cheque over to my landlord. That's what saved my housing." – tenant

"When I didn't pay the rent I lost my housing and I lost all my stuff too." – tenant

"When we're not always bugging tenants for the rent, we can develop a much better and more supportive relationship." – supportive housing staff

The issue:

Paying the rent regularly and on time is the single most important factor in a successful tenancy. This is particularly true for tenants with low incomes who will find it impossible to repay even one month's arrears, or tenants who do not have chequing accounts.

In the past, some tenants and agencies equated direct rent payments through OW or ODSP with a loss of independence. In fact, most tenants, whatever their income source, use some form of pre-authorized payment system if it is offered to them (just as the vast majority of homeowners use an automatic payment plan to pay their mortgages.) "Pay Direct" not only removes the single biggest threat to eviction, but also frees tenants to focus on other issues.

Before your client moves in, discuss the pay direct option as one element in a successful tenancy. Emphasize that this option is offered as a convenience used by most tenants and homeowners, not because your client can't manage his or her own money.

If clients wish to pay rent through cash, cheque or money order, ensure they:

- Understand how, where, when and how much to pay.
- Know whom to call if they think they will not be able to cover their next rent payments. Most landlords appreciate knowing about problems in advance, and may be willing to set up plans to collect payment later in the month, or in small installments throughout the month.
- Recognize and act on an N4 – *Notice to Terminate Tenancy* form. Tenants can prevent an eviction by paying their arrears before the termination date in the notice.

Key #5: Good communication between landlord, tenant and agency

Why it's important

"Look at where the successes are. It's where support and housing is on the same page"
– agency staff

"Start with a collaborative approach right from the very beginning. It's in the client's interest, and it's in your interest." – agency staff

"By the time an eviction notice goes out, it's usually too late to save the relationship between the agency and the landlord. It's important to start working together to solve problems before they grow." – housing provider

The issue:

Good communication can't solve all problems, but it can solve some. Here are some of the classic signs of a communication breakdown:

- The tenant never knows who is the right person to call when there's a problem and so calls no-one or calls the wrong person and then feels like he is getting the run-around (and the person receiving the calls feels irritated).
- Both the landlord and your agency think the other is not living up to their responsibilities.
- The landlord calls your agency in the middle of the night and wants you to do something instantly, but you have no capacity to respond to such a call.
- You have two workers, one from an agency, one from a supportive housing landlord, each giving the tenant different messages and each resenting the other.

The types of landlord/agency relationships

There are a wide array of relationships between agencies and landlords.

Referral agreements outlive any individual tenancy. Typically, a landlord agrees to set aside one or more units for agency clients. The agency is responsible for filling the units and subsequent vacancies. These agreements are often combined with support agreements.

Support agreements are usually tied to an individual tenancy. The agreement may be signed by the landlord, agency and tenant. Or the support agreement may simply be between the agency and the landlord, with the support agency having a separate contract with their client. A support agreement usually describes:

- the supports the agency will provide the tenant
- the supports the landlord will provide (if the landlord provides supportive housing)

- how information will be shared
- a protocol for handling problems/disputes (e.g., what happens if a tenant refuses support).

Rent supplement agreements can enable private landlords to receive government-funded rent subsidies if they house tenants linked to a specific agency or program. Government funders set the form of these agreements.

Informal agreements. Landlords who know your client has a mental health issue will be reassured to know your client will not be depending on the superintendent or neighbours for support. However, most landlords (including supportive housing landlords) do not know what you do on a day-to-day basis, or how you plan to help your client around tenancy issues.

Either before or shortly after your client moves in, organize a face-to-face meeting with the landlord's representative, your client, yourself, and a representative from any other agency that supports your client to discuss:

- What services your agency will and will not provide (as concrete and specific as possible)
- What services the landlord will and will not provide
- What information is confidential and what may be shared
- Whom to contact if there is a problem – and what constitutes a problem.

It can be helpful to write-up the minutes of this meeting and send a copy to everyone who was there.

If conflicts arise, face-to-face meetings are usually a better way to resolve problems than writing letters or leaving phone messages. Find opportunities to meet in the building. **Ensure clients attend any meetings related to their tenancy and are the final decision-maker.**

For more information on agreements with landlords, see *Appendix D: Things to discuss with the landlord checklist*.

Debbie's story

When a maintenance worker visited Debbie's home, he was shocked to see that every strip of parquet flooring had been ripped up. When the landlord approached Debbie's caseworker, he learned that the agency had seen Debbie rip up the floor over a three-month period – the result of an obsessive/compulsive disorder. But the agency had been afraid to tell the landlord for fear that Debbie would lose her housing.

The result: Debbie is now liable for \$7,000 in damages to replace the flooring and repair the damaged sub-floor. Given her low income, she will be repaying these costs for the rest of her life.

Appendices

Appendix A: Discussion scenarios

Scenario 1

Joe Stoddart was evicted from his last home for not paying the rent, not surprisingly, since Joe was on ODSP and the rent was \$780. He had had a roommate who shared the rent. But when the roommate left town, Joe was not able to find someone else to share his apartment.

Joe now has an apartment in a non-profit building that he can afford. But the landlord knows his rental history and is eager to set up some sort of direct payment scheme. Joe is still on ODSP. He's looking for your advice.

What would you tell Joe are the pros and cons of direct payment via ODSP?

How have you responded in similar situations?

Scenario 2

The building's superintendent was aghast when he opened the door of Mary Garth's apartment on a routine maintenance inspection. The floor, counters and furniture were piled almost to the ceiling with papers. Stale, unpackaged food filled the kitchen cupboards and counters, and the fridge was stocked with spoiled food.

The landlord says the apartment is a fire and health hazard, and that other tenants will be bothered by the smells coming from the apartment. (The apartment does smell bad, although no neighbours have complained yet). The landlord says if the unit is not cleaned up within a month, he will evict Mrs. Garth.

Mrs. Garth has phoned to ask for your help. But she says she will not get rid of her papers because, somewhere within the piles, are important papers belonging to her late husband.

What could you do to help Mary keep her apartment?

Scenario 3

From the day your client Murray moved into his apartment, he has complained about his next door neighbour, David. David doesn't work for the landlord or have any other special position; he is just another tenant like Murray. But Murray says David thinks he's the "boss of the building." He constantly pounds on the door, telling Murray to shut up even though Murray insists he is not making any more noise than anyone else. David also tells Murray he's not allowed to have anyone visit him. Murray knows this is ridiculous, but he is also nervous about crossing David.

Last night, David accosted Murray in the hallway, grabbed his arm and said, "If I have to knock on your door one more time I'm going to kill you." Murray is now terrified to stay in his apartment.

Is there anything you could do that would enable Murray to keep his apartment?

Scenario 4

Michael Zatilny has spent the past several years on the street, in hostels, and “couch surfing.” But two months ago, he was lucky enough to get a rent supplement for an attractive bachelor apartment in Scarborough. You helped him get furniture and stock his cupboards, and now he should be set.

But Michael is anything but set. He spent the past two days at a friend’s place. The night before that he spent at a hostel. When you ask why, he says he finds the apartment “way too quiet” and hates being there.

How would you respond?

Scenario 5

The landlord has called you and asked you to “do something” about your client, Tej Minhas.

Tej is sharing a house with four others in a house owned by a supportive housing provider. You, and the other tenants who share the house, know that Tej has been a crack user in the past. But he has been clean for over a year, and the other tenants, some of whom have also overcome addictions, were happy to have him move in.

However, Tej’s housemates are now complaining to the landlord that Tej is using again. He is pestering them to borrow money. One tenant believes he stole money. And two of the tenants say that his presence is interfering with their own recoveries.

You have always had an excellent relationship with Tej, and find him intelligent and likeable.

What can you do?

Scenario 6

Your client Dianna O’Leary lives on the first floor of a duplex owned by a housing co-op. Above her lives Marilyn and her teenaged daughter Dina.

Marilyn has an “on again, off again” relationship with a highly abusive boyfriend, Dan. In the past, Marilyn has had the co-op change the locks to keep Dan away. But at other times she lets Dan in.

Dianna is (justifiably) terrified of Dan, and furious at Marilyn for letting him in. Dan has threatened Dianna on several occasions when she has refused to open the front door or told him to stay away. Dianna has complained to the co-op as well. The staff are sympathetic, but say they can’t stop Marilyn from letting her boyfriend in.

One night, Dianna decided the only way to get rid of Dan and Marilyn is to “smoke them out.” She sets a fire in her own apartment next to a heat vent. Luckily no one is hurt. Marilyn and Dan call 911 and flee the apartment. But the fire causes \$9,000 in damage, and Dianna is arrested for arson. She is released on bail, and is living at a friend’s apartment while her old house is being repaired. The co-op Board will be meeting in two weeks to decide what to do.

Is there anything you could do to enable Dianna to re-occupy her apartment?

Appendix B: Move-in checklist

Work through this checklist with your client shortly after he or she moves into a new home, or cover these topics informally over a number of conversations.

Things to know:

- How to lock the unit door
- How to work the stove and oven
- How to dispose of garbage and recyclables
- How to keep appliances, fixtures, counters and floors clean
- How to control water flow and temperature in shower, tub and sinks (and the limits to the overflow feature in most sinks and tubs)
- How to plunge a toilet
- How to control heat in the unit
- How to use washers and dryers in the building
- When, where and how to pay rent
- How much the rent is, and what is included
- How to pay for utilities or cable (if these are not included in the rent)
- How to get a phone (if wanted)
- What to do if there is a fire in your unit. If the building's fire alarm rings
- How to use the breaker panel (if there is one in the unit).

The rules:

- Keys and locks**
(Most landlords charge for extra keys or to open doors. Tenants should arrange to leave a spare key with a friend or neighbour. Tenants may never change locks without the landlord's consent.)
- Cable TV** (Rules vary)
- Decorating**
(Tenants usually need landlord's permission before painting, drilling holes, hanging heavy items on walls, or making any other changes to the unit.)
- Air conditioners** (Rules vary)

- Contents insurance**
(The landlord's insurance does not cover the tenant's own possessions, or damage caused by a tenant. Tenants may buy their own contents and liability insurance if they wish. OW and ODSP will cover the costs of this insurance for tenants who are not using the maximum shelter allowance – usually tenants paying rent-g geared-to-income.)
- Safety devices:** smoke detectors, heat detectors, CO detectors, door closers.
(Disconnecting any safety devices could threaten the tenant and others, and is never allowed.)
- Guests**
(All tenants may have visitors, as long as they do not damage the unit or disturb others. Most social housing landlords have limits on long-term guests.)
- Use of common spaces** such as lobby, gardens or yards, laundry rooms halls, common rooms.

Who would you call if:

- There is a fire? (Leave the building. Call 911.)
- There is no heat in winter?
- There is a risk of water damage (toilet, bath or sink overflows, a leak, a burst pipe)?
- You smell gas?
- Your lock, door or window is broken?
- Your smoke or heat detector goes off too easily?
- You need a repair done?
- You lock yourself out or lose your key?
- You have a question about your rent?
- You see someone vandalizing the building?
- You feel unwell, anxious or need someone to talk to?
- You have a concern about a neighbour?

Appendix C: Unit inspection form (sample)

EVERY NEW TENANT SHOULD LOOK AT THE CONDITION OF THE UNIT. OFTEN THE LANDLORD HAS ITS OWN FORM. THIS SAMPLE IS A TOOL TO HELP YOU AND YOUR CLIENT ENSURE THE UNIT IS SATISFACTORY. ANY DAMAGE NOT REPORTED TO THE LANDLORD AT MOVE IN COULD MEAN THAT THE LANDLORD COULD CHARGE YOUR CLIENT WHEN THEY MOVE OUT.

Address: _____ Unit #: _____

Tenant's Name(s): _____ Move-in Date: _____

Item	OK (✓)	Comments and/or work to be done (if not satisfactory)
Floors		
Condition of floor		
Condition of carpet		
Other damage		
Walls		
Condition of walls		
Electrical		
Intercom		
Broken or missing light fixtures		
Missing light bulbs, plugs and switch plates		
Smoke and/or heat detector and/or CO detector		
Windows		
Window coverings		
Cleaning (inside only)		
Glass		
Screen		
Doors		
Door hardware		
Door frame		
Door lock		
Peep-hole in place		
Closet doors		
Kitchen		
Appliances – operational/cleaning		

Item	OK (✓)	Comments and/or work to be done (if not satisfactory)
Countertop		
Miscellaneous cleaning (cupboards, etc.)		
Sink/faucet		
Bathroom		
Toilet/shower operation		
Cleaning of sink, tub or toilet		
Sink/faucet		
Shower curtain		
Plumbing fixtures		
Countertop		
Balcony		
Lights/floor/walls/railing		
Miscellaneous		
Furniture removal		
T.V. cable and/or adaptor missing		
Curtain rods or slides		
Garbage removal (including parking spot)		
Air conditioner		
Other		

Appendix D: Things to discuss with the landlord checklist

Whether your agency has a written or informal agreement with a landlord, you should each have a clear understanding of each other's roles. Here are the questions that should be answered in any written agreements or informal meetings.

- What is the legal relationship between the landlord and the tenant? Between the support agency and the tenant? Between the landlord and the support agency?
- Who is responsible for filling units?
- Who will pay for vacancy loss?
- Will tenants pay a last month's rent deposit?
- What sorts of supports or services does the support agency provide? What hours are these available?
- What will happen if the tenant needs after-hours support? What types of after-hours supports are available?
- What repairs can the tenant expect the landlord to make to the unit? How are these repairs requested? What standards of service can the tenant expect (e.g., how long does it take to make routine repairs. What preventive maintenance is planned over the next year)?
- What will happen if the landlord discovers a tenant has caused damage to the unit or building? If the support agency discovers the damage?
- What will happen if the tenant does not pay the rent?
- Who should the landlord call with a concern about the tenant? With a concern about the support agency?
- Who should the support agency or tenant call with a concern about the landlord? With a concern about a neighbour?
- Will there be a regular opportunity for the tenant, landlord and support agency to check in? What form will it take?

Appendix E: Determine what's at stake to find solutions: the issue is "hoarding"

Hoarding may be a mental health issue, but it's also a tenancy issue. Tenants can be evicted for:

- Violating municipal health or fire safety by-laws
- Disturbing the quiet enjoyment of others (through pests or smells entering other units)
- Damaging the unit.

Hoarding is a complex issue. Some suggestions from our focus groups:

- In Toronto, contact Fresh Start. They can offer advice, as well as an "Extreme Cleaning" service if it is needed.
- Join with the tenant in removing a bag or two of stuff every time you visit.
- Help them find an alternate location for their stuff, such as a garage or a friend's home.
- Define the difference between clutter and unsafe conditions. (A City inspector can help draw this line.) Emphasize that they cannot keep their things in the unit that violate the City's by-laws, and must pay to have it stored if they keep it.
- Use masking tape to define floor space that must be kept clear for fire safety.
- Sistering has started a support group for women who hoard. They can be reached at 416-926-9762.

Appendix F: Research

Research

Low Intensity Support Services: a systematic literature review; Joseph Rowntree Foundation; June 2000.

Housing First, Consumer Choice, and Harm Reduction for Homeless Individuals with a Dual Diagnosis; Sam Tsemberis, Leyla Gulcur and Maria Nakae; American Journal of Public Health; April 2004, Vol 94, No 4.

Housing and Community Integration Issues for People with Psychiatric Disabilities; UPenn Collaborative on Community Integration; website: <http://www.upennrrtc.org/issues>.

Community Integration of Persons with Psychiatric Disabilities in Supportive Independent Housing: A Conceptual Model and Methodological Considerations; Yin-Ling Irene Wong and Phyllis L. Solomon; Mental Health Services Research; Publisher: Springer Netherlands; Volume 4, Number 1; March 2002.

Predicting Staying in or Leaving Permanent Supportive Housing That Services Homeless People with Serious Mental Illness; Prepared for U.S. Department of Housing and Urban Development, Office of Policy Development and Research; Yin-Lin Irene Wong, Trevor Hadley, Dennis Culhane, Steve Poulin, Morris Davis, Brian Cirksey, James Brown; University of Pennsylvania, Centre for Mental Health Policy and Services Research; March, 2006.

Housing is Health Care; John Lozier; Homeless in Europe; Winter 2006.

Appendix G: Other Resources

Good practices

Shared Learnings is a best practice web site sponsored by Raising the Roof, Canada's first national foundation dedicated to ending homelessness. The web site profiles hundreds of Canadian organizations and initiatives. Visit www.sharedlearnings.org for more detailed information.

The National Alliance to End Homelessness, a US coalition, has developed a 10-point strategy to end homelessness in 10 years. Their web site includes many profiles of successful American programs. Visit www.endhomelessness.org and look under the *elements of success* sections on *re-housing people rapidly so that they do not become homeless* and *putting together treatment and other services for homeless people*. Not a how-to guide, but provides encouragement that you are working in the right direction.



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