

HUMAN RIGHTS POLICY

1.0 PURPOSE

Homestead Land Holdings Inc. (“Homestead”) is committed to providing an environment free of discrimination and harassment, in which all individuals are treated with respect and dignity. Under the Ontario *Human Rights Code*, every person has the right to freedom from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned, or ignored at Homestead.

2.0 APPLICATION

The right to freedom from discrimination and harassment extends to all Homestead tenants and applicants. It is also unacceptable for tenants of Homestead to engage in harassment or discrimination when dealing with fellow tenants, or with employees or business contacts of Homestead.

This Policy applies at every level of the organization and to every aspect of the landlord/tenant relationship including the application process and the provision of services and facilities. It also applies in all common areas such as parking lots, laundry rooms, elevators and common recreational facilities.

3.0 DEFINITIONS

Applicants are those individuals who apply to rent a residential property from Homestead.

Business Contacts are those suppliers and service providers who do business with Homestead and who provide service and supplies to our rental properties (i.e. including but not limited to maintenance, snow removal, elevator service, pest control, etc.).

Discrimination means any form of unequal treatment based on one or more prohibited grounds, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people.

Harassment means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, based on a ground of discrimination identified by this Policy. Examples of harassment would include:

- Epithets, remarks, jokes or innuendos related to a prohibited ground;
- The display or circulation of offensive material; or
- Derogatory or degrading remarks directed towards all members of a group who share characteristics based on a prohibited ground.

Prohibited Grounds include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex (including pregnancy and gender identity), sexual orientation, age (eighteen years or older), marital status (including the status of being married, single, widowed, divorced, separated, or living in a conjugal relationship outside of marriage), family status (such as being in a parent-child relationship or a single parent household), disability (including mental, physical, developmental or learning disabilities), or the receipt of public assistance.

Services and Facilities are defined as per the *Residential Tenancies Act* and include parking, laundry, elevators, common recreational areas, garbage facilities and related services, and cleaning and maintenance.

Sexual harassment means any unwelcome conduct, comment, gesture or contact of a sexual nature, whether on a one-time basis or a series of incidents, that might reasonably be expected to cause offence or humiliation or that might reasonably be perceived as placing a condition of a sexual nature on tenancy. Examples of sexual harassment would include:

- unwelcome physical contact;
- suggestive or offensive remarks or innuendoes about members of a specific gender; or
- demands for dates or sexual favours.

Tenants are those who pay rent in return for the right to occupy a rental unit and, for the purposes of this Policy, includes assignees of the tenant, subtenants, and authorized occupants of the tenant's rental unit.

4.0 POLICY

- a) Every applicant has a right to equal treatment with respect to the assessment of their applications with Homestead, without discrimination based on one or more prohibited grounds.
- b) Homestead will follow the *Human Rights Code* which states that although the law normally defines "age" as eighteen years or older, applicants who are either sixteen or seventeen years old also have a right to equal treatment with respect to the assessment of their applications with Homestead, without discrimination on the basis of their age, provided that they have legally withdrawn from parental control and can provide proof of same.
- c) Under the *Human Rights Code* and its Regulations, Homestead may request income information, credit references and rental histories information from applicants, as well as authorization to conduct credit checks. Homestead will only consider an applicant's income information in combination with the other data it collects in order to decide to accept or reject the application. However, if the applicant can only provide income information, and no other data is forthcoming, Homestead may consider the income information alone (demonstrated income from all sources) to either select or refuse the applicant accordingly.

- d) Every tenant has a right to equal treatment with respect to the occupancy of accommodation with Homestead, without discrimination, because of one or more prohibited grounds.
- e) Every tenant and applicant has a right to freedom from harassment because of one or more prohibited grounds, including sexual harassment, by an employee or agent of Homestead or by an occupant of the same building as the tenant.
- f) Every tenant and applicant has a right to be free from discrimination and harassment on the basis of an association or relationship with another person who is identified by one of the prohibited grounds.
- g) Every tenant and applicant has a right to be free from discrimination and harassment on the basis of a perception that one of the above grounds applies to the tenant or applicant.
- h) Every person has a right to claim and enforce his or her right to freedom from harassment and discrimination. No person shall be negatively treated for bringing forward a complaint, providing information related to a complaint, or assisting in the resolution of a complaint. It is a violation of this Policy to discipline or punish a person because he or she has brought forward a complaint, provided information related to a complaint, or otherwise been involved in the complaint or complaint resolution process.

5.0 ACCOMMODATION REQUESTS

While Homestead will endeavour to remove barriers that cause discrimination in the various aspects of the landlord/tenant relationship, it recognizes that individuals may nevertheless continue to require individual accommodations.

It is Homestead's Policy to respond in a timely, confidential and sensitive manner whenever a need for individual accommodation is brought to its attention. Tenants and applicants who indicate a need for an accommodation can expect Homestead to treat them with dignity and respect.

Tenants and applicants who require accommodation are expected to take the initiative to inform Homestead, in writing, of the need for accommodation. Such written notice should be directed to the Manager of Human Resources. They may be asked to explain why the accommodation is required and they should allow for a reasonable time for reply. Homestead may require documentation from the tenant or applicant to verify this need. Information will be limited to the facts relevant to identifying appropriate accommodation alternatives.

It is important to understand that Homestead is not required to make changes to its facilities, services, policies, rules, practices and operations or to provide accommodation in all cases (where this will result in undue hardship). If accommodation is not possible, the tenant or

applicant can expect Homestead to explain this clearly to the person concerned and explain why this is so.

6.0 COMPLAINTS AND DISPUTE RESOLUTION PROCEDURES

The Complainant may lay a formal complaint of discrimination or harassment. To do so, the Complainant must draft a written complaint which must be signed by the Complainant and given to the Manager of Human Resources for Homestead who will then provide copies of the complaint (along with a copy of this Policy), without delay, to the Respondent. Contact information for the Manager of Human Resources can be found at the end of this Policy.

Where possible, written complaints should include the following:

- A description of the events or situation;
- Dates and times of the events or incidents;
- Where it happened; and
- The names of any witnesses, if any.

The following steps will be taken in the investigation of a formal complaint:

- Homestead will arrange for the investigation of every formal written complaint unless it is decided to dismiss the complaint as outlined below. Depending on the circumstances, Homestead may appoint an internal or external, neutral investigator.
- At any time during the Investigation, the Complainant(s) and Respondent(s) have the right to be accompanied and assisted in the process by one (1) representative of their choice, including, for example, a colleague, friend or legal representative.
- Homestead will keep the Complainant(s) and the Respondent(s) informed of the status of the investigation throughout the process.
- When the investigation is complete, a Preliminary Investigation Report will be drafted by the Investigator which will include findings with respect to each allegation in the Complaint. It will be given to the Complainant and the Respondent(s). All parties will have a period of two (2) weeks to respond to the Report, in writing.
- After reviewing the responses to the Report, the Investigator will finalize the Report. If the Investigator is an outside, independent third party, the final Report shall not include recommendations as to remedial action.
- A copy of the Final Report will be provided to the Complainant(s) and the Respondent(s). If the complaint is substantiated, the Complainant will be advised of any remedial action taken in relation to his or her complaint.

At any time during the investigation or thereafter, Homestead, may in its discretion decide to dismiss a complaint if:

- The situation can be resolved through voluntary mediation (offered at the discretion of Homestead);
- The complaint does not relate to harassment or discrimination as defined by this Policy;
- The Complaint is obviously trivial, frivolous, vexatious or made in bad faith;
- The Complainant is pursuing other redress mechanisms as listed below;
- The Complaint is based on acts or omissions which occurred more than one (1) year before the receipt of the Complaint and Homestead is not of the view that there are valid reasons for the Complainant not to have filed the complaint sooner;
- The Complainant abandons the complaint or fails to cooperate in resolving the complaint in a timely fashion; or
- The Complaint is anonymous and/or unsigned.

Investigators, mediators, and all other persons receiving complaints or information related to the complaint will, to the extent possible, protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair investigation and resolution process.

All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, and documents related to the complaint, will be securely maintained by the Human Resources Department, separate from personnel files.

7.0 REMEDIAL ACTION

Remedial action may be imposed on the following individuals in the following circumstances:

- On Respondents when a complaint of harassment has been substantiated;
- On Homestead managers if they were aware of harassment and permitted it to take place;
- On Complainants who bring forward complaints in bad faith or for vexatious reasons or who have made a false accusations of harassment, knowingly or in a malicious manner;
- On any Homestead employee or tenant who retaliates against a Complainant for having invoked this Policy;
- On any Homestead employee or tenant who retaliates against any individual for having conducted, participated or co-operated in any investigation of a complaint under this Policy.

Remedial action imposed on Homestead employees can include discipline up to termination of employment for just cause. Remedial action against tenants can include notice of termination of the tenancy and, if necessary, an application to the Board for an order terminating a tenancy and evicting the tenant.

8.0 ADDITIONAL RECOURSE

Every tenant and applicant continues to have the right:

- To file an application with the Ontario Human Rights Tribunal even when steps are being taken under this Policy, if the conduct complained of constitutes discrimination or harassment within the meaning of the *Human Rights Code*.
- To file an application with the Landlord and Tenant Board even when steps are being taken under this Policy, if the conduct complained of constitutes a breach of the *Residential Tenancies Act*.

9.0 ENQUIRIES

Any enquiries related to this Policy should be referred to Homestead's Manager of Human Resources at Homestead Land Holdings Limited, 80 Johnson Street, Kingston, Ontario, K7L 1X7, telephone: (613) 546-3146, fax: (613) 546-2587, e-mail: kingston@homestead.on.ca.