

Changes to Occupancy Agreement:

Occupancy Agreement Signing sheet

At end of occupancy agreement just before Appendix's

There will be a separate signing package handed to members with the occupancy agreement.

Appendix's at the end of occupancy agreement just before schedules

Article 1: About this By-law

Slight rewording to make it easier to understand.

1.1 Introduction/explanation (not in original)

1.2 Same as 1.1 in original

1.3 Same as 1.2 in original

1.4 Included in 1.2 in original with more explanation

1.5 Explains what must be signed, who must sign them and how they can be changed if needed.(not in original)

1.6 Definition of terms (not in original)

Article 2: Members' Rights

One addition: be involved in the governance of the co-op

Last statement "Co-op By-laws and rules limit members' rights" changed to "Members must follow co-op by-laws in using these rights."

Article 3: Members' Contributions

3.1 Items defined a little more clearly

3.2 Same

3.3 Same

3.4 The old 3.4 is removed which stated "all housing charges included all amounts that the co-op charges to members" this is due to changes in laws. The old 3.5 now becomes 3.4

3.5 Old 3.6

3.6 Old 3.7 (it is noted that if this bylaw states that members must adhere to a policy then that policy must be followed, however policies can be adjusted more easily than By-laws and often need to be as things change over time)

Article 4: Setting Housing Charges

Same as old

Article 5: Use of Units

5.1 Same

5.2 Principal residence was 7.6 in old

5.3 Absence from Principal Residence explains notice needed etc.

- 5.4 Related Uses: a) explains possibility and restrictions of home businesses. b) Boarders explains restrictions on boarders, some of this was covered in 7.90 of old by-law. c) insurance and Liability (passed by members September 25, 2014) Members must have insurance.
- 5.5 Same as 7.7 in old
- 5.6 No Profit from Unit same as 7.9 in old
- 5.7 5.3 in old
- 5.8 5.6 in old
- 5.9 Same as 6.5 in old
- 5.10 Members' insurance restated.
- 5.11 Maintenance & Repairs 5.9 in old

Article 6: Behaviour

- 6.1 Prohibited Conduct (definition)
- 6.2 5.3 in old
- 6.3 Human Rights explains our responsibility individually and as a co-op to adhere to the Human Rights Code.
- 6.4 5.4 in old
- 6.5 5.7 in old
- 6.6 5.8 a to d in old
- 6.7 5.8 c & d in old
- 6.8 Explanation definition
- 6.9 Authorization for staff to contact the police, children's aid society and other authorities
- 6.10 Acts of others 5.10 in old

Article 7: Members' Households and Guests

- 7.1 a) same as old. b, c, d) definitions
- 7.2 same
- 7.3 same
- 7.4 same
- 7.5 same
- 7.6 7.8 in old
- 7.7 Evicted Persons restrictions on anyone who has been evicted from moving back into the co-op
- 7.8 7.10 in old
- 7.9 7.11 in old

Article 8: Occupancy rights and Standards

- 8.1 Purpose of this article (clear explanation)
- 8.2 6.2 b & c in old
- 8.3 Explains when to use household size rules (covered in 6.1 b, 6.2 a)
- 8.4 6.2 d, e, f and g of old
- 8.5 8.4 in old

8.6 Subsidized Households: states government requirements

8.7 6.3 in old

Article 9: How Members Withdraw from the Co-op

9.1 8.2 in old

9.2 8.1 in old with more definitions and clarifications.

9.3 8.4 in old with more definitions and clarifications

9.4 8.3 in old with more definitions and clarifications

9.5 8.4 last line

Article 10: Eviction Procedures

10.1 9.3 a, b, & c in old

10.2 10.2 a = 9.3 f 10.2 b = 9.3 d 10.2 d = 9.3 e 10.2e = 9.3g

10.3 9.2 in old

10.4 10.4 9.3 e

Article 11: Dealing with Arrears and Late Payments (much of this is new due to the changes in the Co-operative Corporations act, but was covered in many of our policies)

11.1 9.2 in old

11.2 Explains office procedures for arrears and late payments, notices, reports etc.

11.3 Explains the procedures for replacement payment i.e. NSF cheques

11.4 Bank and co-op charges for NSF cheques

11.5 Board members in arrears, we have used this for years, but now is required to be a part of the bylaw.

11.6 Arrears payment agreements, definition, limits authority, what happens when it is breached.

11.7 Notice to Appear Covered in Schedule C of old

Article 12: Dealing with Problems

This section sets out the eviction procedure in a set by step fashion and the role of each person involved.

Article 13: Alternatives to Eviction

13.1 Lists alternatives

13.2 Conditional Eviction Decision: states if member meets conditions stated in eviction decision the eviction may not go ahead.

13.3 9.6 in old

13.4 States what and to whom information may be given

13.5 States what happens if the member breaks the performance agreement or conditional eviction decision.

Article 14: Appeals to Membership

14.1 States when members cannot appeal to the membership, this has changed due to the new laws.

14.2 9.4 b, c, d of old

14.3 Lists restrictions on information that can be handed out before meeting and what and when information may be given at meetings

14.4 States procedure for meeting dealing with an appeal

Article 15: Legal Action

15.1 Enforcing Eviction Decisions gives authority to proceed 9.5 b of old

15.2 a) states when membership ends b) explains that the Co-operative Corporations Act and the Residential Tenancies Act state when membership and occupancy rights are restored if they are.

15.3 Interest on arrears six percent above prime

15.4 Rights not cancelled

15.5 Co-op costs can be charges to evicted member

Article 16: Miscellaneous

16.1 10.2 in old

16.2 Legal action against co-op should be reported to members and should seek legal advice

16.3 External complaints board members can respond to complaints taken outside the co-op to the person complained to.

16.4 9.7 in old

16.5 Appendix C of old, this is a government requirement

16.6 10.3 of old with addition that notices can be given electronically and only one notice be given for the household but must list all members in the household.

16.7 Signing Schedule for Co-op

16.8 10.4 of old

16.9 Starting date of by-law: date membership passes by-law

Occupancy Agreement Signings Sheet Same as old, but located just before Appendix's'

Appendix A: Member Charges called provisions of Occupancy in old

Appendix B: Household Members

Additions:

- 1) I/we understand that no one may occupy the unit except the people listed on this form. To have additional occupants I/we must comply with Article 7 (Members' Household and Guests) of the Occupancy By-law and any other applicable rules.
- 2) If I/we receive housing charge subsidy, I/we affirm that this includes anyone whose income must be considered in setting the amount of housing charge subsidy.

Appendix C: Housing Charge Subsidy Terms

This sets out the government requirements for receiving a subsidized unit.

The old By-law had attached Appendix D Members Vehicle & Parking and Appendix E Pets. These will be handed out as stand-alone additions to policies but not be attached to the By-law. There will be other things added to the signing packages when members move in as well such as the Key policy. These are things that need to be updated regularly.

Schedule A: Long Term Guest Agreement

Same as old

Schedule B: Sub-Occupant Agreement

Additions of requirements of sub-occupant to give all co-op notices to the member, and that both the member and sub occupant give and contact information for the member within five days of any change.

Schedule C: Notice to Appear for Arrears or Persistent Late Payment

Schedule D: Notice to Appear (all other reasons)

In the old by-law these were included in one Schedule (C) same information included with addition of reference to Landlord and Tenant Board and Residential Tenancy Act.

Schedule E: Board of Directors' Eviction Decision for arrears or Persistent Late Payment

Schedule F: Board of Directors' Eviction Decision

In the old these were included in one Schedule D with Addition of reference to Landlord and Tenant Board and Residential Tenancy Act.

Schedule G: Notice of Eviction Decision for arrears or Persistent Late Payment

Schedule H: Notice of Eviction Decision (all other reasons)

In old these were included in one Schedule (E)

Schedule I: Performance Agreement for Arrears or Persistent Late Payment

Schedule J: Performance Agreement (all other reasons)

In old these were included in Schedule (G)

All other schedules in the old By-law will become stand alone policies. If they are referred to in the by-law, they become supporting documentation for the by-law, but can be amended when needed.