

RIVERWAY NON-PROFIT HOUSING CORPORATION

POLICY & PROCEDURE #011


SUBJECT: ARREARS POLICY



Original Board Approval Date: July 26, 2006
Last Reviewed Date: September 28, 2011
Last Approved Revision Date: September 28, 2011



Vice - President



Secretary/Treasurer

September 28, 2011

Date

1. If by the second working day of the month, a tenant has not paid rent, these households will be contacted by the Property Manager. If payment has not been received once the household has been contacted, or if a satisfactory payment time frame is not negotiated, a warning letter will be issued by the fourth working day advising the tenant that if rent is not paid by the eighth working day a "Notice to Terminate: (N4) will be issued. (N4 requires tenant to pay within fourteen (14) days.
2. If arrears not paid by the specified date of the N4, and Application to Terminate Tenancy" (L1) is filed with the Landlord Tenant Board. The filing fee will be added to the tenant's account.
3. The Landlord Tenant Board will set a hearing date and will notify the Landlord who then must notify the tenant and provide them with a dispute form. Tenant will have five (5) days to file a dispute. If no dispute is filed (or the Landlord proves its claim), an order will be issued. The order informs the tenant when they must leave their unit and how much money must be paid to stop the process.
4. If the tenant does not pay all arrears owing (plus the filing fee) or leave the unit by the date specified in the Tribunal order, the Sheriff's Office is contacted to enforce the order by evicting the tenant. The Sheriff's Office is contacted to enforce the order by evicting the tenant. The Sheriff's fee + mileage will be added to the tenant's rental account.

5. If a tenant's rent is continually paid late (six) continuous months), a "Notice to Terminate a Tenancy at the End of Term" (N8) will be issued. There is no remedy to correct this. If a tenant leaves the unit on or before the date specified on the Notice, no further charges will be applied to the rental account. If the tenant has not left the unit by the specified date, an "Application to Terminate the Tenancy (L1)" will be filed with the Landlord Tenant Board (steps 4 and 5).
6. Households who are issued an N4 for Arrears are not eligible for a transfer unless all arrears and any applicable filing fees have been paid in full.

FORMER TENANT COLLECTION PROCEDURES

- Identify new former tenants on month end former tenant arrears report
- Within 5 working days from date of printed report, send out 1st collection letter to address on file
- If no payment received, send out 2nd collection letter to address on file within 5- 10 working days of the following month.
- If no payment received, send all accounts to collection agency.
- Internal collection process should not exceed two (2) months before being submitted to collection agency.