



Program Instructions

This Program Instruction applies to the following:

- ✓ HSA Part VII Housing Providers (Provincial Reform)
- ✓ Former Federal Program Housing Providers (s. 15.1/27, s, 56.1/95)
- ✓ Housing York
 - ✓ Public Housing
 - ✓ HSA Part VII

Property Management

NOTE: This document repeals Program Instructions N° 2015-05

Summary

This Program Instruction outlines the Region's local standard for the procurement of, and contracts for, property management services of a housing community.

Procurement guidelines

A Housing Provider must establish and follow open, transparent and competitive practices:

- in hiring its employees, subject to the provisions of any collective bargaining agreement to which the Housing Provider is a party, and
- in retaining persons to provide property management services for its housing community

A Housing Provider must ensure that the procurement practices are in compliance with the *Employment Standards Act* and the *Human Rights Code*.

Content of a contract for property management

A contract for property management services of a housing community must be in writing and must include the following provisions:

- ✓ The contract must specifically identify and describe the nature of the goods and services provided under the contract and the remuneration to be paid by the Housing Provider
- ✓ The contract must require the property manager to manage the property in accordance with all applicable local rules/standards and legislations
- ✓ The contract must include a clause permitting the Housing Provider to terminate the contract on a 60 days written notice any time during the term of the contract and on 30 days written notice if the termination is for breach of the contract, unless the parties to the contract agree to shorter notice periods



- ✓ The contract must be non-assignable

If the property manager is a corporation, the contract must also include the following provisions:

- ✓ The term of the contract cannot exceed three years
- ✓ The term of the contract may be extended for up to an additional 24 months, as long as the entire term of the contract does not exceed five years
- ✓ The contract must require the corporation to advise the Housing Provider of the housing community of any change in control of the corporation

Exemption

In a circumstance where following an open and competitive practices will restrict the Housing Provider from obtaining a reasonable level of property management services at a reasonable cost the Housing Provider may ask the Region to waive this requirement. The Housing Provider's request must not contravene the *Employment Standards Act* or the *Human Rights Code*.

Authority *Housing Services Act, 2011* – section 75
 Ontario Regulation 367/11 – section 100 (4)

Reference *Social Housing Reform Act, 2000*
 Ontario Regulation 339/01 – section 8

Please contact your Program Coordinator with any questions.

- ORIGINAL SIGNED -

Rick Farrell
General Manager
Housing Services Branch

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