

FORESTWOOD CO-OPERATIVE HOMES INC.

BY- LAW VI

MEMBER SELECTION AND ACCESS

**A BY- LAW SETTING OUT THE MEMBER SELECTION PROCESS
AND ACCESS PLAN OF THE CO-OPERATIVE**

RECORD OF ENACTMENT BY THE CO-OPERATIVE

This By-Law was passed by the Board of Directors of FORESTWOOD CO-OPERATIVE HOMES INC. on the 14th day of June, 1994.

This By-Law was confirmed by at least two-thirds of the votes cast by the General Members of FORESTWOOD CO-OPERATIVE HOMES INC. at a meeting called for that purpose on the 14th day of June, 1994.

Joan Collins

Authorized Signing Officer

Lynda Hiles

Authorized Signing Office

This By-Law was reviewed by the Board of Directors of FORESTWOOD CO-OPERATIVE HOMES INC. on the 12th day of March, 2010.

This By-Law was confirmed by Board of Directors on March 12th, 2010 and at least two-thirds of the votes cast by the General Members of FORESTWOOD CO-OPERATIVE HOMES INC. at a meeting called for that purpose on the 31st day of March, 2010.

Ken Petro

Authorized Signing Officer

Jana Danisova

Authorized Signing Officer

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Article 1: About This By-Law

1.1 Operating Agreement

The member selection and access plan will be administered by the co-op according to the terms of the Operating Agreement in effect between the Co-op and the Ministry of Housing of the Province of Ontario. In the case of a conflict between the terms of this By-law and the Operating Agreement, the terms of the Operating Agreement shall prevail.

1.2 Priority of This By-law

- (a) This By-law takes the place of all previous by-laws or resolutions that deal with member selection and access. No one can commit to anything dealing with member selection and access except where they are authorized under this By-law. Any unauthorized commitment is not effective.
- (b) This By-law may be amended only at a meeting called for the purpose and must be confirmed by two-thirds of the members present and voting.
- (c) If there is a conflict between documents, the following will govern in the order in which they appear:
 - first, the Social Housing Reform Act & Co-operative Corporations Act
 - second, the Articles of Incorporation
 - third, By-law I, The General By-laws
 - fourth, By-law IV, The Occupancy By-law, and
 - fifth, this and any other by-laws of the co-op, unless the by-laws state differently.

Article 2: Purpose and Objective of This By-Law

- 2.1 The purpose of this By-law is to set out the administrative and social criteria to be considered by the Co-op in processing and approving applicants for membership and occupancy.
- 2.2 The Co-op's primary objective is to provide housing on a non-profit basis to its members.
- 2.3 A specific number of units are allocated to members who will pay a housing charge that is geared to their household income. A specific number of units are allocated to members who will pay market housing charge. Until July 1999, the housing charge will be set by the Ministry of Housing.

Article 3: Eligibility Criteria

- 3.1 The Co-op shall determine the eligibility of all applicants applying for membership and occupancy in the Co-op.
- 3.2 The Co-op shall determine the eligibility of all applicants applying for geared-to-income accommodation in the Co-op in accordance with the terms of the Occupancy Agreement and By-law 5.
- 3.3 Dependent children of members of the Co-op who are sixteen (16) years of age or older and reside in the Co-op but are not themselves members may apply for membership. Acceptance does not guarantee them a unit if they choose to move from the family's unit.
- 3.4 Other applicants must be 18 years of age or older or must have withdrawn from parental control and be 16 or 17 years of age.
- 3.5 Applicants and members of their households must be Canadian citizens, permanent residents or refugee claimants.
- 3.6 Applicants must occupy or have need of a dwelling in Ontario.
- 3.7 Immediately prior to occupancy, applicants must be permanently resident in Ontario and, subject to 3.8 of this By-law, must not have a principal place of residence elsewhere.
- 3.8 Homeowners are not eligible unless they agree in writing to sell their property within a six-month period of being offered accommodation, however, the six-month period may be extended at the discretion of the Co-op.
- 3.9 Former occupants of provincially sponsored geared-to-income housing who have outstanding arrears can be considered only if the arrears are paid in full unless the creditor has agreed to waive payment of the arrears or accept partial payment of the arrears.

Article 4: Application Process

- 4.1 Application forms must be completed and signed by all persons in the household over the age of 18.
- 4.2 The application must list all members of the household.
- 4.3 The application must include appropriate income verification from all household members before the application will be processed.
- 4.4 Applicants must attend a co-op information and orientation meeting, and participate in a membership interview.

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- 4.5 Acceptance will be by resolution of the Board of Directors. If accepted, the applicant will be required to pay a one-time only non-refundable membership fee of \$10.00 per adult household member.

Article 5: Chronological Waiting List

- 5.1 The Co-op shall maintain a waiting list on a chronological basis of those applicants seeking a unit in the Co-op who have demonstrated an interest in co-operative living, in accordance with the criteria in this By-law.
- 5.2 When a unit becomes available, the Co-op shall consider completed applications from the waiting list on a chronological basis except as necessary to:
- (a) match applicants to Units of appropriate size or physical characteristics;
 - (b) comply with the terms of the Operating Agreement to house geared-to-income occupants in an designated number of units to satisfy the targeting plan;
 - (c) give priority to families and individuals who are paying more than 30% of their income on housing, living in overcrowded conditions or living in a dwelling that requires major repair or lacks basic facilities;
 - (d) give priority to applicants who are assaulted by their spouses or partners or other household members and intend to separate from them permanently.

In such cases, the Co-op may depart from the chronological approach so far as is necessary to locate the next appropriate applicant on the waiting list.

- 5.3 For the purposes of this section, "assault" means any incident of physical or sexual violence, or words or actions or gestures which threaten the person, children, family or property of the applicant.
- 5.4 In order to be given priority over earlier applications, an assaulted applicant must give the Co-op confirmation in writing that the applicant:
- (a) has been assaulted by the named person(s);
 - (b) intends to separate permanently from the assaulting person(s), and,
 - (c) understands and agrees that the Co-op may not consider any future application from the assaulting person(s) for occupancy in the unit allocated to the applicant.

In addition, the Co-op may require the applicant to provide third-party corroboration of any alleged assault.

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Article 6: Administrative Criteria For Considering Applications

- 6.1 The Co-op will process only those applications which are filled out with complete and up to date information ("completed applications").
- 6.2 The obligation to keep the application information up to date shall rest with the applicant.
- 6.3 An applicant who seeks priority because of assault by a spouse or partner or other household member will not be considered complete without the written confirmation described in section 5.4 above.
- 6.4 Completed applications for a vacant units must meet the following criteria:
 - (a) Applicants must demonstrate need appropriate to the available unit as defined by the Co-op's occupancy standards.
 - (b) Applicants must disclose full information of household income and indebtedness and allow a credit check as proof of financial responsibility.
 - (c) Applicants must demonstrate an ability to pay the housing charge required for the available unit.

Article 7: Criteria For Membership Selection

- 7.1 The main goal of the information, orientation and interview process is to choose the best possible member residents, taking into account the needs of the community and the needs of the individual.
- 7.2 The Co-op seeks resident members who would benefit from and could contribute to a self-managed, democratic community that has its basis in the Principles of Cooperation.
- 7.3 The criteria for selection of members include:
 - (a) A willingness to participate in the development of the Co-op as a respectful, harmonious and neighbourly community;
 - (b) A willingness to abide by the By-laws, Agreements, policies and regulations set by the Co-op;
 - (c) A willingness to respect the human and civil rights of others; and,
 - (d) An indication of permanence or at least long-term residence.
- 7.4 The Co-op will make every reasonable effort to accommodate among its members eligible relatives of members living in the Co-op.

Article 8: Applicants Agree To Terms

- 8.1 The signature of adult applicants to the application form will be considered agreement to the Co-op's criteria and process for member selection.

Article 9: Amendment

- 9.1 This By-law may be amended only at a meeting called for the purpose and must be confirmed by two-thirds of the members present and voting.
- 9.2 Written notice of such meeting containing the details of proposed amendments shall be given to the members ten (10) days in advance of the meeting.

