



TENANT MEMBER COMPLAINTS POLICY and PROCEDURE

Effective: September 1, 2019

COMPLAINT DEFINITION

A complaint is an expression of dissatisfaction or concern by a Mainstay Housing tenant member made to Mainstay Housing staff. If necessary, the tenant member can ask a representative to make a complaint on their behalf.

COMPLAINT SCOPE

The scope of the complaint includes staff treatment of tenants, service standard, decision review, privacy and confidentiality, access, communication, action or lack of action by Mainstay Housing as an organization, a staff member or any party acting on behalf of the organization.

Tenant members who have concerns about maintenance issues within their rental units or in the common areas of the residential property must follow the work order process in the appropriate manner. If the maintenance request is not addressed within the designated timeframe a formal complaint can be made by filling out the 'Tenant Member Complaint Form'.

This is to be noted that complaints found to be frivolous and vexatious will be addressed differently as identified later in this policy.

GUIDING PRINCIPLES

- **It is in the interest of all parties that complaints are dealt with promptly and resolved as quickly as possible**
- **Review of the complaint is fair, impartial and respectful to all parties**
- **Complainants are provided clear and understandable reasons for decisions relating to complaints**
- **Updates are provided to complainants during the review processes**
- **Mainstay considers complaints to be a valuable source of information about ways in which we may improve services, policies and procedures**

METHODS OF MAKING A COMPLAINT

Informal Complaint

Complaints made verbally to Mainstay Housing Supportive Housing Worker. Whenever possible, tenant members should try to informally resolve conflicts on their own if they feel comfortable and safe to do so. Tenant members can do this with the help of their Supportive Housing Worker (SHW). Addressing the issue directly with the person who provided you with the service is an important step. This provides staff with an opportunity to stop the behaviour or take the necessary step to address the issue.

Formal Complaint

Complaints made in writing to Mainstay Housing management. For example, unresolved complaints made to SHWs, work orders not resolved within standard time, decision review for rent calculation. A 'Tenant Member Complaint Form' is to be completed if the complaint is against a staff member or any party acting on behalf of the organization. Complaints must include details (date, time, what occurred, who, etc.) in order to fully assess and address the complaint. The filled in form should be forwarded to the Mainstay Head Office addressing *Manager, Quality and Performance Analytics*.

RESPONSE TIMES

Tenant Member Complaint Forms will be acknowledged within 3 business days on receipt and a full reply will be sent within 14 business days of receipt. At all stages, the complainant will be kept informed as to what is happening with their complaint. If for whatever reason it is not possible to deal with the complaint within the published timescale then the complainant will be informed of this, and a reason given.

STAGES OF THE COMPLAINTS PROCEDURE

Stage One

In this stage, tenant members raise their concern either verbally or written to their SHW. SHW will try to resolve the issue to best of their ability. SHW will also record the complaint or concern in Mainstay's complaint tracking system. If the matter is not resolved then a formal complaint can be placed as identified in stage two.

Stage Two

While tenants are encouraged to utilize stage one of the complaint process, they may file a complaint at this stage. In this stage, the tenant member will fill out a 'Tenant Member Complaint Form' and forward to Mainstay Head Office addressing *Manager, Quality and Performance Analytics*. If required, tenant member can get assistance from any person of their choice to fill out the form.

Upon receiving the complaint the complainant will be informed of the timescale within which they will receive a response as indicated. If the matter is not resolved at this stage, it will be referred to stage three.

Stage Three

At this stage, a meeting will be convened between the person (and their representative if necessary) and a management representative by Mainstay who has not been involved in the complaint. This will take place within 14 business days of the matter being referred to stage two.

Following discussions with all relevant parties, the management representative looking into the complaint will prepare a written statement of their findings and any recommendations. A copy of the statement will be given to the complainant within 14 business days of the meeting.

COMPLAINT RESOLUTION

A complaint is considered resolved when the complainant indicates they are satisfied with Mainstay's response or they do not escalate to stage three. Mainstay's response after a complaint is escalated to stage three will be Mainstay's final response.

FRIVOLOUS, VEXATIOUS, AND ANONYMOUS COMPLAINTS

Mainstay may refuse to deal with a complaint if it is frivolous or vexatious. For anonymous complaints, Mainstay may investigate if it deems necessary to do so.

Frivolous complaints

A frivolous complaint is a complaint that has no serious purpose or value. Mainstay could apply the term frivolous to a complaint that has little merit or is of a trivial nature, or was to investigate it would be out of all proportion to the seriousness of the issues complained about.

Vexatious complaints

A vexatious complaint is a very narrow category of complaint. Mainstay will refuse to deal with a complaint where it is readily apparent that the complainant is pursuing a complaint which is entirely without merit and is made with the intention of causing inconvenience, harassment or expense to the organization or any party acting on behalf of the organization.

In identifying frivolous or vexatious complaints, Mainstay must be careful not to prevent complainants who are raising genuine concerns. This will be achieved by recognising that:

- Complainants may often be aggrieved, frustrated or have other reasons for their behaviour and, therefore, that the focus must be on careful consideration of the merits of the case rather than the attitude of the complainant; and
- Every complaint must be considered on its own merits and, even if someone has made a frivolous or vexatious complaint in the past, it must not be assumed that any other complaint they make will also be frivolous or vexatious.

The need to consider every complaint on its own merits cannot be over-emphasised.

COMPLAINT TO EXTERNAL BODIES

Nothing in this policy prevents or discourages a tenant member from seeking legal recourse at any stage through the Landlord and Tenant Board, The Human Rights Tribunal of Ontario, Information and Privacy Commissioner of Ontario or other legal avenues that may be available.

RECORDING, MONITORING AND REPORTING

A record of a complaint and its outcome will be kept and filed separately from the tenant files. Individuals or complainant will still have access to this through the provisions made by Mainstay Housing.

The Executive Team will oversee complaints received by the organization. Continued monitoring of complaints will take place within the organization and will form part of the compliance reviews. The Quality Committee of the Board of Directors will be responsible for monitoring compliance with this policy and to identify trends and ensure that appropriate action has been taken.

Mainstay Quality Committee will receive a report on complaints or concerns made and how they were addressed, in a manner that preserves the privacy and anonymity of tenant members and staff involved. The Quality Committee will report to the Board of Directors twice every year.

REVIEW

This policy will be reviewed 1 year from the implementation or last review date. Procedures will be reviewed annually both to consider any amendments that are necessary to services and procedures as well as to enable effective and satisfactory working arrangements to be maintained.

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