



**Title:**

Housing Services Internal Policy, Social Services Department, United Counties of Prescott and Russell, Housing Provider Standards – Conflict of Interest

**Policy NO.:**

SL 021

**REVISIONS EFFECTIVE DATE**

July 17, 2017

**EFFECTIVE DATE**

October 31, 2012

**APPLIES TO:**

The policy and procedures contained in this document apply to the following Housing

Providers:

- Public Housing
- Municipal & Private Non-Profit
- Rent Supplement\*

\*incl. former OCHAP/CSHP



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### **Purpose of the policy**

Define what the definition of what is a conflict of interest and its different applications.

### **Definitions**

This section applies to a housing provider in addition to the provisions of the Act listed in subsection 3 (1) to which the housing provider is subject. O. Reg. 339/01, s. 4 (1)

### **Applications**

A conflict of interest exists if any of the following situations occur:

1. The personal or business interests of a director, officer agent or employee of a housing provider in conflict with the interest of the housing provider. O. Reg. 339/01, s. 4 (1)
2. A personal gain, benefit, advantage or privilege is directly or indirectly given to or received by a director, officer, agent or employee of the housing provider or a person related to one of them as a result of a decision by the housing provider. O. Reg. 339/01, s. 4 (2)
3. A director, officer, agent or employee of the housing provider shall not enter into any situation, arrangement or agreement which results in a conflict of interest. O. Reg. 339/01, s. 4 (3)
4. Directors, officers, agents and employees of the housing provider must notify the chair of the board of directors of the housing provider of every potential or actual conflict of interest no later than the first meeting of the board after the director, officer, agent or employee becomes aware that he or she has entered into a situation, arrangement or agreement that results in or may result in a conflict of interest. O. Reg. 339/01, s. 4 (4)
5. The board of directors shall consider the notice given under subsection (4) no later than the second meeting of the board after the notice is given and consideration of the notice must be reflected in the minutes of the meeting. O. Reg. 339/01, s. 4 (5)
6. The chair of the board shall notify the service manager in writing of the receipt of every notice under subsection (4) and the board of directors shall resolve every



conflict of interest or potential conflict of interest to the satisfaction of the service manager. O. Reg. 339/01, s.4 (6)

7. Despite subsection (3), a director, officer, agent or employee or a person related to one of them may directly or indirectly receive a gain, benefit, advantage, privilege or remuneration from the housing provider if all of the following conditions are satisfied:
  1. A notice of the conflict of interest or potential conflict of interest is given in accordance with subsection (4)
  2. The service manager agrees that there is no reasonable alternative for the housing provider other than entering into the situation, arrangement or agreement that results in or may result in the conflict of interest.
  
8. For the purposes of this section, a person related to a director, officer, agent or employee includes a parent, spouse, same-sex partner, child, household member, sibling, uncle, aunt, nephew, niece, mother-in-law, father-in-law, sister-in-law, brother-in-law or grandparent, or a person with whom the director, officer, agent or employee has a business relationship. O. Reg. 339/01, s. 4 (8).

### **Action to Be Taken**

Maintain Status Quo for O. Reg. 339/01, s. 4 not carried through to HSA, s. 75

### **Limits of local standards, subs. 75 (2) of the Act**

**100.** The following are prescribed, for the purposes of subsection 75 (2) of the Act, as matters with respect to which a service manager may make local standards:

1. Conflicts of interest of directors, employees and agents of a housing provider.
2. The minimum number of meetings of the board of directors of a housing provider that must be held.
3. The remuneration of the directors of a housing provider.

### **Conclusion**

This policy becomes effective immediately.



Failure to comply with this policy is a violation of the *Housing Services Act, 2011* and is subject to penalties under this *Act*.

### **Legislation**

- Housing Services Act, 2011, s. 75
- O. Reg. 367/11, s. 100

### **Questions**

If you have questions about this document, please contact your Housing Services Manager at the United Counties of Prescott and Russell.

**APPROVED BY:** Original copy signed by Sylvie Millette

**DATE:** \_\_\_\_\_