



Hastings County
Community and Human Services, Housing Services
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**Hastings County Community and Human Services
Hastings Local Housing Corporation
Administrative Policies and Procedures**

SUBJECT: Notice of Trespass Policy		
APPROVED BY: Hastings County Council		
POLICY #: HLHC 16		
ORIGINAL ISSUED	SUPERCEDES	CURRENT VERSION
August 2019	March 2020	March 2023

PURPOSE

The purpose of this Notice to Trespass policy is to:

- Provide a system of issuance for Trespass Notices.
- Ensure that access to Hastings Local Housing Corporation (HLHC) property is protected as per the Trespass to Property Act, R.S.O. 1990, T.21.
- Safeguard the rights of Tenants, Staff and Visitors for the reasonable enjoyment and use of their HLHC home, workplace and neighbourhood without interference.

SCOPE

The policy applies to the units and property directly owned and operated by the HLHC.

DEFINITIONS

1. Trespassing carries the definition used in the Trespass to Property Act, 1990.

“Trespass an offence:

2 (1) Every person who is not acting under a right or authority conferred by law and who,

(a) without the express permission of the occupier, the proof of which rests on the defendant,

(i) enters on premises when entry is prohibited under this Act, or

(ii) engages in an activity on premises when the activity is prohibited under this Act; or

(b) does not leave the premises immediately after he or she is directed to do so by the occupier of the premises or a person authorized by the occupier, is guilty of an offence and on conviction is liable to a fine of not more than \$10,000. R.S.O. 1990, c. T.21, s. 2 (1); 2016, c. 8, Sched. 6, s. 1.”



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REQUIREMENT

The HLHC has a requirement to provide a safe environment for Tenants, Staff and Visitors.

A Trespass Notice may be served as follows:

- To guests of tenants that cause a disturbance or interference with the lawful rights of the tenants and the Landlord.
- To past tenants that caused a disturbance or interference with the lawful rights of the Landlord or other tenants while residing on HLHC property.
- To past tenants that have been evicted due to illegal activity on HLHC property.
- To current tenants once an Order from the LTB has been received and filed with the Sheriff.
- To individuals arrested on HLHC property for crimes committed on HLHC property.

At the written request of the trespassed individual, Housing Services may conduct a review of the Trespass Notice after a two-year period.

REFERENCES

Trespass to Property Act, R.S.O. 1990, T.21.