

5. USE AND BEHAVIOUR.....

Article 5: Use and Behaviour

5.1

Residences

Units can be used only as private residences for members, their households and other persons allowed by this By-law. This use can include incidental uses if all the other rules in this By-law are obeyed.

5.2

Nuisance

The co-op is a community, which includes all the residents and employees. It also is part of the larger neighbourhood community. Members must not make or allow any noise, nuisance or any other act that unreasonably disturbs or interferes with any other member of these communities.

5.3

Illegal Acts

Within their unit, or on co-op property, members must not commit any illegal act or break any agreement with any government authority. This includes breaking any municipal, provincial or federal law, or any by-law or regulation of any other authority such as the fire department.

5.4

Leases, Mortgages and Agreements

Members must not break any obligation that the co-op has to:

- Canada Mortgage and Housing Corporation
- the Province of Ontario, and
- the co-op's mortgagee.

If all or part of the co-op's property is leased to the co-op, members must not break any obligations under the lease.

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5.5

Insurance

Members must not break any obligation that the co-op has to its insurance companies. The use of a member's unit must not increase the co-op's insurance costs, or any other cost or liability of the co-op.

5.6

Privacy

(a) Permission Needed

Members have the right to privacy. The co-op may not enter a unit without the member's permission unless an emergency happens or appears to be happening or proper notice has been given.

(b) Permission Not Needed

After giving a member **48 hours** notice, someone appointed by the co-op can enter the member's unit, at any reasonable time, for:

- maintenance inspections, regular or special
- maintenance repairs or renovations, or
- any other reason which the board decides.

After giving a member **48 hours** notice, the co-op can enter the member's unit to show it to a prospective occupant at any reasonable time. The co-op can do this if:

- the member has given the co-op written notice of withdrawal from membership and occupancy, or
- the co-op has given notice of a board decision to evict the member.

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(c) Notice of Entry

Any entry notice can give a time range and not necessarily a specific time. The time range can be longer than one day and the notice can allow more than one entry into a member's unit.

5.7

Violence

The co-op is a community, which includes all the residents and employees. Residents and employees must not commit violence against another person in the co-op. This violence can be real or threatened. The violence can be physical, psychological and/or sexual and includes child abuse. Co-op staff is authorized to call police and the Children's Aid Society in cases of child abuse.

5.8

Domestic Violence

(a) Members who are victims of domestic violence can:

- ask the board to evict any person who commits domestic violence
- request the emergency subsidy stated in the Housing Charge Subsidy By-law, and
- get information from the co-op on support groups in the community.

Under Article 9, the board can evict anyone who has committed domestic violence. A complaint from the victim is not necessary. The board does not have to wait until any court charges are heard.

(b) The board does not have to get proof that domestic violence occurred if:

- a restraining order or peace bond is in effect

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- terms of bail allow no contact, or
 - the offending member has been found guilty of assault.
- (c) When a member is ready to let a previously violent spouse, partner or co-occupant return, the member can ask the board in writing to reinstate that person's membership. Article 7 applies if the member wants that person to stay as a casual guest.
- (d) If someone has been evicted because of domestic violence, and returns without the consent of the victim, the co-op may treat that person as a trespasser. It may remove that person from the property.

5.9

Maintenance and Repair

(a) **Cleanliness**

Members must keep their units reasonably neat and clean. The units must meet the standards of cleanliness and maintenance set by health and other public authorities. Members who damage co-op property are responsible for its repair.

(b) **Maintenance**

Members must obey the Maintenance and Improvements By-law of the co-op if it has one.

(c) **Alterations and Improvements**

Members cannot make alterations and improvements, or alter or change their locks, unless they obey the terms of the Maintenance and Improvements By-law. If there isn't one, members must get the board's permission.

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(d) **Changing Locks**

Members must not change their locks without written permission from the co-op. They must give the co-op keys to new locks.

(e) **Reporting Problems**

Members must promptly report to the co-op any condition in their unit, the equipment in their unit, or their building, which may cause damage to their unit or their building.

(f) **Neglect of Responsibilities**

If members do not carry out any responsibilities connected with maintenance or repair in a reasonable time, the co-op can carry them out. Those members must pay the co-op for its out-of-pocket expenses and for the reasonable value of any employee time involved.

(g) **The Responsibility of the Co-op**

The co-op must keep all units, co-op property, and all services and facilities of the co-op in a good state of repair and fit for habitation. It must make sure that it meets all the legal standards of health, safety, maintenance and occupancy.

(h) **Appliances**

The members must provide their own stove and refrigerator and maintain them at their own expense.

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(i) Moving Out of the Unit

When members move out of their unit, they must leave it clean and in good order. The Maintenance and Improvements By-law describes the condition they must leave their unit in.

5.10

Acts of Others

Members are responsible for any act or failure to act of their household or guests. This includes any person they, or their household or guest, invite or allow onto co-op property. Members may be evicted as a result of any such act or failure to act. Members will have to pay for any damages.