

# Cedarbrook Park Co-operative Homes Incorporated

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## **GRIEVANCE PROCEDURE**

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Passed by the Board of Directors on September 20<sup>th</sup>, 2021

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## **ARTICLE 1                      OBJECTIVE**

As a cooperative community, it is our goal to live together harmoniously. When conflicts arise between members, members should strive to resolve them in a sincere and sensitive manner instead of allowing misunderstandings and personal differences to escalate.

Other than ensuring that people do not breach the *Human Rights Code*, the Co-operative's Board is not responsible for managing interpersonal relationships. Learning to live civilly with neighbours is each member's job as a responsible co-op member. Part of the responsibility of living in a community is not gossiping about, or behaving badly towards, neighbours.

The grievance procedure is a means of resolving differences among members of the Cedarbrook Park community which cannot be accommodated through other channels. This procedure should be used only when a member feels that his or her use and quiet enjoyment of the co-op are being unreasonably compromised and threatened by another member or by a member's guest.

This grievance procedure will not be used to address complaints or grievances involving violations, or alleged violations, of the *Human Rights Code*. The Co-op will address human rights related complaints or grievances using the Complaint and Investigation Procedure included as Attachment A to the Co-op's Human Rights By-law, By-law Number 13.

This procedure replaces the Grievance Policy dated November 20<sup>th</sup>, 1985.

## **ARTICLE 2                      GRIEVANCE PROCEDURE**

The following steps shall comprise the normal steps of a normal grievance procedure:

### **Member's Initiative**

A Co-op member who has a grievance against another member must first contact that member in person — as soon as possible after the action causing the grievance has occurred — and attempt to resolve the grievance directly. The only exception to this requirement is where the member is certain, based on past attempts or experience, that such direct contact will be unsuccessful, or where the member genuinely fears that abuse or retaliation may result.

## **Filing a Grievance**

If the member has tried to resolve the problem or problems on their own and has failed, as a very last resort, then the member may put the grievance in writing and submit it to the Co-op office, marked 'Confidential — for the 'Attention of the Board of Directors'.

Without specific detail and without your signature, the Board is not able to take action. The Board cannot act on complaints that are vague, verbal or anonymous.

The grievance must be signed by the member/s and should include the following information:

- the name and unit number of the member/s (complainant) filing the grievance;
- the name and unit number of the person/s (the person complained about) against whom the grievance is laid;
- the nature of the alleged infraction or action causing the grievance, with as many facts and details as he or she considers necessary. Include dates times.
- an account of the attempts that were made to resolve the grievance directly, or the reasons why such attempts were not made.

## **ARTICLE 3                      NEXT STEPS**

Under the *Co-operative Corporations Act*, part of the Board's responsibility is to ensure that all members and their households and guests meet the standard of behaviour required in the Co-op's By-laws. The Board expects people to behave in a way that meets the by-laws without intervention by the board, but in rare cases will intervene.

The Board, having received a written grievance, shall review it at its next regular meeting and determine how to proceed. Because of privacy legislation, the Board will not be able to tell the complainant what action, if any, the Board will take after its meeting.

Depending on the nature of the complaint, the Board of Directors may seek legal counsel.

Following the board's meeting the complainant will be sent a "Consent to Use Complaint" letter.

For the Board to take effective action, it is helpful for the Board to use member complaints, including in many cases giving a copy of the complaint to the person complained about or discussing the contents of the complaint with that person. In order for the complaint to be used for this or any other purpose, the Board will require the complainant's consent. The complainant does not have to consent to release the complaint to be used. However, without consent, the Board's ability to act on the complaint may be limited.

**SCHEDULE 1**

**SAMPLE "CONSENT LETTER"**

**CEDARBROOK PARK CO-OPERATIVE HOMES  
INCORPORATED**

**36-435 Markham Road, Scarborough, Ontario, M1J 3C8**

**PERSONAL AND CONFIDENTIAL**

Date:

Name:

Address:

Dear \_\_\_\_\_,

Re: Your complaint dated [INSERT DATE] regarding [INSERT NAME OF PERSON/PEOPLE OR UNIT NUMBER(S)]

Thank you for your letter dated [INSERT DATE]. The *Co-operative Corporations Act* says that the Board of Directors is responsible for managing or supervising the management of the affairs of the Co-operative. Part of that responsibility is ensuring that all members and their households and guests meet the standard of behaviour required in the Co-operative's by-laws.

The Board will consider your letter at a confidential meeting on [INSERT DATE]. Because of privacy legislation, the Board will not be able to tell you what action, if any, the Board will take after its meeting. Please know, though, that the Board takes its responsibilities regarding behaviour in the community very seriously.

Sometimes to take effective action, it is helpful for the Board to use member complaints. To use yours, the Board requires your permission. If you agree, please sign the consent below and return it to the office at your earliest convenience. If you do not return the signed consent below, the Co-operative will not release your complaint. However, without your consent, the Board's ability to act on the complaint may be limited.

Yours truly,

Cindy Stone,  
Property Manager  
Community Housing Management Network  
for Cedarbrook Park Co-operative Homes Incorporated

cc: Iler Campbell LLP

**CONSENT TO USE COMPLAINT**

I, [INSERT NAME OF COMPLAINANT], submitted a letter to the Co-operative on [INSERT DATE]. The complaint was about [INSERT NAME OF PERSON/PEOPLE] in unit [INSERT UNIT NUMBER] I consent to the Co-operative using my letter for any reason, including giving a copy to [INSERT NAME OF PERSON/PEOPLE COMPLAINED ABOUT].

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

Witness: \_\_\_\_\_

Dated: \_\_\_\_\_