

BRIAR ROSE CO-OPERATIVE HOMES INC.

BY-LAW NO. 20
HUMAN RIGHTS BY-LAW

Passed by the Board of Directors on June 29, 2011.

Confirmed by the Members on October 26, 2011.

This By-Law states the commitment of Briar Rose Co-operative Homes Inc. to the human rights of the members of the Co-op community and the Co-op's rules for fulfilling that commitment.

Prohibited grounds of discrimination in housing are race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, age, marital status, family status, disability, the receipt of public assistance (housing only).

1. RIGHTS, PRINCIPLES AND OBLIGATIONS

Article 1.1 Statement of Principles and Obligations

- a) The Co-op community is made up of all members, other residents and staff.
- b) Members of the Co-op community must respect the human rights of other members of the Co-op community and of people who deal with or visit the Co-op.
- c) The Co-op expects members of the Co-op community to obey the Ontario Human Rights Code and not to do anything that would discriminate against or harass others in a way that would breach the Human Rights Code.
- d) The Co-op itself must follow the requirements stated in paragraphs (b) and (c).
- e) The Co-op and members of the Co-op community should strive for an environment at the Co-op that is fair, inclusive and respectful of people's dignity.

Article 1.2 Other Rights

The rights in this By-Law are in addition to any other rights that anyone has. Nothing in the By-Law prevents anyone from exercising their legal rights in any way. The Co-op encourages people to use the procedures in this By-Law to deal with human rights issues, since this can help the Co-op address human rights problems at the Co-op.

Article 1.3 No Reprisals

Any reprisal for making a good faith complaint under this By-Law is a breach of this By-Law.

2. CO-OP SERVICES

Article 2.1 Individual Assessment

The Co-op will consider the needs of each individual members of the Co-op community in conducting its operations. The Co-op will take all reasonable steps to adjust its services and operations to meet the individual needs of members of the Co-op community that are related to a prohibited ground of discrimination under the Human Rights Code.

Article 2.2 Members with Disabilities

In providing its services the Co-op will take all reasonable steps to accommodate the needs of members of the Co-op community with disabilities.

Article 2.3 No Indirect Discrimination

The Co-op will take all reasonable steps to adjust any restriction, qualification or factor in the Co-op's operations that results in indirect discrimination contrary to the Human Rights Code.

Article 2.4 Limits

The Co-op will take the steps referred to in sections 2.1, 2.2, and 2.3 if they can be taken without undue hardship. In deciding what steps to take the Co-op will follow the definitions and be bound by the obligations under the Human Rights Code.

Indirect discrimination under section 2.3 does not include rules and procedures under government or other special programs to relieve hardship or economic disadvantage, to assist in achieving equal opportunity or to eliminate infringement of rights.

Article 2.5 Able to Live Independently

The Co-ops obligations do not include providing any form of care or assistance in the activities of daily living. Members of the Co-op community who need this kind of assistance must arrange for it without depending on the Co-op.

Article 2.6 Requests for Accommodation or Adjustment

Requests for accommodation or adjustment should initially be directed to the Co-ordinator and should be in writing, if possible. The request will be dealt with promptly and with full respect for the dignity of the person who made the request.

A request should state what is being requested and why it is needed. The Co-ordinator will obtain any necessary backup documentation, such as evidence of medical need, if necessary. The Co-ordinator will obtain advice from the Co-op's lawyer if necessary. The request and all material related to it will be kept in confidence and only shown to staff or others who have a need to know.

2.7 Authority to Arrange for Work

If the Co-ordinator does not believe any issues are raised that should go to the Board, the Co-ordinator will have authority to grant an accommodation or adjustment by arranging for work that is within the Co-ordinator's spending authority or would normally be done by Co-op staff. In any other case the Co-ordinator will report to the Board, which will make the decision unless a budget change is needed. If a By-Law or budget change is needed, the Board will make an appropriate proposal to the members. There will be full consultation with the person who made the request to ensure that everyone understands the issues and concerns.

2.8 Relation to Human Rights Code

The obligations of the Co-op in this By-Law are intended to implement its responsibilities under the Ontario Human Rights Code. They should not be interpreted in any way that is inconsistent with the Human Rights Code or that would give lesser or greater obligations to the Co-op

3. DEALING WITH PROBLEMS

Article 3.1 Investigate Complaints

The Co-op will deal with complaints about a breach of the By-Law as stated in this By-Law. The Board of Directors will deal with situations that it becomes aware of whether or not there is a specific complaint, but where there are reasonable grounds to believe a breach of the By-Law has occurred.

Article 3.2 Complaints about Co-op

If a complaint is established about the conduct of the Co-op itself, or directors, officers, committees or others acting on behalf of the Co-op, the board will take appropriate action to correct the situation and avoid any repetition.

The action could include such things as one or more of:

- A letter of apology;
- A performance agreement;
- Mediation or conflict resolution between the parties;
- A warning or reprimand;
- Removal from a committee;
- Proceedings to remove someone from the Board as stated in the Organizational By-Law;
- Development and introduction of policy statements and educational initiatives to avoid anything similar in the future;
- Other actions referred to in this By-Law.

If the individual involved is a staff member, the Board will consider requirements under any employment or property management contract, and other employment contractual obligations. This could affect the method of investigation and the action taken. The board will obtain legal advice in all appropriate circumstances. The action taken could include such things as one or more of the items stated in the previous section and/or:

- Employee education and training;
- Oral reprimand;
- Written reprimand;
- Suspension;
- Termination of employment.

3.3 Complaints about Members of the Co-op Community

If a complaint is established about the conduct of a member of the Co-op community who is not acting on behalf of the Co-op, the Board will decide what action to take. The Board's basic intent will be to resolve the situation amicably if possible. The action taken could involve one or more of the items stated in the preceding sections.

3.4 Eviction

Breach of this By-Law can be grounds for eviction under the Occupancy By-Law. In determining whether to consider eviction or whether to evict, the Board will consider such things as:

- The evidence available as to what happened;
- The appropriateness of eviction as a response, considering the seriousness of the breach and other possible solutions to the underlying situation;
- The appropriateness of a performance agreement or other alternative to address the situation;
- The likely success or failure of legal action to evict;
- The costs involved in evicting someone.

4. RELATION TO OTHER BY-LAWS

Article 4.1 Applying to Co-op By-Laws

The Co-op must comply with the Human Rights Code when applying Co-op By-Laws and other Co-op rules and decisions. If any By-Law, rule or practice conflicts with the Human Rights Code, then it has to be changed. If the Co-ordinator becomes aware of any need for changes, the Co-ordinator will report to the Board. The Board will make all changes that are needed and are within the Board's authority. If a By-Law or budget change is needed, the Board will make an appropriate proposal to the members.

If any change to comply with the Human Rights Code is needed urgently and cannot wait for a members' decision, the Board will make any decisions that are needed even if they conflict with the By-Laws. The Board will only do this after receiving a written opinion from the Co-op's lawyer. The issue will be reported at a members' meeting, either specifically or as part of a proposal for a By-Law change.

Article 4.2 Procedures Under Other Laws or By-Laws

Someone may have a right of appeal or review under another law or By-Law, such as if the Board decides to evict someone or if a membership application is refused. If the member or applicant feels that the original decision was in breach of the Human Rights Code, the member or applicant may file a complaint under this By-Law. However, the member or applicant should also file an appeal or request for review, as applicable. The Board can decide to deal with the complaint and the appeal or review at the same time or to hold action on one until other is decided.

4.3 Repeal

Section 6.3 (Able to Live Independently) of the Occupancy By-Law is repealed when this By-Law is confirmed by the members.

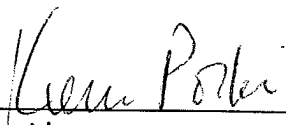
BY-LAW No. 20

A By-Law to Adopt the Human Rights By-Law,
Being By-Law No. 20

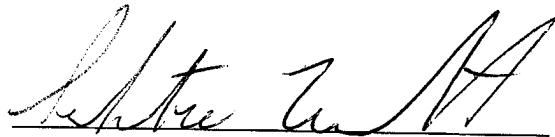
MOVED by Tim Brown; SECONDED by Fred Gorges;

THAT By-Law #20 of Briar Rose Co-operative Homes Inc., the Human Rights By-Law be adopted in the form presented to the meeting.

PASSED by the Board and sealed with the corporate seal of the Co-operative this 12th day of September, 2011.



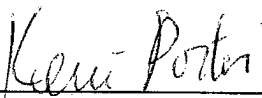
President




Secretary

c/s

CONFIRMED by two-thirds of the votes cast at a general meeting of the members this 26th day of October, 2011.



President



Secretary

c/s