



## **Durham Social Housing Directives**

Housing Services Division | Financial Housing Services  
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<b>Subject:</b>	<b>STANDARDS – CONFLICT OF INTEREST</b>
<b>Directive Number:</b>	<b>OPR 2015-01</b>
<b>Date:</b>	<b>April 8, 2015</b>

### **Purpose**

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To establish local conflict of interest standards.

### **Background**

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The Housing Services Act allows the service manager to make local standards about conflicts of interest of directors, employees and agents of a housing provider.

### **General Standards**

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All directors, officers, agents or employees of a housing provider:

- are prohibited from entering into a situation, arrangement or agreement which results in a conflict of interest
- must notify the Board of Directors of all potential or actual conflicts of interest.

The Board of Directors is responsible to:

- consider all declarations of potential or actual conflicts of interest no later than the second Board meeting after notice is given
- keep records of all declarations of potential or actual conflicts of interest and their related resolutions
- resolve all conflicts of interest to the satisfaction of the Housing Services Division.

### **What is a Conflict of Interest?**

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A conflict of interest exists if any director, officer, agent or employee of a housing provider:

- takes part in a decision in which they may be unable to remain impartial in choosing between the interests of the housing provider and their personal interests or the personal interests of a relative or business associate
- has business or personal interests that are in conflict with the interests of the housing provider
- receives a direct or indirect personal gain, benefit, advantage or privilege as a result of a decision of the housing provider
- has a relative or business associate that receives a direct or indirect personal gain, benefit, advantage or privilege as a result of a decision of the housing provider.

A potential conflict of interest may exist in any of the above circumstances whether or not the director, officer, agent or employee actually benefits from a decision or action of the housing provider.

### **Notice of Conflict of Interest**

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Any director, officer, agent or employee of the housing provider who may be in conflict of interest must notify the housing provider's Board of Directors by the start of the next regularly scheduled Board meeting.

At the start of each meeting of the Board of Directors, the Chair will ask if any director has a conflict of interest with any agenda item

All notices of conflicts and potential conflicts will be noted in the minutes of the Board meeting in which the conflict was considered.

### **Resolution**

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If a housing provider receives notice of a potential or actual conflict of interest, the Board of Directors will:

- consider and resolve the conflict or potential conflict prior to addressing the matter to which it relates
- resolve the conflict or potential conflict no later than the second regularly scheduled Board meeting
- note the resolution in the minutes of the Board meeting in which the conflict or potential conflict was considered and resolved.

The person declaring the conflict or potential conflict is not permitted to participate in discussions of or decisions about the resolution of the conflict.

If a conflict is not resolved, or is not likely to be resolved, by the second regularly scheduled meeting of the Board of Directors following notice, the housing provider will contact the Housing Services Division.

## **Records**

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All housing providers will keep complete records pertaining to conflicts of interest and potential conflicts of interest including:

- the original notice of the conflict or potential conflict
- the resolution of the conflict or potential conflict
- all correspondence related to the conflict or potential conflict
- the minutes of any meetings of the Board of Directors, or any sub-committee of the Board, pertaining to the conflict or potential conflict.

## **Review by Region**

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The housing provider will give the Housing Services Division access to records of all conflicts of interest and potential conflicts of interest:

- at the next operational review
- within 24 hours of a request of the Housing Services Division.

If the Housing Services Division reviews a conflict of interest record and determines that further action should be taken, the housing provider will take additional action as required to fully resolve the conflict.

## **Effective Date**

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This local standard comes into effect on April 1, 2015.

## **Repealed Rules**

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This directive replaces Directive 2003-03 Conflict of Interest.

## **Legislative Authority**

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Housing Services Act, s. 75  
Ontario Regulation 367/11, s. 100