

A GUIDE TO HOUSING UNIT TAKEOVERS



Created by the Finding Home Program, a collaboration
between C.M.H.A. H.K.P.R., One City, and CCRC



Canadian Mental
Health Association



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Definitions and Terminology

HUT (Housing Unit Takeover): A term used to describe a situation where a guest has moved into a tenant's unit, and the presence of the guest either puts the tenancy at risk or makes it an unsafe or inaccessible environment for the tenant to live in.

Hostile Unit Takeover: A term used to describe a situation similar to a HUT, where it is not possible to remove the guests from the unit through community support engagement and police must become involved. Hostile Unit Takeovers and Housing Unit Takeovers are often lumped into the same category, however for the purposes of this manual, they are considered separate and distinct. The acronym "HUT" is sometimes used to refer to Hostile Unit Takeovers, but in this manual it will only refer to Housing Unit Takeovers.

Tenant: A person who occupies land or rents from a landlord. The person whose name is on the lease for a unit.

Guest: A person who has taken up residence in a tenant's unit, whose presence either puts the tenancy at risk or makes it an unsafe or inaccessible environment for the tenant. Their name is not on the lease for the unit.

Unit: The tenant's rented living space. This may include, but is not necessarily limited to, a house, an apartment, a townhouse unit, a unit as part of a duplex or triplex, a room with a shared living space, and other similar living arrangements.

Who Can I Help With the Information in this Manual?

- An individual who is the tenant of a unit that is currently experiencing a HUT
- An individual who would be considered a guest in a current HUT situation
- A person who recently experienced a HUT situation and is now attempting to preserve their tenancy after guests left their unit
- A person who you suspect may be experiencing a HUT

What is a Housing Unit Takeover?

A Housing Unit Takeover (HUT) is a situation where a person's housing becomes at risk due to the presence of other people (referred to as "guests") who have moved into the unit but are not legal tenants. Such circumstances often prompt landlords to express concern about overcrowding, interference to others' reasonable enjoyment, guests pushing tenants out of their personal space, or causing damage to the unit or property.

All of these concerns can eventually lead to the tenancy being placed at risk. It can also mean that the tenant no longer feels comfortable in their own living space due to the presence of a guest and may even avoid living in their unit entirely.

The guest in the unit may not have initially forced or intimidated their way into the unit in order for the situation to turn into a HUT. Often, the tenant initially willingly invited the guest into their unit. Most often the guests themselves are unhoused or precariously

housed, and take advantage of their access to the tenant's space in order to meet their own basic needs.

Regardless of whether the situation turns hostile or not, it becomes a HUT when the tenant loses the ability to remove the guest, loses access to their own living space, or when their tenancy becomes at risk.

Why Not Just Call the Police?

When a HUT occurs, often a service provider's first thought is to call the police. This is usually for a variety of reasons, including safety concerns, but at the end of the day there is one main reason why police become primary responders to Hostile Unit Takeovers: There are few other options.

Unfortunately, calling police to deal with a HUT situation is not always something that tenants feel comfortable or willing to do. Some reasons why this can be the case are as follows:

- The tenant and/or guests use drugs and are worried that they may get criminal charges for this if the police enter the unit.
- The guests are, or used to be, friends or family members.
- The tenant or their guests have had past traumatic experiences related to the police.
- Calling the police could put the tenant or guests in greater danger due to factors out of their control, such as their race or mental illness.

As a result of these factors, the tenant may feel that they are better off not bothering to resolve the HUT through police involvement, because they believe that the result would be either the same or worse than if they had just let it be. Occasionally police become a necessary part of an intervention, as the alternative is for the tenant to eventually lose access to their unit or face eviction otherwise.

The truth is, there are many HUT situations where it is not necessary to contact police. Most often, guests in a HUT situation are people trying to meet their own basic needs. In most instances, everyone involved in the situation, tenant or guest, has become involved in it due to having vulnerabilities and/or unmet needs such as substance use, poverty, physical or mental illness, or a history of criminalization.

When guests in the situation are able to get their needs met through connection and community resources, then the HUT situation can often be resolved without police intervention.

This is where community service providers come in. This manual is intended for any person working in the community who has capacity to attempt a HUT intervention without involving police. Following steps in this manual, community service providers have the opportunity to attempt to resolve HUTs in a way that is trauma-informed and non-criminalizing for the most vulnerable members of our community.

In addition to resolving the HUT situation, community service providers also have the unique opportunity of providing system navigation and aftercare not only to tenants, but guests as well.

Hostile Unit Takeovers

The acronym “HUT” is sometimes used by wider society to refer to a type of unit takeover called a Hostile Unit Takeover. The main difference between them is that community support engagement may be effective to resolve a Housing Unit Takeover situation, but not a Hostile Unit Takeover.

In Hostile Unit Takeovers, police involvement usually becomes necessary to remove the guest. Hostile Unit Takeovers are usually the type of HUTs that get the most attention from media and create the most panic; they often come along with arrests, violence, and illegal drugs or firearms being seized.

The chart on the next page describes some of the differences between Housing Unit Takeovers and Hostile Unit Takeovers. Not all points will be applicable to every situation.

Often it is easiest to tell whether a situation is a Housing Unit Takeover or a Hostile Unit Takeover by establishing the guest’s intention behind the unit takeover. There are differences between how a Housing Unit Takeover situation should be handled versus a Hostile Unit Takeover situation. This manual focuses only on resolving Housing Unit Takeovers.

For the purposes of this manual, the acronym “HUT” will only be used to refer to Housing Unit Takeovers.



Housing vs Hostile Unit Takeover Checklist

Housing Unit Takeover	Hostile Unit Takeover
<p>Usually involves only a few guests</p> <p>The tenant initially willingly invited the guests into the unit</p> <p>The tenant knows the guests personally; they may be family, friends, or community members</p> <p>The guests may or may not threaten or coerce the tenant in order to stay; they may be more of a nuisance to the tenant than someone who seriously threatens their safety</p> <p>The guests may or may not be willing to engage with community supports</p> <p>The tenant may or may not still be able to access the unit</p> <p>Drug use, dealing, or other small-scale criminalized activity may or may not be happening in the unit</p> <p>The guests are ordinary people, often experiencing homelessness</p> <p>The guests have taken over the unit for the purpose of meeting their unmet needs, such as homelessness or social isolation</p>	<p>Usually involves many guests</p> <p>The tenant was coerced or forced to accommodate the guests</p> <p>The tenant does not know who any/most of the guests are</p> <p>Significant threatening behaviour or coercion is happening to the tenant in order for the guests to maintain control of the unit; the tenant does not feel safe around the guests</p> <p>The guests are not willing to engage with community supports and are hostile towards them</p> <p>The tenant is not able or barely able to access the unit, either due to being locked out or their safety being threatened</p> <p>Drugs or people are being trafficked out of the unit, or the unit is being used to store weapons</p> <p>The guests are associated with a gang or other organized crime group</p> <p>The guests have taken over the unit for the purpose of engaging in criminalized activity</p>

Risk Factors for Experiencing HUTs

Some people are more at risk of experiencing HUTs, or being the guest in a HUT situation, than others. In general, the more vulnerable the person is and the fewer connections they have, the more likely they are to experience a HUT.

Some factors that may increase a person's vulnerability to being a tenant or guest in a HUT situation include:



- **Having a low income or being unsheltered.** HUTs often occur because a guest cannot afford to pay rent or experiences other barriers to obtaining their own housing.



- **Using drugs.** A person may be enticed by someone else who is associated with their drug use to let them stay at their house. Using drugs also has implications for tenants calling police about HUT situations, because they may be worried about getting criminal charges.



- **Being elderly.** Older adults experience HUTs more often due to factors such as social isolation and disability (Weissman et al., 2016).



- **Having a history of incarceration.** HUTs often occur when a person has recently been released from prison and has nowhere to go.



- **Having a physical or mental disability.** People with physical limitations, or who rely on another person to help them get by, can be vulnerable to HUTs. This may be because they have limited ability to remove people from their space, or because they have limited control over the actions of a person that they depend on. People with learning/developmental disabilities or brain injuries also may have a hard time identifying when they are being taken advantage of.



- **Being a low-income woman with children.** Women with children may be more prone to experiencing HUTs due to being taken advantage of or victimized by male guests. They may also be more likely to willingly allow guests into the home for the purpose of protection or additional support (Weissman et al., 2016).

Warning Signs of HUT Situations

Often those who are experiencing a HUT will not share with you that their unit has been taken over. They may not have the language to articulate what is happening to them, be unwilling to share this information with you as a service provider, or not have even realized yet that their space is being taken advantage of.

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This is why it is important not only to know what a HUT is, but to be able to recognize the warning signs that a person is experiencing a HUT.

When you encounter a person experiencing a HUT, you may observe the following (Peterborough Drug Strategy, n.d.):

- Not wanting to talk about their housing situation or trying to avoid the topic
- Staying at a shelter or at a friend's house when you understand them to have a place to live
- Avoiding or being very reluctant to go home
- Refusing to allow service providers to enter their home, including active workers
- Engaging less in services with whom they had been actively connected
- Appearing uncharacteristically stressed and tired whenever you see them with no apparent reason for it
- Seeming very nervous and guarded when speaking on the phone from their own home
- Suddenly struggling more than usual to pay for food or rent

If you go into their home you may also observe (Peterborough Drug Strategy, n.d.):

- Many internal doors that are shut or locked, which the tenant either will not allow access or cannot access themselves

- Locks that appear to have been recently installed on many of the external and or internal doors
- Evidence of many people living there, such as overflowing ashtrays, backpacks and suitcases, more clothing than you would expect for one person, or extra dishes
- Evidence that the tenant is sleeping on the floor or the couch rather than their own bedroom
- Certain areas of the unit that have been sectioned off with curtains or blankets, as if to create more rooms
- Many people, or more people than you would expect, being in the unit or coming in and out of it whenever you visit

When you notice these things, it is a good idea to be transparent with the person and attempt to have an honest conversation about what is going on. Share what you have observed and that you want to help. Do it in a non-penalizing way; avoid reprimanding them for not asserting their boundaries, and propose police intervention as an option rather than a directive. Engage in these conversations in a confidential space so as to ensure they are not in the presence of someone you know or suspect to be a guest.

People experiencing HUTs will often feel shame for allowing the situation to get so far out of hand, or blame themselves for the situation. If they have experienced homelessness in the past, they may feel a sense of hopelessness, or feel that losing their home again is inevitable and asking for help is useless. Many people experiencing HUTs do not even realize that support is available for them.

Meeting the tenant with empathy and compassion, as well as educating them on what HUTs are and how they happen, is essential to connecting with them and beginning the process of resolving their situation.

Approaching and Resolving a HUT Situation

Once you have spoken to the tenant and established that the situation is indeed a HUT, there are a number of steps that can be taken to resolve it. Housing Unit Takeovers can look very different from one another, depending on how they came to be and who is the guest in the unit. The context of the HUT is important, because it will affect how the situation should be approached and resolved. Make sure to get as much information about the situation as possible, including the legal rights of everyone involved, before intervening.

The following is a general outline of how HUT situations (excluding Hostile Unit Takeovers) can be resolved without police involvement. The steps should be done in order.

1

Establish the legal rights of all the people in the unit, including determining who is considered to be the legal tenant and who would be considered a guest. Sometimes it is not immediately obvious who is a guest and who is a roommate, or who might have a legal claim to the space as a spouse or child. Whether the Residential Tenancies Act applies to the situation, and who is protected under it, should be investigated. You may need to connect to a community legal centre or other resource to get this information.

2

Build an intervention including a safety plan. Meet with your tenant independently and create a plan alongside them. Best practice for HUT interventions is to arrange for the tenant to be out of their unit during the intervention. Plan to attend the unit with a second service provider to be prepared to respond to unknown or unanticipated outcomes.

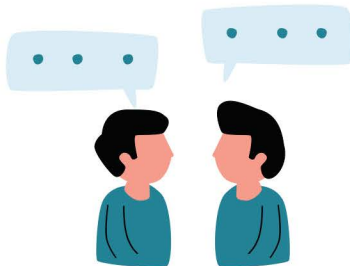
3

Go to the unit and remove the guests. Try going to the unit with a second staff person and asking the guests to leave. Often the guests know that they are not supposed to be there and will leave the unit once an outside person becomes involved in the situation. Depending on how the guests react to being asked to leave, you might want to try and get their names so that you can reconnect with them later and offer support.

Some community workers may feel inclined to ask the police to provide an escort in these kinds of situations as a safety precaution. Before doing this, you should ask the tenant what they want to do. For a variety of reasons, including drug use, a history of criminalization, or mere discomfort, the tenant may be uncomfortable with the presence of police at their unit. If they do not want a police escort, this wish should be respected.

4

Facilitate a lock change. You should do this at the same time that you ask the guests to leave, so that they cannot come back in if they have keys to the unit. To do a lock change, you will need to get permission from the landlord. The landlord may or may not want to be there for the lock change or during the process of removing the guests. Changing the locks is important in order to make sure that the HUT is less likely to reoccur.



It is important to remember that no two HUT situations are exactly the same, and not all HUT interventions will be able to follow the same steps. The above steps are meant to provide a general idea of what the intervention will look like, but they can and should be adapted or added to whenever it is necessary. For example, sometimes it makes sense to try and connect with the guests and have a conversation with them before attempting to remove them from the unit.

What if the guests still refuse to leave the unit?

The idea behind what is described on the last page is that there are steps that can be taken before it is necessary to involve the police in removing guests. Many HUT situations do not require the presence of police at all, and involving the police when they are not necessary can be traumatizing as well as criminalizing for the people involved in HUTs, including the tenant.

That being said, if the guests still refuse to leave after attempts have been made to remove them without police, other methods of removing the guests may be necessary.

You may want to let the guests know that this is their chance to leave the unit before the police become involved. If this does not work, getting the police to remove the guests may be the only remaining option to resolve the situation.

If possible, allowing the tenant to choose whether the police will be contacted to deal with the situation or not is the best possible option. The tenant may choose to leave the situation alone and accept that they will lose their unit. Respecting the tenant's choice in this situation is an important part of preserving their autonomy.

Supporting and Connecting With Guests

It is important to attempt to connect with guests as well as tenants when intervening in HUT situations. Guests are often socially isolated and have few connections to support in the community. They also are often highly vulnerable, and have many unmet needs that need to be addressed.

Sometimes, by providing avenues to meet those needs, the guests are willing to leave the HUT situation of their own accord.

Paying for motel stays

The easiest way to encourage a guest to leave a unit is usually by offering them an alternative place to stay. Tenants may also feel like they need to be away from their unit until the HUT situation is resolved. Covering the cost of a motel for the guest or tenant to move into temporarily in either of these situations may seem like the most obvious solution.

While motel stays are an effective short-term solution, they can be harder in the long-term. Here are some suggestions if you are considering putting a guest or tenant in a motel:

- Plan for it to be a short stay as a temporary last-minute solution, and make this clear to the person before they move into the motel
- Give the person a specific date that their motel stay will not longer be funded
- Only offer a motel when it is absolutely necessary and when lacking other options

Referring to other services

Guests in HUT situations usually take over a unit because staying with the tenant helps them meet a particular unmet need. While they may simply be in need of housing, referring them to other services, such as addiction or mental health supports, might increase their capacity to find and maintain their own housing. Guests may benefit from:

- Connecting with OW or ODSP
- Being referred to a mental health or brain injury service for case management or treatment
- Being referred to addiction supports for treatment or harm reduction
- Connection with a shelter for people fleeing domestic violence
- Support going through a court process
- Referrals to an employment agency or program
- Financial support in order to relocate to another area
- Support if their own unit has been taken over by a HUT, or if they cannot access their own unit for another reason



Helping guests search for their own housing

It is possible that the guests have enough income support to afford their own housing but cannot manage to obtain their own unit due to other factors, such as a disability. If this is the case, helping the guests to find a unit to live in themselves or referring them to another service, such as a housing support center, may be an option.

Supporting guests while they transition into homelessness

Sometimes guests have no choice but to transition into homelessness. If this occurs, it is a good idea to attempt to refer the guest to as many places as possible to access support, including outreach services that may be able to supply them with a tent or other survival gear.

Preventing Eviction Due to a HUT

Often the reason a HUT becomes apparent in the first place is because the tenant has received a notice of eviction from their landlord. Tenants may receive the following notices from their landlord if they are being affected by a HUT:

- **N4: Notice to End your Tenancy Early For Non-Payment of Rent.** This is common if the tenant has been struggling financially as a result of the HUT.
- **N5: Notice to End your Tenancy for Interfering with Others, Damage or Overcrowding.** The tenant is likely to receive this notice if they or their guests have caused damage to the property, if they are dealing drugs, or if many people are staying in the unit.
- **N6: Notice to End your Tenancy for Illegal Acts or Misrepresenting Income on a Rent-Geared-to-Income Rental Unit.** The tenant is likely to receive this notice if they or their guests are dealing drugs.



- **N7: Notice to End your Tenancy for Causing Serious Problems in the Rental Unit or Residential Complex.** The tenant is likely to receive this if they are experiencing a HUT that affects the safety or enjoyment of the people living near them, or if they or their guests seriously damage the building.



There are specific rules to how these forms need to be filled out. If a tenant shows you one, they should have it seen by a housing support service center, community legal clinic, or lawyer.

In order for the landlord to be able to evict their tenant (and thereby the guests), they must first file one of these notices with the Landlord and Tenant Board and wait for a hearing to be scheduled. Luckily, if the landlord has already filed one, they can withdraw it at any time. This is why, regardless of whether the landlord has already served the tenant with a notice of eviction or just threatened it, it is still a good idea to make amends with the landlord and attempt to preserve the tenancy.

With the tenant's consent, you can advocate with the landlord for the tenancy to be preserved by doing the following things:

- Introduce yourself to the landlord as a community worker and explain that you are supporting the tenant to regain control of their unit
- Collaborate with the landlord as much as possible in order to facilitate the removal of the guests and a lock change
- If possible, offer to pay for damage repairs, replace broken objects, or cover missing rent
- Let the landlord know your plan to educate the tenant about HUTs in order to prevent a HUT from happening again

- Let the landlord know if you connect the tenant to other supports in the community that will be able to support the tenant in managing their unit in the future

If the tenancy in that particular unit cannot be preserved, landlords are sometimes willing to move tenants to a different unit. Moving the tenant to a one-bedroom or bachelor unit can be a good idea if you believe that the tenant is at risk of experiencing another HUT due to having issues with roommates. Moving the tenant to another building or city area is also a good idea if it seems likely that the guests will follow the tenant to another location.

The Importance of Emotional Support and Education

When a person has experienced a HUT it is a good idea to provide some form of aftercare. This is because HUTs have very serious impacts on a person's emotional and physical wellbeing. It is also because if a person has experienced a HUT once, they are likely to experience one again.

People who have experienced HUTs may find it hard to trust others, and could be at risk of socially isolating. They might feel depressed, hopeless, or anxious. Referring them to appropriate mental health supports or following up with them yourself makes it less likely that their mental health will be severely impacted.

Educating the person about HUTs, including what led the HUT to occur in the first place, might help them feel more secure. It is a good idea to do

work with the person to help them understand why the HUT happened, and what they can do to identify when they are at risk of experiencing a HUT again in the future. Talking about how to establish and assert boundaries is a way that they can ensure they will be able say no to people entering and taking over their space in the future.

Resources Used to Create this Guide

Weissman, E., Snooks, V., King, C., Torresan, S., Bowen, S., Buckingham, A., Tamene, S., Algaraa, B., Hughes, D., Osagie, J., & Adamu, J. (2016). Safe at home: An exploration of housing unit takeovers (HUTs) in the City of Toronto and recommendations for the future. The Dream Team. <http://www.thedreamteam.ca/safe-at-home>

Peterborough Drug Strategy. (n.d.). Housing (or home) unit takeover resource manual: A Peterborough and Kawartha Lakes regional perspective.

In addition to the above resources, the information in this guide is based on the experiences of the Finding Home team, which has intervened in HUT situations in Peterborough and the surrounding counties since 2022. Finding Home is a collaborative program between C.M.H.A. H.K.P.R., One City Peterborough, and CCRC.

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