

Policy:	Community and Social Services Division Housing Department <i>Application For Subsidized Housing and Wait List Administration</i>
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Legislative Authority:	<i>Personal Information Protection and Electronic Documents Act, 2000 Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c.M. 56 Freedom of Information and Protection of Privacy Act, R.R.R. 1990, c.F.31 Housing Services Act, 2011 s. 42 O. Reg. 367/11, Sections 24, 25, 26, 27, 28, 29, 31, 34, 36, 39, 44, 46, 47, 48, 50 O. Reg. 318/19, Section 32.2</i>
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Policy No.:	HDPOL16
Replacing Policy No.:	IPDPOL17
Issue Date:	December 2004
Revision Date:	February 6, 2020

Background:

The *Housing Services Act, 2011* and related regulations prescribe the rules to determine eligibility for rent-gear-to-income (RGI) assistance and the system for selecting households waiting for RGI assistance in the service area. The centralized waiting list is the system prescribed to manage households eligible and waiting for RGI assistance in the service area and households receiving RGI assistance that want to move to a unit of another housing provider. The centralized waiting list is administered by the Service Manager, through the Social Housing Registry within the Housing Department, United Counties of Leeds and Grenville.

Policy Statement:

The United Counties of Leeds and Grenville will provide fair and equitable access to RGI assistance as legislated by the *Housing Services Act, 2011* and make information about all community housing within Leeds Grenville available to the public. This information and applications for subsidized housing will be available on the Counties website, at each Community and Social Services office, at the offices of each non-profit, co-operative and affordable housing provider.

Purpose:

1. To provide a standard application for all subsidized housing under the Service Manager's jurisdiction.

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2. To ensure that the eligibility criteria legislated in the *Housing Services Act, 2011* (HSA) and local rules are administered consistently to determine eligibility for RGI assistance and eligible unit size.
3. To ensure that Program Guidelines for the various Affordable Housing Programs are met in determining eligibility for affordable housing.
4. To add waiting households to the centralized waiting list in accordance with provincial and priority rules, as applicable within Leeds Grenville.

Definitions:

Affordable Housing means housing that was developed under the Investment in Affordable Housing (2014 Extension) (IAH) and the Ontario Priorities Housing Initiative (OHPI) programs. Affordable housing rents are set at 80% or less of the Average Market Rent (AMR) as determined by Canada Mortgage and Housing Corporation (CMHC), or the Alternate Average Market Rent (AAMR), as approved by the Ministry each year. Affordable housing rents are not geared-to-income; however, applicants must be eligible for rent-geared-to-income assistance to qualify.

Extenuating circumstances refers to reasons a household may be unable to accept an offer of accommodation, and remains eligible for rent-geared-to-income assistance, when at the time an offer from a Service Manager an applicant:

- Is in the hospital;
- Receiving treatment for an addiction;
- If the applicant is a survivor of domestic violence or human trafficking and a preferred building is no longer safe due to the proximity of the abuser; or
- "Other unforeseen circumstances" which were out of the control of the household, are unlikely to occur again, and resulted in the household not being able to meet the requirements.

Modified unit means a unit that has been modified to be accessible to an individual with a physical disability, or to allow an individual with a physical disability to live independently.

On Hold status means that a qualifying applicant's status on the waiting list is temporarily suspended (pending) while still retaining the original ranking date. On hold status is granted if an applicant is unable to accept any offers of accommodation for a specified period of time, and only once while the applicant is on the centralized waiting list.

Community Housing means any housing developed with government funding and includes affordable, co-operative, non-profit, and housing that is owned and operated by the United Counties of Leeds and Grenville Housing Department.

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Social Housing refers to transferred housing projects that are listed in Schedule One of the *Housing Services Act, 2011, Ontario Regulation 367/11*.

Criteria:

Eligibility for RGI Assistance

1. At least one member of the household must be 16 years old or older and able to live independently. An individual is able to live independently if he or she can carry out the normal essential activities of day-to-day living, either on their own or with the aid of support services that the individual demonstrates will be provided when required.
2. Each member of the household must meet at least one of the three criteria following:
 - a. is a Canadian citizen, **or**
 - b. has made application for status as a permanent resident under the *Immigration and Refugee Protection Act (Canada)*, **or**
 - c. has made a claim for refugee protection under the *Immigration and Refugee Protection Act (Canada)*,

and no removal order has become enforceable against any member of the household under the *Immigration and Refugee Protection Act (Canada)*.
3. No member of the household owes arrears of rent, an amount for rent-geared-to-income assistance to which the household was not entitled, (i.e. reimbursement of subsidy) or an amount for damage caused by a current member of the household, in connection with a previous tenancy with any community housing provider in Ontario.
4. Paragraph 3 does not apply if the member of the household has entered into a payment agreement, or made reasonable efforts to enter into a payment agreement with the provider to whom the arrears are owed, and the Case Manager is satisfied that the member intends to make all reasonable efforts to repay the arrears. The household will not be offered a unit, however, until the arrears are paid in full.
5. The arrears or amount owed by a member of the household is deemed to be one-half of the actual arrears or amount owed if;
 - a) A request has been made for the household to be included in the special priority category and the request will be or has been granted, **and**
 - b) The arrears are owed with respect to a unit of which the member and the abusing individual were joint tenants.
6. No member of a household shall knowingly obtain or receive RGI assistance, and no person shall knowingly aid or abet a household member to obtain or receive RGI assistance for which

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the household is not eligible. Any member of the household convicted of misrepresenting their income for the purposes of receiving RGI assistance under the *Housing Services Act*, or a crime under the *Criminal Code* (Canada) within the last two years shall be ineligible for RGI assistance. If the conviction was more two years ago, the household may still be eligible for RGI assistance.

7. The gross household income of all members of the household shall not exceed the household income limits as set out in Schedule 2 of O. Reg. 370/11, or as amended from time to time, for the United Counties of Leeds and Grenville.

Eligibility for Affordable Housing

1. Household must be **eligible for** RGI assistance.
2. Household must meet the minimum age requirement for the affordable housing complex applied for.
3. Modified units will be offered in accordance with the Modified Units policy and Offering a Unit procedure.

Determination of Eligibility and Notice to Household

1. Eligibility for RGI assistance must be determined within 30 days of the application being complete. For applicants requesting Special Priority household category, eligibility must be determined within 14 days of the application being complete.
2. Notice to the household advising the decision of eligibility/ineligibility must be given within seven business days of the decision.

Applications for Modified Units

Households applying for a modified unit must submit a Verification of Disability or Medical Condition form completed by a qualified medical practitioner.

Ranking Date

Ranking date on the centralized waiting list of eligible applicants, whether applying for the first time or re-application is based on the date the application is complete with all supporting documentation.

Refusal of Offer

See Offering a Unit Policy and Procedure for further information.

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On Hold Status

Applicants may request On Hold (pending) status for up to 12 months' time if:

- The household requests to be removed temporarily;
- The household was included in a special priority household (SPP) category for a reason other than trafficking;
- The member who made the request advises the SHR that the abused member is or will be living with the abusing individual; and
- The household has not been previously be placed on hold.

The household will be reinstated to the waitlist on the earlier of:

- The date on which the households makes the request to be reinstated; or
- One year after the household was placed on hold.

Removal from the Waitlist

A household is removed from the waitlist if:

- The household requests to be removed;
- The household ceases to be eligible for rent-gear-to-income assistance (unless extenuating circumstances apply); or
- The household has accepted an offer of rent-gear-to-income assistance, Canada-Ontario Housing Benefit, or portable housing benefit within the Service Area.

Re-application

1. Households may re-apply immediately if the application is cancelled for failure to return update/change information, the applicant refuses an offer of accommodation, or the household is already housed in an RGI unit, but wishes to apply to another housing provider within Leeds Grenville. The eligibility date will be based on the date that the new application is complete.
 2. A household with a member who has been convicted of an offence under section 55 of the *Housing Services Act, 2011*, or a crime under the *Criminal Code* (Canada) in relation to the receipt of rent-gear-to-income assistance (i.e. misrepresentation) may not reapply until two years after the date of the conviction.
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Refusal to Offer

1. A housing provider may refuse to offer a unit to an eligible household for the following reasons:
 - i. Offering the unit to the household would be contrary to the provider's mandate (i.e. household does not meet the age requirement for a seniors only building).
 - ii. The housing provider has reasonable grounds to believe, based on the household's rental history, that the household may fail to fulfil its obligations to pay rent for the unit in the amount and at the times the rent is due. Reasonable grounds would be a history of consistent late payment of rent and/or failure to pay geared-to-income rent with any community housing provider in Ontario.
 - iii. The housing provider is a non-profit housing co-operative and the household does not agree to accept its responsibilities as a member of the housing provider or the housing provider has reasonable grounds to believe that the household will not accept or will be unable to accept those responsibilities.
 - iv. The unit is one in which individuals will reside in a shared living situation and the housing provider has reasonable grounds to believe that it is unreasonable for the household to reside in the shared accommodation.
 - v. If a member of the household was previously evicted from a "social housing" unit for serious illegal activity based on a Form N6, within the past five years under section 61 of the *Residential Tenancies Act, 2006*, (termination, cause, for illegal act), or paragraph 5 of section 94.2 (co-operative housing), for one or more of the following:
 - a. The production or trafficking of an illegal drug or the possession of an illegal drug for the purposes of trafficking;
 - b. The illegal production, distribution or sale of cannabis;
 - c. The trafficking of persons;
 - d. The use or attempted use of physical violence against another person;
 - e. Physical harm, attempted physical harm, or a risk of physical harm to another person; AND
 - f. The Housing provider has reasonable grounds to believe that accommodating a household described in paragraph v. would pose a risk to the safety of one more persons at the housing project.
2. The housing provider shall notify the household and the Social Housing Registry of the refusal to make an offer to the household within seven business days of making the decision.
3. The household may request a review of the decision to refuse an offer to the household.

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4. The refusal to make an offer to a household applies only to the first refusal by a housing provider. Subsequent refusals to make an offer by the housing provider to the same household do not require notification to the household.
5. A record of refusal to offer a unit to the household, including a copy of the notice given to the household, shall be retained for at least seven years after the household was given notice.

Responsibilities

1. Applicants are responsible to complete the Application for Subsidized Housing, submit supporting documentation as required, and report any changes to applicant information within 30 days of the change.
2. The **Housing Department** is responsible to:
 - Receive and input all applications for subsidized housing into Rent Café, with the exception of applications for housing properties not subject to the *Housing Services Act, 2011*. Applications for housing properties not subject to the Act and for market rent units are forwarded to the applicable housing provider(s) for determination of eligibility and placement on their respective waiting list(s).
 - Determine initial and ongoing eligibility for rent-geared-to-income assistance of all applicants selecting buildings subject to the *Housing Services Act, 2011* and for affordable housing;
 - Request update/change of information from applicants at least once every 12 months or as otherwise required;
 - Update applicant information as submitted by applicants;
 - Forward the following to each non-profit/co-operative housing provider:
 - the provider's general wait-list that is alphabetized with the waitlist rank removed, at the beginning of each month;
 - a filtered wait list specific to the vacancy as reported on the Notice of Vacancy.
 - Determine eligibility for Pending (on hold) status.
3. **Housing providers** are responsible to offer vacant units to applicants **chronologically** by date of application in the following priority:
 - i. The provider's transfer list in accordance with the provider's transfer policy;
 - ii. Special Priority Placement (SPP) household category;
 - iii. All other chronologically ranked applicants.
4. Vacancies for modified units shall be offered to applicants with a verified medical need for the modification(s) already installed in the unit in the same priority sequence.

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Collection, Use and Disclosure of Personal Information

1. The Application for Subsidized Housing includes a declaration and consent regarding the collection, use and disclosure of personal information. The declaration and consent must be signed by the applicant, co-applicant, and all non-dependent members that are party to the application.

Personal information provided by the applicant in the application, its attachments, and any supporting documentation is collected, retained and used only for the purposes of:

- Determining eligibility for rent-geared-to-income assistance;
 - Verifying the information provided in the application and supporting documentation;
 - Calculating rent-geared-to-income;
 - Meeting legal and regulatory requirements arising out of a tenancy; and/or
 - Notifying service providers or next-of-kin in the event of an emergency.
2. Personal information provided by the applicant may be disclosed to the following parties for the above purposes:
 - To any social agency providing any form of assistance, or other government subsidy under the *Ontario Works Act, 1997*, the *Ontario Disability Support Program Act, 1997* or the *Day Nurseries Act, 1990*, or any government department responsible for community housing programs under the *Housing Services Act, 2011*, or the United Counties of Leeds and Grenville's housing portfolio operating agreement;
 - To any agency working on behalf of the United Counties of Leeds and Grenville for the purposes of complying with the *Housing Services Act, 2011*;
 - To non-profit housing corporations, co-operatives, municipal departments and agencies that assist in the provision of community housing;
 - To relevant agencies or next-of-kin in case of emergency;
 - To credit bureaus and other businesses that provide credit or rental history information about the applicant;
 - To a third party in connection with the potential or actual sale, reorganization, merger, consolidation or disposition of the business of the housing provider.
 3. Reference the following divisional policies and procedure related to the collection, use and disclosure of information: External Sources of Information (DIVPOL21) Information Sharing (DIVPOL16), and Responding to Information Requests (DIVPROC1).

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Reviewed and Approved By:



**Chris Morrison, Manager
Housing Department**

FEB 26/2020

Date



**Alison Tutak, Director
Community and Social Services Division**

Feb. 25 / 2020

Date

Appendices

A.....Application for Subsidized Housing Procedure HDPROC19