

# Directive

## Directive: Arrears

<b>Issue Date:</b>	January 24, 2023	<b>Directive No.:</b>	DIR2023-04
<b>Revision Date:</b>		<b>Revision No.:</b>	

**Applicable Policy:** Arrears Policy No HDPOL11

**Type:** Legislation/Regulation

*The policies and procedures in this Directive are to be implemented by Housing Providers/Cooperatives funded by the Municipality under the following programs.*

### Provincial Non-Profit Housing Providers

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Gananoque Family Housing                      | <input checked="" type="checkbox"/> Gananoque Housing Inc.                           |
| <input checked="" type="checkbox"/> Legion Village 96 Seniors Residence           | <input checked="" type="checkbox"/> Twp. of Bastard & South Burgess Housing Corp.    |
| <input checked="" type="checkbox"/> Brockville Municipal Non-Profit Housing Corp. | <input checked="" type="checkbox"/> South Crosby Non-Profit Housing Corp. – Pineview |

### Federal/Provincial Cooperative Housing

- Shepherds Green Cooperative Homes Inc.

### Housing Providers with Rent Geared-to-Income Service Agreements

- Athens & District Non-Profit Housing (RGI Service Agreement)
- Gananoque Housing Inc. (RGI Service Agreement)
- Marguerita Residence Corp. (RGI Service Agreement)
- South Crosby Non-Profit Housing Corp. - Rideau Lakes Apartments (RGI Service Agreement)
- Rent Supplement Program, including Housing Providers with expired Federal Operating Agreements

### Other Housing Providers

- Leeds Grenville Housing Department

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**BACKGROUND**

The Tenant Arrears policy HDPOL11 updated in 2019 has been revised. The policy will not be distributed to non-profit and co-operative housing providers. Rather this directive summarizes the actions required by housing providers. The policy may be requested for your reference. The policy was updated to include the expectation that Housing providers are addressing arrears in a timely manner and are communicating regularly with Tenants the amounts owing and options available for payment in an attempt to recover arrears.

**PURPOSE**

This directive is to advise non-profit and co-operative housing providers of their obligations in respect to managing tenant arrears and reporting former tenant arrears to the Social Housing Registry. The Former Tenant/Member Arrears Report is included for reference and use.

**ACTION TO BE TAKEN**

**Tenants are responsible to:**

1. Pay rent in full on the first day of each month.
2. Pay for repairs beyond normal wear and tear, resulting from negligence and/or wilful damage.
3. Fulfill all obligations in their Lease Agreement.
4. To make payments as agreed to in a signed payment agreement.

**The housing provider is responsible to:**

1. Support the tenant(s) in maintaining their tenancy through appropriate and timely interventions.
2. Identify households owing arrears in a timely manner and pursue unpaid rent and other charges through the provisions of the *Residential Tenancies Act, 2006* (RTA).
3. Notify current/former tenants of all charges applied to the rental account and outstanding arrears.
4. Maintain appropriate records.
5. Provide Monthly Arrears reminder notices to all Tenants owing arrears.
6. Submit all former tenant arrears to the Social Housing Registry (SHR) within **10 business days** of termination of the tenancy and report any changes to former tenant arrears owing to reflect negotiated payment agreements, default of payment agreement, and/or payment of arrears in full. Use the Former Tenant/Member Arrears Report.
7. Annually, or as determined and approved by the Board of Directors, write off former tenant arrears to recognize the loss of revenue.

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### REFERENCE

Former Tenant/Member Arrears Report

### LEGISLATION

*Housing Services Act, 2011, s. 42 & s. 56*

*O.Reg. 367/11 s. 26*

*Limitations Act, 2002, s. 16*

*Bankruptcy and Insolvency Act, R.S.C. 1985, s. 49(1) and (2), c. B-3, 124(1), 136*

If you have any questions, please contact the following:

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January 24, 2023

**Date**