

Policy:	Social Housing Reviews Human Services Division Housing Department
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Legislative Authority:	<i>Housing Services Act, 2011, s. 155 – 159</i> O. Reg. 298/01, s. 52 and 53 O. Reg. 367/11, s. 138 and 139
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Policy No.: HDPOL6
Replacing Policy No.:
Issue Date: November 22, 2012
Revision Date: January 20, 2015
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Background:

The *Housing Services Act, 2011* prescribes that the service manager establish a review body and a system for reviewing decisions that are subject to review under the Act. The Act and regulations also specify rules for the review system and effective dates of the review body's decisions.

Policy Statement:

This policy establishes an equitable and transparent process for reviewing decisions subject to review under the *Housing Services Act, 2011*. This process is essential for accountability to applicants and tenants of social housing, and to taxpayers, Counties Council and other government bodies. An ad hoc review committee will be appointed by the Housing Manager to review these decisions in accordance with the Act and regulations.

Purpose:

This policy identifies decisions that are subject to review, timelines for requesting a review, the process for conducting reviews, and legislative requirements pertaining to the review body's decision.

Definitions:

Special Needs Housing means housing intended for use by a household with one or more members who require accessibility modifications or provincially funded services in order to live independently in the community.

Criteria

Decisions Subject to Review under the Act

The following decisions are subject to review under the *Housing Services Act, 2011* and will be reviewed by a review committee:

- A decision that the household is not eligible for rent-geared-to-income assistance;
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- A decision of the size and type of unit permissible if the household received rent-geared-to-income assistance;
- A decision that the household is not included in a category given priority over other categories (i.e. Special Priority);
- A decision of the amount of rent-geared-to-income payable by the household;
- A decision that the household is no longer eligible for rent-geared-to-income assistance;
- A decision that the household is not eligible for special needs housing;
- A decision that a household waiting for special needs housing is not included in a category given priority over other categories (i.e. Special Priority);
- A decision that the household is no longer eligible for special needs housing.

Notice to the household of each of the above original decisions must be given within seven business days of the decision being made and must include:

- i. a statement of the date of the decision;
- ii. a statement that a review of the decision may be requested, and
- iii. information about how to request a review and the timeline for requesting a review, and
- iv. a statement of the reasons for the decision.

Any notices to a household applying for the Special Priority household category shall be given **only** to the member who requested the Special Priority.

Review Committee Composition:

1. An ad hoc review committee will be appointed to review all requests for review of decisions subject to review under the Act, consisting of the Housing Manager or designate, a Policy and Program Review Analyst and a Case Manager.
 2. The Manager shall ensure that members selected to participate in a review meet the following criteria:
 - i. Each participating member of the review committee must be knowledgeable about the provisions of the *Housing Services Act, 2011* and the regulations that are relevant to the decision being reviewed.
 - ii. Any member of the review committee cannot have discussed the decision being reviewed with the decision-maker and may only discuss the decision with the decision-maker in the course of the review.
 3. The Housing Manager or designate, will serve as the chairperson of the committee.
 4. No remuneration will be paid to members of the review committee.
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Rules for Review of Decisions Subject to Review under the Act

1. The review committee shall review each Request for Review within **10 business days** of receiving the request.
2. The review committee may substitute its decision for the decision being reviewed.
3. The review committee shall give its decision in writing and provide reasons for its decision within **five days** of the decision being made to the following:
 - i. The person that requested the review; decisions of reviews for Special Priority household category may only be given to the member requesting Special Priority;
 - ii. The individual who made the decision that was reviewed (i.e. Supervisor or non-profit housing Administrator);
4. A decision which is subject to review is effective on the **later** of the day specified by the decision-maker and the day immediately after the last day for requesting a review. Effective dates of RGI payable when the household begins to receive RGI assistance (i.e. RGI payable at time of move in), is effective on the date of move in.
5. The review committee’s decision is effective on the **later** of the day determined under paragraph 4 and the day specified by the review committee, whether that day is before, on or after the day the review body made its decision, **and**
6. The decision shall only be effective if the review body provides for it to be effective, and is effective on the day the review body’s decision is effective.
7. The effective date of the review body’s decision related to RGI payable shall be as outlined in O. Reg. 298/01 s. 52 and 53.

Informal Reviews:

1. Any decisions not subject to review under the *Housing Services Act, 2011* may be reviewed informally by discussing with the Supervisor, the Housing Manager, the Director, and/or the Chief Administrative Officer. The following are examples of decisions subject to an informal review process:
 - Supplementary programs delivered by the Housing Department such as community homelessness prevention programs;
 - Tenant chargebacks; and
 - Decisions based on internal policies and procedures of the United Counties of Leeds and Grenville, such as internal transfers. **Note: Decisions related to the size and type of unit a household qualifies for and eligibility for special needs housing (modified unit) are subject to review under the Act.**
 2. Decisions made by a program committee, such as the Home Ownership and Ontario Renovates programs are final and not subject to a review.
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- 3. Informal reviews of decisions shall be directed to the Supervisor/Manager as applicable and will generally be reviewed verbally with the applicant/tenant. Informal reviews requested in writing shall be responded to in writing.

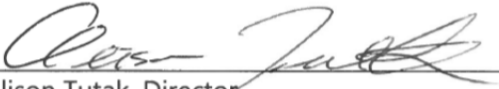
Reviewed and Approved By:



Chris Morrison, Manager
Housing Department

January 16/2015

Date



Alison Tutak, Director
Human Services Division

Jan 16/2015

Date

Appendix

A. Social Housing Reviews Procedure No. HDPROC6