

<b>Policy</b>	<b>Human Services Division Housing Department Occupancy Standards</b>
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<b>Legislative Authority:</b>	<b><i>Housing Services Act, 2011 s. 42, 43 and 46</i> <i>O. Reg. 367/11 s. 37 and 42</i></b>
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**Policy No.:** HDPOL24  
**Replacing Policy No.:** CH3.2  
**Issue Date:** February, 2003  
**Revision Date:** July 29, 2015  
Page 1 of 4

## **BACKGROUND**

Under the *Housing Services Act, 2011*, the United Counties of Leeds and Grenville, as Service Manager is required to establish occupancy standards for determining the size and type of unit permissible for a household receiving rent-geared-to-income (RGI) assistance. The Act also allows the Service Manager to establish a local rule that provides for a household to cease to be eligible for RGI assistance, if all members of the household are absent from the unit for more than the maximum number of days specified in the local eligibility rule. This local rule regarding the maximum absence from the unit is included in the Occupancy Standards.

## **POLICY STATEMENT**

The United Counties of Leeds and Grenville is committed to providing adequate accommodations to households receiving RGI assistance in consideration of the number of household members and specific needs of any member of the household due to a disability or medical condition.

## **DEFINITIONS**

**Eligible unit size** means the number of bedrooms for which the household qualifies based on household composition and needs in accordance with the standards in this policy.

**Overhoused** means the household occupies a unit that is larger than the maximum eligible unit size.

**Recognized educational institution** means a school, a private career college as defined in the *Education Act*, for which a notice of intention to operate has been submitted to the Ministry of Education in accordance with that Act, a university, a college established under the *Ontario Colleges of Applied Arts and Technology Act, 2002*, or any similar institution outside of Ontario.

**Spouse of the Tenant** is defined as a person to whom the tenant is married, or the tenant is living in a conjugal relationship outside of marriage if the tenant and the person have cohabited for at least one year, or are together the parents of a child in the household.

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Policy & Procedure:

Human Services Division  
Housing Department  
Occupancy Standards

Policy No.:	HDPOL24	Issue Date:	February 2003	Revision Date:	July 29, 2015
-------------	---------	-------------	---------------	----------------	---------------

Page 2 of 4

**Students living away from home** means that a student is considered a member of the household for the purpose of determining eligible unit size if the student is in attendance at a recognized educational institution and does not live with the household while in school, and lives with the household while not attending school, and is dependent, in whole or in part, on the household for financial support.

**Under housed** means the household occupies a unit that is smaller than the smallest unit for which they are eligible. Being under housed is not grounds for ineligibility for rent-gear-to-income assistance. Under housed households may apply for an internal transfer and must meet all criteria of the Internal Transfer policy.

### **CRITERIA**

1. Determination of eligible unit size shall be made upon application for subsidized housing, at the time of offer and prior to move-in, and during interim and periodic reviews of applicants and tenants.
2. A rent-gear-to-income household is eligible to be on the centralized waiting list and/or housed in the eligible unit size based on these local occupancy standards.
3. Applicants who cease to qualify for an eligible unit size subsequent to their initial application due to a change in household composition shall be added to the new eligible unit size waiting list and ranked according to their original application date.

### **OCCUPANCY STANDARDS**

#### **1. Largest Eligible Unit Size**

The largest eligible unit a household qualifies for is:

- i. One bedroom for any two members of the household who are spouses/same sex partners;
  - ii. One bedroom for each additional member of the household;
- a. An additional bedroom may be provided if:
- i. A member of the household is pregnant.
  - ii. One of the spousal/same sex partners requires a separate bedroom due to a verified disability or medical condition;
  - iii. An additional bedroom is required to store equipment required by a member of the household because of a medical condition (medical equipment does not include a scooter or exercise equipment);

Policy & Procedure:

Human Services Division  
Housing Department  
Occupancy Standards

Policy No.:	HDPOL24	Issue Date:	February 2003	Revision Date:	July 29, 2015
-------------	---------	-------------	---------------	----------------	---------------

Page 3 of 4

- iv. All requests for an additional bedroom due to disability or medical condition must be supported by a Verification of Disability or Medical Condition form completed by a qualified health care professional.
- v. A caregiver is required to be on site between the hours of 11:00 p.m. and 7:00 a.m. on an ongoing basis.

## 2. **Smallest Eligible Unit Size**

The smallest unit that a household would be eligible for is:

- i. One bedroom for every two members of the household; and
- ii. An additional bedroom if there is an odd number of members in the household, or if dependent members are not the same gender and/or have a difference in age of more than five years;
- iii. A bachelor unit for one household member or two household members who are spouses or same sex partners.

## **CUSTODY ARRANGEMENTS AND ELIGIBILITY FOR ADDITIONAL BEDROOM(S)**

A child shall be considered a member of the household in the following situations:

- A member of the household has joint custody or overnight visitation rights for the child(ren) and is required to provide adequate accommodation for the child and the child(ren) will stay overnight at least 10 days a month.
  - A legal agreement/Court Order or a sworn affidavit from each parent/guardian confirming regular overnight visits shall be submitted to support the request for additional bedroom(s);
  - A child(ren) shall be considered part of the household in which the parent receives, or is eligible for the Ontario Child Benefit, National Child Benefit Supplement and/or the Child Tax Benefit;
  - A Plan of Care or letter from the Children's Aid Society (CAS) or legal representative for a child(ren) currently in the care of CAS confirming that they are working on a Plan of Care to return the child(ren) to the household member;
  - Letter from CAS confirming that child(ren) are in foster care with the household and foster care is ongoing.
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Policy & Procedure:	Human Services Division Housing Department Occupancy Standards
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Policy No.:	HDPOL24	Issue Date:	February 2003	Revision Date:	July 29, 2015
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**REQUESTS FOR ADDITIONAL MEMBERS TO BE ADDED TO THE HOUSEHOLD**

The following applies to households already occupying a rent-gearred-to-income (RGI) unit.

- A request to add an individual to the household shall not result in the household being under or overhoused, unless the individual is a spouse of the tenant, or a child of a member of the household.
- Individuals not meeting the above criteria and living in the RGI unit, shall be deemed to be Occupants only and shall not have rights as a tenant, until such time as the individual meets the definition of spouse of the tenant.

**ABSENCE FROM UNIT**

1. A household will cease to be eligible for rent-gearred-to-income (RGI) assistance if all the members of the household are absent from the unit for which the household receives RGI assistance for more than 60 consecutive days or a total of 90 days in a year.
2. All members absent from the unit for medical reasons are deemed to be not absent.

**QUALIFYING MEDICAL CONDITION**

1. To qualify for an additional bedroom for medical reasons, the service manager must be satisfied that there is a compelling and ongoing need for the additional space. A Verification of Disability or Medical Condition form must be completed by a professional health practitioner.

**Reviewed and Approved By:**

  
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Chris Morrison, Manager  
Housing Department

  
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Date

  
\_\_\_\_\_  
Alison Tutak, Director  
Human Services Division

  
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Date