

# Directive

## Directive: Opportunity to Comment

<b>Issue Date:</b>	November 19, 2024	<b>Directive No.:</b>	DIR2024-06
<b>Revision Date:</b>		<b>Revision No.:</b>	

**Applicable Policy:** HDPOL40

**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 |

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### Federal/Provincial Cooperative Housing

- Shepherds Green Cooperative Homes Inc.
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### Housing Providers with EOM Rent Geared-to-Income Service Agreements

- Athens & District Non-Profit Housing (EOM Service Agreement)
- Gananoque Housing Inc. (EOM Service Agreement)
- Legion Village 96 Seniors Residence (EOM Service Agreement)
- Twp. of Bastard & South Burgess Housing Corp. (EOM Service Agreement)
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## BACKGROUND

The *Housing Services Act, 2011* O. Reg. 367/11 does not include an Opportunity to Comment requirement for Service Managers, however The United Counties of Leeds and Grenville has implemented this policy to allow tenants the opportunity provide information on unreported changes, or of events when they are reported to the housing provider to assist with preventing households from becoming ineligible for Rent-Geared-to-Income subsidy.

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### PURPOSE

The purpose of this Directive is to outline the process to allow a tenant to respond to any information that could lead to a decision that negatively affects their household. In this process, written comments from tenants/members can be provided to their social housing provider "before" a formal decision is made.

### DEFINITIONS:

**Illegal Occupant** is any guest/visitor that is staying overnight in the unit beyond the maximum of 14 days within a 90-day period.

**Not living in Unit** is when a tenant has been absent from the unit for more than 60 consecutive days, or a total of 90 days in a year, which is the maximum period of absence as established by the Occupancy Standards Policy. O. Reg. 367-11 s. 37.

**Unreported information** is information received from a 3rd party, and may pertain to any of the following:

- household composition (unreported/unauthorized occupants)
- income (unreported employment or additional income)
- schooling changes (stopped attending, adults or dependant children over 18)
- assets (unreported investments or properties)
- any information or activities that may violate conditions contained in the tenancy agreement between the household and the Housing Provider
- any illegal activities.

Unreported information may not necessarily indicate that the household intended to withhold the information, or breach their agreement. Per the *HSA* - O. Reg. 367/11 General, s. 28, households have 30 days to notify their Housing Provider of changes in information, circumstances or documents.

### CRITERIA:

1. Provide the tenant with the opportunity to comment on 3<sup>rd</sup> party information received before finalizing a decision that would negatively affect the household.
2. If information is received from the household within 30 days before the decision was made, the case manager is not required to provide the tenant with an opportunity to comment.
3. All reasonable efforts to provide the tenant with an opportunity to comment should be made, which may include phone calls, an in-person meeting, or sending written requests.
4. If no comments are received by the deadline, the housing provider will make a decision based on the information received, and the household will receive the appropriate notice

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of the decision.

5. The household may ask for a review of the decision through the appeal process. The appeal decision is considered final and cannot be appealed further.
6. The opportunity to comment includes decisions that affect a households:
  - a. Ineligibility for RGI assistance
  - b. Ineligibility for special needs housing
  - c. Type or size of accommodation
  - d. Amount of geared-to-income rent payable

### REFERENCE

HDPOL40 – Opportunity to Comment Policy  
HDPROC48 - Opportunity to Comment Procedure

### Appendices

- A: Opportunity to Comment - Children Removed from Household Template Letter
- B: Opportunity to Comment - General Template Letter
- C: Opportunity to Comment - Illegal Occupant Template Letter
- D: Opportunity to Comment - Not Living in Unit Template Letter
- E: Opportunity to Comment - Unreported Income Template Letter

### LEGISLATION

*Housing Services Act, 2011 O. Reg. 367/11*

If you have any questions, please contact the following:

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November 20, 2024

**Date**