

Directive

Directive: Annual and Interim Reviews

Issue Date:	March 9, 2020	Directive No.:	DIR2020-03
Revision Date:		Replaces No.:	DIR2017-01

Applicable Policy: HDPOL12

Type: Legislative/Operational

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 Non-Profit Housing Providers

- | | |
|---|---|
| <input type="checkbox"/> Athens & District Non-Profit Housing Providers | <input type="checkbox"/> Marguerita Residence Corp. |
| <input type="checkbox"/> Gananoque Housing Inc. | <input type="checkbox"/> South Crosby Non-Profit Housing Corp. – Rideau Lakes |

Federal/Provincial Cooperative Housing

- Shepherds Green Cooperative Homes Inc.

Housing Providers

- UCLG Housing Department
- Marguerita Residence Corp. (RGI Service Agreement)
- Rent Supplement Program

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BACKGROUND

Once a household begins to receive rent-geared-to-income (RGI) assistance, the continued eligibility of the household must be assessed at least once every 12 months. Household income and assets, and a review of household composition is completed to determine ongoing eligibility for RGI assistance and to calculate geared-to-income rent payable.

PURPOSE

The purpose of this directive is to highlight new rules for completing the required annual review process for RGI tenants, including a review of household composition and a new simplified method of calculating rent-geared-to-income.

Annual Review means a complete review of household composition and income to determine continued eligibility for RGI assistance and eligible unit size and to re-calculate RGI payable. An annual review must be completed at least once in every 12-month period after the household begins to receive RGI assistance.

Interim (In-Year) Review means a review of RGI payable and eligible unit size due to reported changes in income or household composition outside of an annual review. One interim (in-year) review may be requested by the household if total net income for the household decreases by 20 percent or more between the initial calculation of RGI payable and the first annual review or between annual reviews.

Notice Period refers to the period required to give notice to tenants regarding changes in RGI payable. The notice period is the month following the month in which the review is conducted.

Reimbursement of Subsidy may be assessed for tenants who had a reportable change prior to the effective date of the annual review resulting in an increase to RGI or for tenants who submit their annual review documentation late.

Reportable changes include a permanent change in household composition, if any member of the household starts or stops receiving social assistance (i.e. Ontario Works or Ontario Disability Support Program) benefits, if any household member stops attending a school full-time, and if any member's taxes are reassessed since the most recent calculation of RGI payable. (Income of members in full-time attendance at a recognized educational institution is excluded.)

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1. An annual review shall be completed at least once in every 12-month period after the household begins to receive RGI assistance. Normally an annual review will be scheduled on the anniversary date of the tenant's move-in date. However, housing providers may choose to continue to schedule annual reviews on the anniversary date of move-in or to schedule all tenants' annual review effective July 1st
2. Effective July 1, 2020, providers have one year to implement the new rules for calculating RGI in accordance with the new simplified rules. Therefore, whether the provider chooses to continue annual reviews based on the anniversary date of move-in or choose to schedule all annual reviews for July 1st each year, all tenants must have RGI calculated in accordance with the new simplified rules by **July 1, 2021**.
3. The annual review shall determine that the household continues to be eligible for the size and type of unit the household occupies in accordance with the occupancy standards of the United Counties of Leeds and Grenville. See Occupancy Standards policy. If a household occupies a modified unit it shall be verified that the household still requires the modified unit.
4. **All** increases/decreases in RGI payable calculated for the **annual** review shall be implemented regardless of the change in amount effective on the annual review date (anniversary date of move-in or July 1st).
5. Increases/decreases of less than \$10 for an **interim (in-year) review** based on a reportable change shall not be implemented. If the household requests an in-year review based on a significant decrease in income, (may only request such a review once between annual reviews) total household net income must be 80 percent or less of total net income for the household on the previous review.
6. Each household member shall submit a Notice of Assessment (NOA) for the most recent taxation year; failure to submit a Notice of Assessment may be grounds for ineligibility. However, housing providers are cautioned to exercise discretion in extenuating circumstances and due diligence in supporting members to file their income taxes and/or request a Notice of Assessment.
7. The effective date (notice period for a change in RGI payable on an annual review is the first day of the month following the month following the month in which the review is completed or July 1st or the anniversary date of move-in as applicable.
8. **Ineligibility:** A household may cease to be eligible for RGI assistance for any of the following reasons:
 - a) The household no longer meets the initial eligibility criteria; see the Application for Social Housing Policy and/or Ineligibility Checklist for Rent-Geared-to-Income Assistance.

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- b) The household fails to notify of a change to information or documents previously provided for the purpose of determining eligibility for rent-geared to income assistance or the household fails to report any of the following changes (reportable changes):
 - i. A permanent change in household composition (i.e. a new member is added or a member of the household no longer lives in the unit).
 - ii. A member whose income was not included in the RGI calculation because the member was in full-time attendance at a recognized educational institution is no longer attending full-time as such an institution.
 - iii. A member of the household starts or stops receiving social assistance under the *Ontario Works Act, 1997* or the *Ontario Disability Support Program Act, 1997*.
 - iv. A permanent increase in monthly income of any member of a benefit unit (excluding members who are in full-time attendance at school) that causes non-benefit income to exceed the applicable non-benefit income limit of Column 3 in Tables 1 to 3 of O. Reg. 316/19.
 - v. The taxes of a member of the household whose income tax information was used in the calculation of RGI have been reassessed or additionally assessed since the last annual review or since the initial calculation of RGI if no annual review has been conducted.

Notice of a reportable change described above must be submitted within 30 days of the change. The notification period may be extended by the Administrator either before or after the period has expired.

Note: Households are no longer to report increases in income between annual reviews. Only the reportable changes identified above must be reported within 30 days of the change, resulting in an interim review initiated by the housing provider.

- c) A member of the household whose income is to be included in the calculation of RGI payable has not filed an income tax return for the taxation year that ended immediately before the beginning of the month in which the review starts.
 - i. For reviews conducted from July 1 to December 31, a Notice of Assessment is required for the immediately preceding year;
 - ii. For reviews conducted from January 1 to June 30, a Notice of Assessment is required for the year that ended prior to the immediately preceding year.

Examples: For reviews conducted between July 1 and December 31, 2020, a Notice of Assessment is required for the 2019 taxation year. For reviews conducted between January 1 and June 30, 2020 a Notice of Assessment is required for the 2018 taxation year.

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The Administrator may determine that a household continues to be eligible if satisfied there are extenuating circumstances and that the household is no longer ineligible once the NOA referred to above is submitted.

- d) The household did not respond to a notice to pursue income or failed to make reasonable efforts to obtain income that the household may be eligible to receive (see Pursuit of Income Directive).
- e) A member of the household has an interest in and has failed to sell or failed to notify the housing provider of the sale of a residential property that is suitable for year-round occupancy within the time specified.
- f) The household accepts an offer of a portable housing benefit and begins to receive that benefit.
- g) The household refuses an offer of an RGI unit in the service area that meets the occupancy standards and is in a housing project for which the household has expressed a preference. Refusal of a portable housing benefit shall not be considered a refusal under this paragraph. An overhoused household shall **not** be determined ineligible until a year after it is notified that it is overhoused and the household refuses an offer of an eligible unit size.
- h) The household may be determined ineligible for RGI assistance if total income of the household exceeds the household income limits established (see Household Income Limits Directive). The household must have total income that exceeds the household income limits (i.e. household has paid Market rent) for a period of 24 consecutive months.
- i) The household 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 Directive. *O. Reg. 367/11 s. 37.* or any other local rule the Service Manager makes.

APPENDICES

Ineligible for Rent-Geared-to-Income Checklist

REFERENCE

Housing Services Act, 2011 s. 50, 51, 52, 56
O. Reg. 316/19
O. Reg. 367/11 s. 23-32, 42, 59-61

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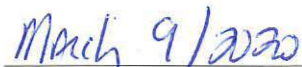
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**C. Morrison, Manager
Housing Department**



Date

Ineligibility Checklist for Rent-Geared-to-Income Assistance

Reasons a household may be ineligible for rent-geared-to-income assistance

Select only the applicable reasons(s) to be included in the Notice of Ineligibility for rent-geared-to-income assistance:

- At least one member of the household is not 16 years old or older and able to live independently. O. Reg. 367/11 s. 24 (1) (a).
- Insert name(s) here is not a Canadian citizen, has not applied for status as a permanent resident, or made a claim for refugee protection under the *Immigration and Refugee Protection Act* (Canada). O. Reg. 367/11 s. 24 (1) (b).
- There is an enforceable order against Insert name(s) here under the *Immigration and Refugee Protection Act* (Canada). O. Reg. 367/11 s. 25.
- Insert name(s) here has been convicted of an offence under section 55 of the *Housing Services Act*, section 85 of the *Social Housing Reform Act*, or of a criminal offence in relation to receiving rent-geared-to-income assistance under the *Criminal Code* (Canada). O. Reg. 367/11 s. 36.
- Insert name(s) here owes monies in respect to any tenancy with name of housing provider or rent supplement landlord. O. Reg. 367/11 s. 26.
- Household income is above the income limit for rent-geared-to-income assistance for a insert eligible unit size bedroom unit as per Household Limits policy O. Reg. 367/11 s. 34.

Reasons a household may cease to be eligible for rent-geared-to-income assistance

A household previously determined to be eligible for rent-geared-to-income assistance may cease to be eligible for such assistance if it is determined subsequently that the household did not meet an eligibility requirement, **or** the household no longer meets one or more of the eligibility requirements specified above.

Additional reasons a household may cease to be eligible for rent-geared-to-income assistance are:

- The household failed to notify of changes to information or documents previously provided for the purposes of determining eligibility for rent-geared-to-income assistance, or for the purposes of determining the amount of rent payable by the household, within 30 days after the change. O. Reg. 367/11 s. 28.
- The household failed to provide information requested to determine ongoing eligibility for rent-geared-to-income assistance, or to determine the amount of rent payable by the household. O. Reg. 367/11 s. 29.
- The household did not respond to a notice to pursue income, or failed to make reasonable efforts to obtain income that the household may be eligible to receive. O. Reg. 367/11 s. 31.
- The household's rent has been set at Market (Maximum) based on income for 24 consecutive months (excludes Grandfathered Market tenants).
- A member of the household has an interest in, and has failed to sell, or failed to notify the housing provider of the sale of the residential property located at insert address of property, that is suitable for year-round occupancy within the time specified. O. Reg. 367/11 s. 32.
- The household is overhoused, and has asked to be removed from the centralized waiting list.
- The household was notified on insert date of overhoused notification that the household is overhoused and refused an offer for an eligible unit on insert date of offer (must be at least one year after overhoused determination). O. Reg. 367/11 s. 38
- The household has refused an offer for a rent-geared-to-income unit that is the appropriate size, and in a housing complex the household selected. O. Reg. 367/11 s. 32.2
- The household 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.