

# Directive

## Directive: Regulatory Amendments under the Housing Services Act, 2011

<b>Issue Date:</b>	July 14 , 2016	<b>Directive No.:</b>	DIR2016-04
<b>Revision Date:</b>		<b>Revision No.:</b>	

**Applicable Policy:**

**Type:** Legislative

*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.
- 

**Affordable Housing Providers**

- |  |   |
|--|---|
| <input type="checkbox"/> Elgin Seniors Housing Development | <input type="checkbox"/> 2049515 Ontario Inc. |
| <input type="checkbox"/> Housing Department                |   |
- 

**Housing Providers**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> UCLG Social Housing Provider | <input checked="" type="checkbox"/> Rent Supplement Program |
|--|---|

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**BACKGROUND**

The Long-Term Affordable Housing Strategy (LTAHS) update released on March 16, 2016 supports the vision that every person has an affordable, suitable and adequate home to provide the foundation to secure employment, raise a family and build strong communities. The Ontario government is introducing a suite of regulatory amendments to support the implementation of the LTAHS update. Amendments included in this directive will take effect on July 1, 2016. Certain amendments to Ontario Regulation 367/11 will take effect on January 1, 2017.

**PURPOSE**

The purpose of this directive is to inform housing providers of recent regulatory amendments to the *Housing Services Act, 2011* (HSA).

**ACTION TO BE TAKEN**

**O. Reg. 298/01 Determination of Geared-to-Income Rent Section 50**

- All scholarships and bursaries are exempt from rent-geared-to-income (RGI) calculations for students attending post-secondary institutions (i.e. a university, a college of applied arts and technology as established under the *Ontario Colleges of Applied Arts and Technology Act, 2002* or a private career college as defined in the *Private Career Colleges Act, 2005*. Section 50 (3) of O. Reg. 298/01
- Imputed income from non-interest bearing bank accounts shall be calculated only on an average minimum monthly balance exceeding \$5,000. This amount is changed from the current \$1,000 and is specific to non-interest bearing bank accounts only. Section 50(9.1)

**O. Reg. 367/11 General**

- Schedule 5, item 1 is amended to reflect that service managers may provide market units to households in addition to rent-geared-to-income units in public housing; the market rent must be less than the fair market rent for similar accommodations in the vicinity. O. Reg. 367/11 Schedule 5
- Schedule 5, item 6 is amended to reflect that Program 6 social housing projects can be owned by Service Managers or corporations wholly owned by Service Managers. Sections 92 (a housing provider that is in good standing under the *Corporations Act* or under the *Co-operative Corporations Act*) and 93 (requirement for the housing provider to operate as a registered charity or a non-profit organization exempt from tax under the *Income Tax Act* (Canada)) are amended to reflect that these rules do not apply to a housing provider that is a service manager or a corporation that is wholly owned by a service manager. O. Reg. 367/11 s. 92 and 93, Schedule 5
- References to the *Day Nurseries Act* are replaced with the *Child Care and Early Years Act, 2014*.

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**ACTION TO BE TAKEN**

- Effective **January 1, 2017**, the system for dealing with reviews is amended as follows:
  - i. the service manager shall appoint an individual that the service manager and the housing provider select jointly as a review body; if they cannot agree, an individual from a list identified by the Minister, and
  - ii. the cost of remunerating the review body shall be shared equally by the service manager and the housing provider. O. Reg. 367/11 s. 138
- Also effective **January 1, 2017**, a new section is added to prescribe specific Service Manager decisions for which a housing provider may request a review under s. 157 of the Act. One or more specified triggering events are not subject to a request for a review by the housing provider.

**O. Reg. 368/11 Designated Housing Projects (s. 68 of the Act)**

- Projects that are no longer part of the social housing portfolio are removed from O. Reg. 368/11.

**REFERENCE**

SH Notification 16-01  
O. Reg. 298/01  
O. Reg. 367/11  
O. Reg. 368/11

If you have any questions, please contact the following:

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Date