

**Summary of Stakeholder consensus on changes to Regulations that could be implemented immediately.**

Item	Issue	Reference	Current Wording	Consensus Outcome/Suggested Wording
		<b>O. Reg. 298</b>		
1	Applications	Sec. 5 (8)	“The application and the consent must be signed by each member of the household who is 16 years old or older.”	Differentiate between dependents who are 16 or 17 and independent people of that age, and make the former exempt.
2	Eligibility Rules – legal status	Sec. 7 (1)(b), (c) and (d)	<p>(b) Each member of the household meets at least one of the following criteria:</p> <p>i) the member is a Canadian citizen</p> <p>(ii) the member has been granted status as a permanent resident under the Immigration and Refugee Protection Act (Canada)</p> <p>iii) the member has made an application for status as a permanent resident under the Immigration (and Refugee Protection) Act (Canada)</p> <p>(iv)) the member is a ward of the government of Ontario who is not a permanent resident of Canada or</p> <p>(v) the member is in receipt of a temporary resident permit allowing the member to remain in Canada.</p> <p>(c) no deportation order under the Immigration and Refugee Protection Act (Canada) has been made against any member of the household except in the case of a family member of a household</p>	<p>Include additional persons who are entitled to live in Canada legally, such as wards of the province through Children’s Aid Societies who are not landed immigrants and individuals with minister’s permits that allow them to stay in Canada.</p> <p>In both the <i>Ontario Works</i> and <i>Ontario Disability Support Program Acts</i>, persons who are applying for permanent resident status are eligible. The SHRA should be consistent with other legislation in this regard. Immigrants living in social housing may have family members join them in Canada and then apply for permanent resident status. This is an acceptable route for Immigration Canada so should not prevent RGI eligibility for the family.</p> <p>Both non-permanent resident wards and persons on (Minister's) temporary resident permits are legally allowed to reside in Canada with government recognition and so should be</p>

			<p>member who has made application for status as a permanent resident under the Immigration and Refugee Protection Act (Canada).</p> <p>(d) no departure order or exclusion order under the Immigration Act (Canada) has become effective with respect to any member of the household except in the case of a family member of a household member who has made application for status as a permanent resident under the Immigration and Refugee Protection Act (Canada);</p>	<p>eligible for RGI assistance.</p> <p>Family members who are applying for permanent resident status after a deportation, departure or exclusion order has been issued should remain eligible for RGI assistance until a determination is made by Immigration Canada about their application.</p>
3	Arrears owing	Sec. 7 (1) (e) & (f)	<p>“...no member owes arrears...with respect to any project under any housing program, whether administered by the service Manager or the Ministry...”</p>	<p><b>Suggested Wording:</b> (e) in the case of a household other than a special priority household, no member of the household owes arrears either of rent or of money owed as a result of damage caused by a member of the household with respect to any housing project <b>under any social housing program in Ontario</b>, or if a member of the household does owe such arrears,</p> <p>(i) the service manager is satisfied that extenuating circumstances exist, or</p> <p>(ii) any member of the household has entered into an agreement with the housing provider for the repayment of the arrears and the service manager is satisfied that the member is making or intends to make all reasonable efforts to repay the arrears;</p>

				(f) in the case of a special priority household, no member of the household owes arrears either of rent or of money owed as a result of damage caused by a member of the household with respect to any housing project <b>under any social housing program in Ontario</b> , or if a member of the household does owe such arrears,..."
4	Review of Eligibility	Sec. 11 (1) & (2)	Once in every 12-month period after a household is determined to be eligible for rent-geared-to-income assistance, the service manager shall review the eligibility of the household and shall determine whether the household continues to be eligible for rent-geared-to-income assistance. (2) The service manager may review the eligibility of the household more frequently than once in every 12-month period....	There should be local flexibility to review the applications, based on local requirements and waiting times for access. This could include conducting reviews less than once every 12 months.
5	Arrears in current RGI unit	Sec. 12 (1) (a) & (b)	"A household ceases to be eligible for ...assistance...if (a) the household did not meet an eligibility requirement set out in subsection 7 (1); (b) the household has ceased to meet an eligibility requirement...."	<b>Suggested Wording:</b> Add..." notwithstanding sections 12.(1) (a) and (b), households currently receiving geared-to-income assistance who owe arrears to the current housing provider are not determined to be ineligible for assistance."
6	Timely reporting of changes	Sec. 12 (1) (h)	A household...ceases to be eligible for ...assistance...if (h) (it) fails to comply with Section 10.	The current requirement is too harsh that the standard penalty is loss of eligibility. <b>Suggested Wording:</b> There should be an

				<p>addition to 12(1) (h) such as, “The service manager may determine that the application of 12(1) may be waived based on circumstances as defined by the Service Manager.”</p> <p>For example, the penalty of ineligibility should not apply to failure to report a decrease in income.</p> <p><b>Suggested approach:</b></p> <ul style="list-style-type: none"> <li>-reinstate old system of penalty for people who don't give information within a timely manner</li> <li>-take away the penalty for mid-term review, but keep it for annual review</li> <li>-eligibility could be revoked at annual review and reinstated when info is provided</li> <li>-retroactive to the 2nd month following the change</li> </ul>
7	Consequences of Cessation of Eligibility	Sec. 14 (1)	“If a service manager determines that a household receiving rent-geared-to-income assistance has ceased to be eligible...”	<p><b>Suggested Wording:</b> Add – “14(1) (c) if the household ceased to be eligible due to failure to provide documents and information regarding the household’s income, then the household rent for the period beginning on the first day of the second month following the change in income and ending on the effective date per paragraph (c) shall be the rent that it should have paid if all income had been disclosed.”</p>
8	Fraud	Sec. 16 (1) & (2)		<p><b>Suggested Wording:</b> “A household that is determined by a service manager to be ineligible for rent-geared-to-income assistance because it fails to meet the requirements of</p>

				clause 7 (1) (g) may not reapply for rent-geared-to-income assistance for a period of two years from the first day of the month following a conviction for fraud or a finding of misrepresentation in a court or ORHT proceeding.”
9	Time for making determinations	23 (2)		<b>Suggested Wording:</b> “If a request for inclusion in the special priority household category is made with the household’s application for rent-geared-to-income assistance, the determination about whether the household is eligible for rent-geared-to-income assistance must be made within 20 business days (or 30 calendar days) after the household’s application is complete.”
10	Request to be special priority	Sec. 24 (8)	The member...shall provide such information (as required for) verifying the statement under clause (3) (a).	Add 3 (b) and (c) since all must be verified.
11	Verification of abuse	Sec. 25 (1)		<b>Suggested Wording:</b> Add new subsection “Where other information or documents contradict the confirmation of abuse, the service manager may determine that the applicant is not eligible for special priority”
12	Verification of abuse	Sec. 25 (5)		Add “transitional support worker” to the list of individuals
13	Verification of abuse	Sec. 25 (3)	“The service manager...shall accept...a record...whether the record is disclosed...in written or verbal form.	A written statement provides the documentation needed for audit purposes and provides a higher test of accountability for people who confirm the need for SPP status on an applicant’s behalf. <b>Suggested Wording:</b> Revise Sec 25. (3) to

				say: “The service manager, supportive housing provider or lead agency shall accept, as verification of the statement required under clause 24 (3) (a) that a member of the household has been subject to abuse from another individual, a record described in subsection (4) that is prepared by an individual described in subsection (5), in written form only.”
14	Review of special priority	Sec. 25 (7)	“Once a service manager...determines that a household should be included in the special priority household category on the waiting list, the service manager...shall not reconsider whether that household should be included in that category.”	<b>Suggested Wording:</b> Replace the existing Sec. 25 (7) with the following: “A decision that a household shall be included in the special priority household category on the waiting list may be reversed if the service manager, supportive housing provider or lead agency has information and documents to verify any of the following statements: 1. the applicant has added the abuser to the centralized waiting list application; 2. the abuser is deceased 3. the abuser incarcerated for a term longer than two years 4. the applicant has established a permanent relationship with a new spouse or common-law partner 5. the applicant has accepted an offer of RGI housing in a service area in which the applicant had been included in the special priority household category 6. the applicant has accepted a transfer offer of RGI housing with the current housing provider

				<p>where the housing provider had included the applicant in the special priority category on the internal transfer waiting list.</p> <p>A decision to remove a household from the special priority category shall be reversed if the applicant provides documentation to show that the applicant has again separated from the abuser and does not intend to live with the abuser.”</p>
15	Dealing with over-housing	Sec. 33, Sec. 39 (1)		<p>Three refusals total, including internal and external transfer offers.</p> <p>Amend Sec. 33 to say applicant can choose to go on both lists right away, but if not on external list right away, must go to external list after 12 months (can stay on internal list at the same time).</p> <p>Amend Sec. 39 (2) to say that the three refusals include any offer of an internal transfer.</p>
16	Removal from subsidiary list	Sec. 36 (2)	“The subsidiary waiting list shall include all the households on the centralized waiting list that...have a preference for that housing project....”	Amend to allow for deletion of a household from the subsidiary list of a provider that has rejected that household’s application under O. Reg 339 Sec. 18
17	Market residents applying for RGI	Sec. 41 (2)	“The ranking date for a household...is the date the household applied for rent-geared-to-income assistance.”	<p>Amend Sec. 41 (2) to say the effective date of application for a market-rent occupant who comes to need assistance should be the date on which a social housing resident was originally housed.</p> <p>The regulations should allow a service manager to set a local policy allowing RGI subsidy to be given to market rent residents in</p>

				need without recourse to the centralized waiting list referral process where the Housing Provider is below its RGI target.
18	Rent for recipients of Social Assistance	Sec. 48 (1)		The rent scale for these residents should be set at the maximum shelter amount allowed by OW and ODSP rather than the minimum.
19	Adjusted family income	Sec 50 (3) 1a	...the following shall not be included in income....”	<b>Suggested Wording:</b> Add: <ul style="list-style-type: none"> <li>• A lump sum payment received pursuant to the settlement of an aboriginal residential school claim</li> <li>• The first \$1,000 of cash held for the household in bank accounts</li> </ul>
20	Adjusted Family Income	Sec. 50 (6)	The income of a member of a family unit shall be reduced by the amount of all support payments made by the member under an order made under the <i>Divorce Act</i> (Canada), the <i>Family Law Act</i> , or the <i>Reciprocal Enforcement of Support Orders Act</i> .	Should recognize other support payments by adding “or payments made pursuant to an agreement for support between the parties.”
21	Income verification for seniors	Sec. 52 (1)	“Once in every 12-month period...the service manager shall review the geared-to-income-rent payable by the household....”	If the service manager and provider agree, the income of seniors on fixed income could be reviewed every two years. In the alternate years, the income would be assumed to be adjusted by the change in the Consumer Price Index. Rent for seniors receiving only government pension income should be adjusted only once a year, during the annual review process.
22	Timing of an increase after	Sec. 52 (12)		Amend wording so that a household can't request a review simply to delay the

	review			<p>implementation of an increase.</p> <p><b>Suggested Wording:</b> “If one or more members of a household request an internal review of a decision made by a service manager under this section to increase the geared-to-income rent payable by the household, and if the decision made on the internal review is to increase the geared-to-income rent payable by the household, whether by the same amount as or by a different amount from that originally specified by the service manager, the rent increase takes effect on the day that is the day referred to in subsection (8)”.</p>
23	Reimbursement of service manager	Sec. 54 (1)		<p>Clarify that the limit on reimbursement of the service manager only applies to recalculations, not to arrears/overpayment of subsidy. Also, clarify that rent can be retroactively reduced if it was calculated incorrectly. <b>Suggested Wording:</b> “Reimbursement of service manager - If a household has been charged less geared-to-income rent for a period than it should have been charged and the service manager has requested the household, under subsection 86 (1) of the Act, to reimburse the service manager for the excess amount of rent-geared-to-income assistance the service manager has paid in respect of the household for the period, the amount to be paid to the service manager, for the purpose of subsection 86 (3) of the Act, is the difference between the</p>

				<p>amount of geared-to-income rent charged to the household for the period and the amount of geared-to-income rent that the household should have been charged for the period.</p> <p>Reimbursement by service manager - If a household has been charged more geared-to-income rent for a period than it should have been charged for the period, the amount owing to the household, for the purpose of subsection 86 (3) of the Act, is the difference between the amount of geared-to-income rent charged to the household for the period and the amount of geared-to-income rent that the household should have been charged for the period.”</p>
24	Internal Review	Sec. 82 (1)		Add a subsection to permit the creation of a special body to review appeals. This would overcome the difficulty of reviewing appeals where a board was involved in the original decision.
25	Notice requirements for decisions and internal reviews	Sec. 58 (3)	The review shall be completed within 10 business days after the request for the review is received.	<b>Suggested Wording:</b> Amend to “the review shall be completed within <b>20</b> business days after the request for the review is received, or such longer period as agreed to by the parties.”
26	Filling modified units that do not have support			The default should be for the centralized waiting list to be responsible for wait lists for all modified units <b>without</b> supports.
27	Housing Programs	Schedule 1		Delete the Rent Supplement Homelessness Initiative and the Rent Supplement Special Needs Homelessness Initiative, to bring the Regulation into agreement with the program

				guidelines.
		<b>O. Reg. 339</b>		
28	Designation of special priority to transfer request	Sec. 11.1 (1)	“If a household is applying for an internal transfer, any member of the household who is 16 years old or older may request that the housing provider determine whether it should be included in the special priority household category on the waiting list for internal transfers.”	<p>The service manager should be given the responsibility of determining whether or not the household should receive special priority status.</p> <p><b>Suggested Wording:</b> remove 11.(1) subsections 3 to 18 and 11.(2), and insert the following:  “11.(1) If a household is applying for an internal transfer, any member of the household who is 16 years old or older may submit a request to the service manager and the service manager shall determine whether the household should be included in the special priority household category.  If the service manager has determined that the household should be included in the special priority category, then within ?? days after the decision is made, the service manger shall notify the household and the housing provider of the decision. If the decision is that the household is eligible to be included in the special priority category, the housing provider shall include the household on the waiting list for internal transfers.</p> <p><u>(2)</u> A request for a determination that a household should be included in the special priority household category may not be made except as provided in subsection (1).“</p>

				Reg 298 would also have to be amended as follows to allow for the receipt of requests for special priority internal transfer: “24.(1) If a household is applying for rent-geared-to-income assistance or special needs housing or special priority internal transfer, any member of the household who is 16 years or older may request that the service manager, supportive housing provider or lead agency, determine that the household should be included in the special priority household category on the centralized waiting list or on a housing provider internal transfer list.”
29	Market households who now need RGI	Sec. 14.1	Delete parts 1 and 2.	The provider should be allowed to grant RGI as long as it is under its targeting plan. The other two conditions are an unrealistic barrier
30	Selection of Households	Sec. 14 (3)		Allow the ability to fill some non-priority vacancies from the centralized list instead of the transfer list. <b>Suggested Wording:</b> “Selection of households - 1. “The housing provider shall offer the unit to households on the housing provider’s waiting list for internal transfers referred to in paragraphs 1.1, 2 and 4 of subsection 11 (2), and that are eligible for the unit under Part V of Ontario Regulation 298/01, starting with the highest ranked household and continuing in the order in which the households are ranked on that list, until an offer is accepted.

				2.If no household on the housing provider’s waiting list for internal transfers referred to in paragraphs 1.1, 2 or 4 of subsection 11 (2) is eligible for the unit or accepts the unit, the housing provider shall offer the unit to other households on the waiting list for internal transfers or shall offer the unit to the highest ranked household on the centralized waiting list, such offer to be consistent with the housing provider’s policies and procedures for the filling of vacancies.”
31	Referral agreements	Sec. 16		Allow supportive housing providers, whether designated or non-designated, to enter into new referral agreements with agencies, with the agreement of the service manager.
32	Notice of Decision and Internal Review for Market Households	Sec. 17 & 18	The current wording doesn't specifically exclude market rent households from the provider's requirement to inform the service manager of acceptances/refusals or to provide an internal review to refused applicants.	<p>The application of the regulation should be restricted to RGI and special needs households. <b>Suggested Wording:</b> “17.(1) If a housing provider offers a unit to an RGI household, other than a household on the housing provider's waiting list for internal transfers, the housing provider shall give the service manager notice in writing of the household's decision to accept or refuse the unit.</p> <p>18.(1) Despite sections 14 and 16 and any rules referred to in section 15, a housing provider may refuse to offer a unit to an RGI household if, .....</p> <p>new section – section 18 does not apply to the</p>

				offer of a unit to a non-RGI household.
33	Refusal to offer a unit	Sec. 18 (1)		Add new subsection 18 (1) (g) to state that a provider may refuse an applicant who has been evicted for cause under the TPA, including where the applicant has left the unit under final notice of eviction for cause.
34	Lease requirements	Sec. 21 (1) 4		<p>The lease should allow for a retroactive increase in the case of misrepresentation of income or assets, in addition to other penalties. <b>Suggested Wording:</b> “Lease requirements - if the service manager determines that the household’ s income and assets used to calculate rent were greater than those reported to the service manager, the service manager may recalculate the rent owing for the period in which income was not properly reported. The retroactive increase shall be effective on the first day of the second month following the increase in income or assets (same as all properly reported mid-year changes).</p> <p>if the service manager determines that the household’ s income and assets used to calculate rent were greater than those reported to the service manager. The retroactive increase shall be effective on the first day of the third month following the increase in income or assets (same as all properly reported mid-year changes).</p>
35	Co-op sector support	Sec. 22 (3)	“a pro-rated portion of the annual amount...payable...to the Co-operative	Clarify that the regulation allows the collection of sector support contributions. The money has

			Housing Federation of Canada.	already been paid to CHFC. The amounts mentioned in this section are included in the mortgage payment to the lender.
36	Capital Reserve	Sec. 24 (1) & (3)		<p>The current language is restrictive. Broader language is required to allow providers to contribute their share of surpluses and any capital funds provided by the service manager to their capital reserve fund.</p> <p><b>Suggested Wording:</b> A housing provider that receives a subsidy under the Act shall establish and maintain a capital reserve for its housing projects in a service area that includes, but is not limited to, the following amounts:</p> <p>24.(3) The amount of a housing provider's mandatory contribution for a fiscal year</p> <p>24.(4) Delete “Despite subsection (3)”</p> <p><b>Add:</b> A housing provider may contribute an amount to its capital reserve fund for a fiscal year for its housing projects in a service area in excess of its mandatory contribution provided that the amount does not exceed (a) the amount of “E”.... or (b) the amount of “E”, and provided that the housing provider has accumulated a \$300 per unit operating reserve balance.</p> <p>Add:</p>

				A housing provider may contribute any amount to its capital reserve fund that is an amount that a service manager has directed it to contribute to its capital reserve fund.
37	Investments: Prescribed Housing Providers	Sec. 25 (4)	The companies no longer exist in the form they were when the <i>Act</i> was passed.	The companies no longer exist in the form they were when the Act was passed. <b>Suggested Wording:</b> Amend to state something like “and their successors”
38	Investments	Sec. 26 (1) 2		Amend to make it consistent with the exemption under Sec. 25 (3) and (4) for eligible housing providers. <b>Suggested Wording:</b> “The following rules apply if a housing provider is prescribed for the purposes of clause 142 (1) (c) of the Act, unless the housing provider is an ‘eligible housing provider’ per subsection 25.(3) or 25.(4).”
		<b>O. Reg. 368</b>		
39	Rules and Criteria	Table 4		Eliminate the requirement in the program rules for public housing, rent supplement and federal non-profits to assist only households with income under the HIL.
		<b>SHRA</b>		
40	Referral agreements	Sec. 89 (1) (3)		Allow supportive housing providers, whether designated or non-designated, to enter into new referral agreements with agencies, with the agreement of the service manager.