



Housing Provider Forum

May 25, 2017

REVIEW OF DECISIONS

Internal Review Process

Decisions Subject to Review

The Housing Services Act (HSA) requires the Service Manager to set up a system for dealing with appeals (reviews). NRH has established a local rule where housing providers have been delegated the responsibility to hear all appeals of the following decisions:

- RGI eligibility
- RGI payable
- Occupancy Standards

Decisions Subject to Review

Housing providers must ensure that all letters or notices of decision sent to an RGI household include the right to request an Internal Review of a decision that adversely affects them.

The household has the right to attend the appeal meeting in person, or be represented by an agent, or may appear in person accompanied by an agent.

Appeal Committee

An Appeal Committee serves an important role by providing a third-party review to ensure a fair, impartial and transparent process for all appeals.

The HSA requires housing providers to establish certain standards, procedures and rules for their appeal committees, which include the following:

Appeal Committee

- Committee members cannot have participated in the original decision being reviewed
- Committee members cannot have discussed the original decision with the decision-maker prior to the review
- An individual may only participate in a review as a member of the committee if the individual is knowledgeable about the provisions of the HSA and regulations that are relevant to the decision being reviewed

Appeal Committee

Procedural Rules with timelines:

- When a review can be requested – *within 10 days of the original Notice of Decision*
- When to complete a review of decision – *should be scheduled within 10 days*
- When the decision must be made

Appeal Committee

Procedural Rules with timelines:

- When the notice of decision must be given – *household is notified within seven business days after the outcome is decided*
- Rules related to the appointment, removal and remuneration of appeal committee members

Appeal Committee

Procedural Rules with timelines:

The Appeal (review) Committee must complete the review with the timelines set.

The Housing Provider has the discretion to extend the timeline if there are extenuating circumstances.

Appeal Committee

Procedural Rules with timelines:

The housing provider should provide the appeal committee with information to support the original decision such as; the notice of original decision, summary of decision and any other documentation used to make original decision.

Appeal Committee

Required Training for Appeal Committee Members:

The HSA requires appeal committee members to be knowledgeable in HSA legislation and receive training which may include:

- Providing relevant sections of the HSA legislation and NRH Local Rules to the members in advance of the meeting

Appeal Committee

Required Training for Appeal Committee Members:

- Reviewing the applicable legislation prior to the meeting to ensure all members are aware of the legislative requirements
- Arranging additional training through their sector support organizations if necessary

Appeal Committee

Options:

- Housing providers that are managed by large property management firms have the option of using other staff members of the firm, together with one or more housing provider board members
- Housing providers can use neighbouring housing provider boards or staff as part of their appeal committee

Appeal Committee

Options:

- Housing providers can seek assistance from the sector organization on other options available to them

A record of all internal reviews requested and conducted along with the formal minutes and results of these requests and reviews should be kept by the housing provider.