



NIAGARA  
REGIONAL  
HOUSING



# NRH Notice

NUMBER: 05-09

DATE: December 19, 2005

Mandatory  
 For Information

## Applicable to:

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**SUBJECT: Overhoused Households: Changes to Regulations and Administrative Procedures**

## BACKGROUND:

The *Social Housing Reform Act 2000 (SHRA)* and O. Reg. 298/01, s. 33 requires overhoused households receiving a rent-geared-to-income subsidy to transfer to an appropriate-sized unit. O. Reg. 298/01 allows an overhoused household to be added to the provider's internal transfer list for one year (*if the provider has the appropriate size units in their portfolio*). After one year, the household is added to the centralized waiting list. The Act or regulations do not stipulate the number of refusals a household can have while on the provider's internal transfer list. As such, this has varied across housing providers with some offering an unlimited number of offers of suitable accommodation. When placed on the centralized waiting list, the household is given a maximum of three refusals of offers of accommodation before being deemed ineligible for rent-geared-to-income subsidy.

As a result of Niagara Regional Housing's (NRH) operational reviews, it has become evident that many providers are uncertain of the process to add the overhoused household to the centralized waiting list and what this means in terms of future unit offers. This Notice sets out the regulation change affecting overhoused households and administrative procedures that must be followed for adding households to the centralized waiting list.

## Changes to Regulations

On November 3, 2005, O. Reg. 556/05 was filed, amending O. Reg. 298/01. The section on refusal of three offers is amended as follows:

*O. Reg. 556/05, s.10. - Refusal of three offers – ineligibility:*

- (1) *A household, other than a household that has been determined to be eligible for special needs housing, ceases to be eligible for rent-geared-to-income assistance if it has refused three offers of a rent-geared-to-income and:*
  - (a) *It is on the centralized waiting list for rent-geared-to-income units, or;*
  - (b) *It has been placed on a housing provider's internal transfer list under paragraph 2 of subsection 11(2) of O. Reg. 339/01 made under the Act.*

*O.Reg. 557/05, s.2 - notice to service manager:*

*That the housing provider notifies the service manager when a household that has been placed on the waiting list for internal transfers under paragraph 2 has refused an offer of a unit.*

Therefore, all overhoused households will receive a total maximum of three offers of suitable accommodation before being deemed ineligible for rent-gear-to-income subsidy, whether they are on the provider's internal transfer list or on the centralized waiting list, or both. If the household refuses three offers of accommodation, it will be deemed ineligible for rent-gear-to-income subsidy. Housing providers must notify the service manager of all offers of accommodation made to households on the provider's internal transfer list, including refusals of offers.

### **Administrative Procedures**

The following procedures are to be used to ensure overhoused households are added to the centralized waiting list, as appropriate:

1. If a household is determined to be overhoused, and the provider has the appropriate size of unit in its portfolio, written notice is sent to the household advising them of their overhoused status and that they have been added to the provider's internal transfer list for the appropriate-sized unit. (*Other than special priority internal transfers, overhoused households are given priority on the provider's internal transfer list*). The household is advised that they will be ineligible for subsidy if they refuse a total of three offers of accommodation.

*Note: Overhoused households can be placed on the centralized waiting list at the same time as they are placed on the internal transfer list.*

2. Overhoused households are added to the centralized waiting list if they have not transferred to an appropriate-sized unit within one year of being added to the provider's internal transfer list (and the third offer has not been made) or immediately if the provider does not have the appropriate size of units in its portfolio.

*Note: When, and if, the third offer of accommodation has been refused while on the provider's internal transfer list, the household is no longer eligible to receive rent-gear-to-income subsidy. The housing provider must advise the household, in writing, that they are no longer eligible for rent-gear-to-income subsidy and give the appropriate notice that their rent/housing charge will be increased to market.*

3. The housing provider advises NRH's Housing Access Division of all offers of accommodation made to the overhoused household while on the provider's internal transfer list. This now includes all refusals of offers as well (O.Reg. 557/05, s.2).

4. When the household is required to be added to the centralized waiting list, the housing provider advises the household, in writing, that their name has been forwarded to NRH's Housing Access Division, and that Housing Access Division will be contacting them. The housing provider forwards a copy of the letter to NRH's Housing Access Division together with the household's original date of application. The original application date is used to determine placement on the centralized waiting list.
5. NRH's Housing Access Division advises the household in writing that they must be added to the centralized waiting list and provides an application for the household to complete.
6. The household returns the completed application, together with their housing selections, to NRH's Housing Access Division. Housing Access Division adds the household to the centralized waiting list.

*Note: At this point, the household is on the centralized waiting list and the provider's internal transfer list simultaneously.*

7. If the household fails to return the necessary documentation to NRH's Housing Access Division, the household is added to the centralized waiting list for all communities that meet the household's occupancy standards. Subsequent offers from the centralized waiting list will be counted as part of the maximum of three offers. If the household refuses the third offer (*either from the provider's internal transfer list or the centralized waiting list*), they are no longer eligible to receive rent-geared-to-income subsidy.

*Note: It is important that households complete and return the application, together with their selection of communities. Otherwise, they risk receiving valid offers from communities they are not interested in and risk losing subsidy unnecessarily.*

8. Housing Access Division will monitor the number of offers made to the household through the centralized waiting list database and advise or confirm with the provider when the 3<sup>rd</sup> offer has been refused.
9. When, and if, Housing Access Division notifies the provider that the third offer has been refused, the housing provider advises the household, in writing, that they are no longer eligible for rent-geared-to-income subsidy and gives appropriate notice that their rent/housing charge will be increased to market.
10. The household can appeal the decision to the housing provider in accordance with the established appeal procedures and deadlines.

## **Implementation**

*O. Reg. 556/05 and O. Reg. 557/05 were filed on November 4, 2005.*

These procedures are effective immediately. NRH, through its Housing Access Division, will begin to recognize refusals of offers of accommodation as of January 1, 2006.

***Service Manager's Role***

Through the Housing Access Division, NRH will initiate the application process, determine eligibility and add the household to the centralized waiting list. Offers will be made in accordance with the wait list management process (maximum 3) and are subject to the SHRA. In addition, during the operational review process, NRH will review overhoused household files and internal transfer lists to ensure compliance with the SHRA, associated regulations and procedures set out in this Notice.

***Housing Provider's Role***

Housing providers are to follow the above-noted procedures for all overhoused households and immediately inform all tenants/members of the legislative changes regarding overhoused households.

If you have any questions regarding this Notice, please contact your Housing Administrator.

*(Original signed by Lora Beckwith)*

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Lora Beckwith, General Manager