

Housing Services Notice No: 24-02

APPLICABLE TO:

DATE: May 1, 2024

X	Municipal & Private Non Profit
X	Co-operatives
	Federal Non Profits
	OCHAP/CSHP
X	Rent Supplement
X	Public Housing

X	Mandatory
	For Information

SUBJECT: Market to Rent-Geared-to-Income (MKT-RGI) In-Situ Local Rule – Revised (Replaces NRH Notice 10-08)

BACKGROUND

Niagara Region Housing Services (NRHS) established a MKT-RGI local rule for market households residing in Housing Provider communities to assist households who experience an economic change that adversely affects their ability to pay full market rent. Allowing households to remain in the community rather than face eviction produces more stable communities, loyalty to the organization, care of the assets, and reduces expenses related to turnover and evictions.

PURPOSE

In an effort to minimize evictions, reduce homelessness and maintain affordable housing in Housing Provider communities, the eligibility criteria for the MKT-RGI In-Situ Policy/Local Rule has been reevaluated for market households that have lost their Rent-Geared-to-Income (RGI) subsidy due to a breach of the *Housing Services Act, 2011 (HSA)* regulations.

Ontario Regulation 367/11, s. 36 (1) allows for a Service Manager to make a local eligibility rule that a household is ineligible for RGI assistance if a member of the household has been convicted of an offence under section 55 of the Act, or a crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance. The local eligibility rule must not require the household to be ineligible for a period of more than two years before the determination of ineligibility, *O. Reg. 367/11, s.36 (2)*.

To be consistent with *O. Reg. 367/11, s.36 (2)*, ensure fair and equitable treatment with the intent to minimize economic evictions for households in need of RGI assistance, sustain affordability and assist in maintaining targets in Housing Provider communities, NRHS has revised its MKT-RGI In-Situ Policy issued in July 2010 under *NRH Notice 10-08* to align with the above legislation.

New: A market household currently residing in a Housing Provider community, that has lost their RGI subsidy due to a breach of *HSA* legislation, will be eligible to apply for RGI subsidy

through the MKT-RGI process, as long as the minimum period of two years to the date that the household was deemed ineligible to receive RGI subsidy and lost their subsidy, has been met.

ELIGIBILITY CRITERIA FOR IN-SITU MKT-RGI

An existing market household who wishes to apply for MKT-RGI status for their existing Housing Provider community must meet the following eligibility criteria:

- The household must have lived in a unit with the current Housing Provider for a minimum of 12 months before an application can be made for MKT-RGI status;
- The household must be in compliance with NRHS's occupancy standards. RGI assistance cannot be provided to households who do not meet the occupancy standards. If a household is overhoused, they must be appropriately housed before the MKT-RGI application can be reviewed.
- **New:** Market households that have lost their RGI subsidy, due to a breach of the *HSA*, and have met the minimum period of two years from the date the household ceased to qualify for and lost their RGI subsidy.

Some examples of a breach include:

- Failure to report a change within 30 days that has resulted in the household losing their subsidy
- Failure to submit annual review documents
- Being absent from their unit for more than 60-days consecutively or 90 days non-consecutively

Exceptions to Eligibility Criteria:

1. Members of a market household who wish to form a second household:

Where one or more members of a market household leave that household and move into another unit in the community and create a second household, the second household created will be a market household as well. An application for MKT-RGI assistance from any member(s) of the newly created market household will be considered a new application and must meet the criteria for MKT-RGI and RGI eligibility. Their MKT-RGI application date will be based on the date they moved into the new unit.

2. Market households that are a result of splitting an RGI unit:

Where one or more members of an RGI household wish to leave that household and move into another unit in the community and create a second household, the second household created will be a **market** household. An application for MKT-RGI assistance from any member(s) of the newly created market household will be considered a new application and must meet the criteria for MKT-RGI and RGI eligibility. Their MKT-RGI application date will be based on the date they moved into the new unit.

3. Market households who apply for RGI assistance with another Housing Provider or Service Manager:

These households must complete a new application for housing and the date is based on the date they apply to the new Housing Provider or Service Manager.

Any household wishing to apply for MKT-RGI must have resided in their unit for a minimum period of 12 months and meet the criteria for MKT-RGI and RGI eligibility.

PROCESS

Market households who require RGI assistance in their existing Housing Provider community, subject to meeting the eligibility criteria as set out in the *HSA*, accompanying regulations and procedures contained in this Notice, will be deemed eligible to be added to the MKT-RGI wait list.

The market household must complete Part A and B of the MKT-RGI application form found here: [Information for Housing Providers - Niagara Region, Ontario](#) and provide verification required at that time. The Housing Provider must complete Part C of the MKT-RGI application.

Housing Providers are required to submit the MKT-RGI application to Housing Access who will ensure the application is complete and determine eligibility. Housing Access will advise the market household in writing of the outcome of the eligibility review.

The Housing Administrator will inform the Housing Provider the outcome of the eligibility review and maintain a MKT-RGI wait list for the Housing Provider community chronologically based on date of application. MKT-RGI households will sit on the wait list until the Housing Provider is able to offer RGI subsidy.

Where requests are denied, market households can appeal to the NRHS Appeals Committee.

The MKT-RGI local rule incorporates the following process:

Under RGI Target and No Vacant Units

Market households in existing Housing Provider communities that have applied for and been deemed eligible for MKT-RGI status, where there are no vacancies and the Housing Provider is under their RGI target can receive RGI subsidy as follows:

1. The Housing Provider is to contact their Housing Administrator to indicate they are under their RGI target.
2. The Housing Provider is to submit the following information, via email:
 - An up-to-date *rent/housing charge* list indicating household name, unit and rent/housing charge amount identifying Market and RGI households and any vacant units.
3. The Housing Administrator reviews the MKT-RGI wait list for the Housing Provider community and identifies the earliest application date from all existing market households.

4. The Housing Provider is to verify the household's income and assets to determine if they are eligible to receive RGI subsidy as per the Income and Asset Limits local rule and notify their Housing Administrator of the outcome.
5. The Housing Administrator will inform the Housing Provider if the MKT-RGI household is approved to be given RGI subsidy, indicating the start date. The approved MKT-RGI application will be sent to the Housing Provider to be kept in the household file.

On Target for RGI and No Vacant Units

Market households in existing Housing Provider communities that have applied for and been deemed eligible for MKT-RGI status, where there are no vacancies and the Housing Provider is on target for their RGI units can receive RGI subsidy as follows:

1. Housing Administrator will maintain a chronological wait list for the Housing Provider community.
2. MKT-RGI households will sit on the wait list until the Housing Provider is able to offer RGI subsidy.
3. The Housing Provider is to contact the Housing Administrator when they are under target for their RGI units.

Housing Provider's Role

Housing Provider staff are required to forward this Notice to their Board of Directors for their information.

Housing Providers are required to follow the procedures outlined in this Notice for all MKT-RGI applications. Please note that Housing Providers cannot grant subsidies to existing market households without going through this process, regardless of whether or not they are under target for RGI units. Housing Providers are required to maintain a copy of the MKT-RGI approved application in the household file.

Service Manager's Role

NRHS will review all market household requests for MKT-RGI status to determine eligibility.

Your Housing Administrator will verify placement on the Housing Provider MKT-RGI wait list and authorize the receipt of RGI for households as requested by the Housing Provider.

NRHS will monitor compliance with this Notice through the operational review process.

If you have any questions regarding this Notice, please contact your Housing Administrator at 905-980-6000.

Original signed by Cameron Banach

Cameron Banach, Director Housing Services