

Program Instructions

**This Program Instruction applies to the following:**

- ✓ HSA Part VII Housing Providers (Provincial Reform)
- ✓ Former Federal Program Housing Providers (s. 15.1/27, s. 56.1/95)
- ✓ Rent Supplement – Commercial
- ✓ Rent Supplement – OCHAP & CSHP
- ✓ **Housing York**
 - ✓ Public Housing
 - ✓ HSA Part VII

Decision Review

NOTE: This document repeals Program Instruction N°2002-05

EFFECTIVE DATE: June 4, 2018

Summary

Subsidized tenants and members living in social housing communities may request a review if they disagree with certain decisions made by their Housing Provider. Reviewable decisions include:

- eligibility for a rent subsidy
- amount of rent subsidy
- eligibility for the size and type of unit
- eligibility for an in-situ priority category on York Region’s wait list for subsidized housing

If the tenant/member requests a review of the Housing Provider’s decision, The Regional Municipality of York (the “Region”) will review the request and make a final decision.

Community and Health Services
Housing Services

1-877-464-9675
TTY 1-866-512-6228
york.ca

18-2353



Decision Review Process

REQUESTING A DECISION REVIEW

When a Housing Provider makes a decision, a decision letter must be provided to the tenant/member. The decision letter must explain the reason for the decision and explain how a tenant/member can request a review of the decision.

A tenant/member of a household can, on behalf of the household ask for a review by submitting a *Request for Review Form* to the Housing Provider within **15 calendar days** of the date on the decision letter.

For Example:

Mr. Johnson received a decision letter from his Housing Provider letting him know that his rent is increasing to \$578 per month. Mr. Johnson disagrees with this new rent amount.

Mr. Johnson can request a review of this decision with 15 days by submitting a *Request for Review Form* with supporting documents to explain why he disagrees.

Attachment 1 – Request for Review Form

RECONSIDERING A DECISION

Housing Providers may reconsider the original decision when new information that affects the decision is provided by the tenant/member.

After the tenant/member submits a *Request for Review Form*, the Housing Provider has up to 15 calendar days to reconsider their original decision. If the Housing Provider cannot reconsider a decision within that time, the Request for Review package must be sent to the Region as soon as possible. All requests for reviews must be sent to the Region within 30 calendar days of the date on the decision letter.

The Housing Provider is not required to reconsider their original decision.

Process

Step 1: Tenant/member submits a *Request for Review Form* containing new information

Step 2: Housing Provider decides to reconsider the original decision based on new information

Step 3: Housing Provider proposes a change of decision to the tenant/member

Step 4A: Tenant/member doesn't agree with the suggested change to the decision

- The Housing Provider forwards the Request for Review package to the Region
- OR**

Step 4B: Tenant/member agrees with the suggested change to the decision

- The tenant/member cancels the request for review by signing the *Cancelling a Request for Review Form*

Program Instruction N° 2018-04[HSA] Decision Review Process

- The Housing Provider changes the original decision and provides a copy of the changed decision to the tenant/member
- The changed decision will take effect on the same day the original decision would have, unless otherwise legislated
- Housing Provider informs their Program Coordinator of the cancelled review

Attachment 2 – Reconsidering a decision process flow chart

Attachment 3 – Cancelling a Request for Review Form

For Example:

Mr. Johnson submitted a *Request for Review Form* with copies of his current income information to his Housing Provider and explains that he thinks there was an error made in his calculation. His Housing Provider can review his income information and determine if an error was made. If the Housing Provider agrees there was an error in the original calculation, the Housing Provider can change the original decision. If Mr. Johnson agrees with the new decision, he cancels his review request by signing the *Cancelling a Request for Review Form*.

NEW TOOL TO SUPPORT THE REVIEW OF DECISION PROCESS

Communications Record

The Communications Record is a tool for the Housing Provider to keep a record of communications with the tenant/member leading to the decision. Any time a Housing Provider requests information from the tenant/member to complete the annual or mid-year review, it should be documented on the Communications Record. Types of communication can include a phone call, voicemail, email, written notice, and/or verbal reminders.

The Communications Record will help ensure the tenant/member was aware of their obligations before a decision was made.

Attachment 4 – Communications Record template

Region's Process for Reviewing Decisions

REQUEST FOR REVIEW PACKAGE

The Region must review the original decision if:

- The Housing Provider will not be reconsidering the original decision
- The tenant/member disagreed with the proposed change to the original decision
- The request for review was submitted late

Program Instruction N° 2018-04[HSA] Decision Review Process

To review the decision, the Region requires a Request for Review package including the following information:

- A copy of the decision letter
- A copy of all documentation/information the Housing Provider used to make their decision
- A copy of the *Communications Record* with copies of all relevant letters or correspondence (if available)
- *Request for Review Form* and all supporting documentation submitted by the tenant/member
- Documentation related to the reconsideration of a decision (if available)

The Housing Provider must forward all documents to the Region within 30 days of the original decision date.

Email: housingproviderinfo@york.ca

Fax: 905-895-2189

Mail: Housing Strategy and Program Delivery,
Housing Services Branch, Community and Health Services
The Regional Municipality of York
17250 Yonge Street
Newmarket Ontario L3Y 6Z1

REGIONAL REVIEW

The Region will conduct a review of the original decision. During the review process, the Region will only consider information included in the Request for Review package. The Region may contact the Housing Provider or tenant/member to ask for additional information, if needed. Additional information must be submitted to the Region within seven calendar days.

The Region will communicate with the Housing Provider if a situation arises that will delay the completion of a review.

The Region will send a letter with its final decision to the Housing Provider and the tenant/member.

LATE SUBMISSIONS

A *Request for Review Form* is late if it was submitted more than 15 calendar days after the date on the decision letter. A late submission can still be reconsidered by the Housing Provider if it can be done within 30 days from the decision date.

If a Housing Provider received a *Request for Review Form* 30 calendar days after the decision date, this late submission must be sent to the Region.

The Region may conduct a review of a late submission if it agrees that the tenant/member could not meet the timelines because of unavoidable circumstance. Unavoidable circumstances must have a direct effect on the tenant/member (i.e. critical illness or hospitalization).

Summary of Review Process and Timelines

| Step | Timeline |
|--|---|
| <p><u>Decision Letter</u></p> <p>The Housing Provider makes a decision and sends a letter to the tenant/member</p> | |
| <p><u>Request for Review</u></p> <p>The tenant/member does not agree with the Housing Provider's decision and asks for a review of that decision by submitting a <i>Request for Review Form</i> to their Housing Provider with any supporting documents</p> | <p>Within 15* calendar days of the date on the decision letter.</p> <p>*including 5 days for mail</p> |
| <p>1. <u>Reconsideration of a decision</u></p> <p>The Housing Provider can reconsider a decision if the tenant/member provides new information with the <i>Request for Review Form</i></p> <p>OR/AND</p> <p>2. <u>Request for Review package</u> (all documents relating to the decision under review)</p> <p>The Housing Provider puts together the Request for Review package and sends it to the Region</p> | <p>The Housing Provider has up to 30 calendar days from the date on the decision letter to reconsider a decision.</p> <p>On day 30 the Housing Provider must send the Request for Review package to the Region.</p> |
| <p><u>Regional Review</u></p> <p>The Region completes a review of the Housing Provider's decision</p> | <p>The Region will have 30 calendar days to conduct a review.</p> |
| <p><u>Final Decision Letter</u></p> <p>The Region makes a final decision and sends a letter to the tenant/member and the Housing Provider</p> | <p>Within 7 business days after the Region makes a final decision.</p> |

Authority *Housing Services Act, 2011* – sections 155 and 156
 Ontario Regulation 367/11 – sections 138 and 139

Program Instruction N° 2018-04[HSA] Decision Review Process

ATTACHMENTS

1. Request for Review Form
2. Reconsidering a decision process flow chart
3. Cancelling a Request for Review Form
4. Communications Record template

Please contact your Program Coordinator with any questions.

- ORIGINAL SIGNED -

Rick Farrell

General Manager

Housing Services Branch

June 2018

This notice will be available in an accessible format or with communication supports upon request from
1-877-464-9675 or 905-830-4444 ext. 72119