

Program Instructions



N° 2009-02

Please note if your program is not checked, this Program Instruction is not applicable to your project(s)	✓	Public Housing
	✓	Provincial Reform Housing Programs
	✓	Municipal Non-Profit Housing Programs
		Federal Unilateral Housing Programs
	✓	Rent Supplement - Commercial
	✓	Rent Supplement - OCHAP & CSHP
	✓	Rent Supplement Strong Communities

Subject **Treatment of overhoused households based on changes to O.Reg. 298/01**

Authority Sections 37 & 39 of O. Regulation 298/01

Effective Date Immediately

What has Changed?

- A change was made to Section 37 of O. Reg. 298/01 allowing Service Managers to determine a minimum number of building selections an overhoused household has to make when they are being added to the centralized wait list.
- A change in Section 39 of O. Reg. 298/01 states, if an overhoused household refuses three unit offers while either on the housing provider’s internal transfer list or the centralized wait list, they will no longer qualify for RGI subsidy.

Background: Program Instruction 2004-04 sets out a range of occupancy standards for rent-geared-to-income (RGI) households and guidelines for a housing provider to determine if a household is under/overhoused.

A household is considered overhoused if it occupies a unit that is larger than the largest unit standard, including any approved additional bedrooms. In this case, the household is required to transfer to an appropriately sized unit in order to maintain RGI eligibility.

Prior to Regulation changes, overhoused households were not required to select a minimum number of building selections while on the centralized wait list. Those households could change their selections without penalty. Overhoused households also had the ability to refuse units without the risk of losing their subsidy. Households that did not wish to relocate, were able to select one building with a very long wait list and limited units of the size they require and prolong the requirement to move.

Changes to Regulation 298/01 require overhoused households to select and maintain a minimum number of building selections as determined by the Service Manager. The Regional Municipality of York has decided that overhoused households on the centralized wait list must choose at least **three** building selections. Households that do not maintain three building selections will no longer qualify for RGI assistance. Also, if an overhoused household refuses three unit offers while either on the internal transfer list or the centralized wait list it will no longer qualify for RGI assistance.

If a housing provider determines that a household is overhoused, the following steps are required:

Housing Provider Responsibilities:

1. Give the household a Notice of Decision stating that they are overhoused and required to transfer to an appropriate size unit in order to maintain their RGI eligibility.
 - If an appropriate sized unit is available, place the household on the internal transfer list. Overhoused households rank below internal special priority applicants and above all other requests for internal transfer.
 - Households may remain on the internal transfer list for a maximum of one year. If the household is not transferred to an appropriate unit after one year on the internal transfer list, the household will be added to the centralized wait list. The household is required to complete a new application and building selection form.
 - If an appropriately sized unit is not available, the household must immediately be added to the centralized wait list. The household is required to complete a new application and building selection form.
 - While on the internal transfer list the household may also request to be added to the centralized wait list.
2. Document all offers and refusal of units made to the overhoused households. While on the internal transfer wait list, if a household refuses a unit offer, the housing provider must send confirmation of the refusal in writing to the household. The Housing Access Unit (HAU) requires a copy of the letter to place the household on the centralized wait list. A sample letter is attached.
3. Notify the HAU
Overhoused households must be added to the centralized wait list:
 - Immediately, if the housing provider does not have a unit in it's portfolio that the household is eligible to occupy, or
 - After one year if the housing provider has a unit of the appropriate size, but the household remains overhoused.

HAU requires the following documents to place a household on the centralized wait list:

- The Notice of Decision the household received notifying them they were deemed overhoused
 - Overhoused Household Report completed by the housing provider
 - Copy of the refusal letter(s)
 - Verification of status in Canada for each member of the household
 - Application for Overhoused Households completed by the household
4. The housing provider must submit the required documentation to the HAU within 30 days.

If the household fails to complete the application form within 30 days, the housing provider must advise the HAU and provide the HAU with the Overhoused Household Report, verification of status, refusal letter(s) and Notice of Decision. The HAU will deem the household to have selected the largest unit for which they are eligible and to have selected all buildings with units of that size in York Region.

Overhoused households on the internal transfer list that have not been accommodated in the proper sized unit within one year are no longer eligible for the internal transfer waiting list. The housing provider removes the household from the internal transfer list when the household is added to the centralized wait list.

Housing Access Unit

HAU will add eligible overhoused households to the appropriate wait list once all documentation is submitted.

Responsibilities:

HAU will complete regular updates to ensure households have maintained three (3) building selections and track all offers and refusals.

While on the centralized wait list, the HAU will notify the housing provider when an overhoused household refuses the third unit offer or have failed to maintain three building selections. The housing provider must give the household ninety days notice of market rent increase. The notice must include information regarding the right to an internal review.

The household is required to complete the Application for Overhoused Households and submit it to their housing provider.

Household must maintain three building selections while on the centralized wait list.

Household Responsibilities:

The household is required to complete the Application for Overhoused Households and submit it to their housing provider.

Household must maintain three building selections while on the centralized wait list.

Loss of Eligibility:

An overhoused household loses their eligibility for RGI in the following situations:

- Refuse three unit offers while on either the internal transfer list or the centralized wait list
- Refuse to select and/or maintain three building selections while on the centralized wait list

If the household refuses three unit offers while on the internal transfer list, the housing provider must give the household ninety days notice of market rent increase. The notice must include information regarding the right to an internal review.

Sample Wording

Sample letter for households who refuse a unit offer is attached.

Please contact your Program Co-ordinator if you have any questions.

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