

Communiqué

Issue
2018-1

March 22nd, 2018

The Requirements, Recommendations and Guidelines in this Communiqué are applicable to the social housing providers administered by the City of Hamilton.

✓	Providers Under <i>Housing Services Act, 2011</i>
✓	Providers Under a Federal Operating Agreement
✓	Requirement

SUBJECT:

Policy Release

BACKGROUND:

The *Housing Services Act, 2011* and its associated regulations allow the City of Hamilton as Service Manager to develop policies (local rules) and issue instructions on specific matters. The City of Hamilton is in the process of updating or creating new policies related to the *Housing Services Act, 2011* and the administration of rent-geared-to-income (RGI) assistance.

To align with the transition of Access to Housing (ATH) from DMS to the City of Hamilton, new forms have been developed and are to be used as of **April 3rd, 2018**. Further communication with details about the ATH transition and all ATH forms will be released early next week. The following seven policies and forms have been approved.

- Additions to Households and new form
- Divestment of Residential Property and new form
- Housing Provider Training and Board of Director Succession Plans
- Income and Asset Limits
- Market to RGI and new form
- Property Management Procurement and Contracts for Housing Providers
- RGI to Market Rent (12-month rule)



City of Hamilton
Housing Services Division
Healthy & Safe Communities Department
Adam Sweedland
Manager – Social Housing

A manual with the aforementioned and other policies is under development. Training has been and will continue to be available as new policies are released. If you would like training about one or more of the policies listed, please contact your Housing Administration Officer who will work with the Senior Policy Analyst to arrange a session.

Addition of New Household Member Policy

POLICY STATEMENT	Where a household is receiving rent-geared-to-income (RGI) or rent supplement assistance, the <i>Housing Services Act, 2011 (HSA)</i> only permits household members identified on the lease or occupancy agreement to live in the unit.
PURPOSE	To identify the process that must be followed prior to adding new household members in order for the household to continue to be eligible for RGI assistance.
SCOPE	This policy applies to situations in which a household in receipt of RGI or Rent Supplement assistance wants to add a new household member.
DEFINITIONS	
Access to Housing (ATH)	the point of access for applicants for rent-geared-to-income subsidized housing and maintains the corresponding waiting lists which is also known as the centralized waiting list
Household	an individual who lives alone or two or more individuals who live together
Service Manager	The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.
TERMS & CONDITIONS	
	When an existing RGI or Rent Supplement household wishes to add any new household member(s) over the age of sixteen, the member(s) wishing to be added to the household must make an application to Access to Housing (ATH).
Requests for a member(s) to be added to a RGI Household	<p>Prior to being permitted to become a member of the household, each individual applying to join the household must be assessed by ATH staff for eligibility.</p> <ol style="list-style-type: none"> 1. The Housing Provider will give the <u>Request for Addition to RGI Household - Addition to Household Composition (16 Years Old and Older) Form</u> to the tenant or member. 2. Once the form is complete, the Housing Provider submits the completed Addition to Household form along with supporting documents to ATH. 3. If there is more than one person over 16 years old to be added to the household, a Request for Addition to RGI Household form must be completed for each person.



Requests for a new member(s) to be added to a Rent Supplement Household

4. ATH will assess initial eligibility and return the form directly to the Housing Provider.

5. If someone requesting to join the household has met all eligibility requirements, the Housing Provider will then proceed with the RGI eligibility process.

6. If eligibility requirements are met, the Housing Provider will allow the new person(s) to be added to the household.

Prior to being permitted to become a member of the household, each individual applying to join the household must be assessed by ATH and Housing Services Division staff for eligibility and suitability for the unit and permission must be granted by the landlord.

Requests for a new member(s) to be added to a ATH Application

For a new household member(s) to be added to an ATH applicant household who is currently on the ATH waiting list:

- The household must notify ATH of their wish to add a new member to the household;
- ATH will give the household an Application Update form;
- The household must submit the completed Update form along with any required supporting documentation (e.g. identification for the new member(s)) to ATH;

Eligibility

Eligibility requirements include, but are not limited to:

- Approval by Access to Housing
- Citizenship status
- No outstanding arrears owed to any non-profit, co-op, or social housing provider without a repayment agreement
- Not being convicted of any offence related to rent-geared-to-income housing within the last two years.



Approvals

If the addition to a RGI or Rent Supplement household is approved:

- Rent is recalculated by the Housing Provider based on the new total household income;
- If the new household member(s) is on the centralized wait list, they will be deemed to be adequately housed and removed from the centralized wait list, and;
- A new lease or occupancy agreement is required with the new person(s) added.

If the addition to an ATH applicant household is approved:

- ATH staff will add the new member(s) to the household's ATH application;
- The household's building selections may be adjusted depending on the household size.

Denials

If the request is **denied**:

- For **RGI households**, the Housing Provider will notify the household within seven days of the decision not to add the member(s) to the household.
- For **Rent Supplement households**, Housing Services Division staff will notify the household within seven days of the decision not to add the member(s) to the household.
- For **ATH Applicant households**, ATH will notify the household in writing within seven days of the decision not to add the member(s) to the household.

For RGI tenants, if the Housing Provider denies the addition to the household but the household allows the person(s) to live in the unit:

- the Visitors and Guests Policy may apply, or
- the Housing Provider or Housing Services Division staff may permit the ineligible person(s) to live in the unit; however, the household ceases to qualify for RGI or Rent Supplement assistance and would become a market rent household.

All decisions made by ATH or the Housing Provider or Housing Services staff regarding the eligibility of individuals wishing to join a household are subject to Review as per the Social Housing Review System Policy.

Housing Services Division Policy		Content Updated: 2018-01-15
Social Housing Administration		
Addition of New Household Member		
Page 4 of 4	Hamilton	Approval: 2018-01-15
RESPONSIBILITIES	<p>Housing Providers, Housing Services Division staff, ATH staff and the household applying for or receiving RGI or Rent Supplement assistance is responsible to follow the process for adding a new member to the household.</p> <p>ATH, Housing Provider and Housing Services Division staff are responsible for assessing eligibility and suitability of a potential new household member(s) and calculating the new RGI or Rent Supplement assistance.</p>	
COMPLIANCE	<p>As outlined in the Terms and Conditions section, this Addition of New Household Member policy complies with the <i>Housing Services Act, 2011</i>.</p>	
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Acting Director – Housing Services Date: 2018-01-15</p>	



Access to Housing

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 Email: ath@hamilton.ca



REQUEST FOR ADDITION TO RGI HOUSEHOLD

Addition to Household Composition – (16 Years Old and Older) - Application for Housing

In order for the household to continue to receive subsidy, any persons joining the existing household must be assessed to ensure that they meet all requirements as prescribed by the *Housing Services Act, 2011*.

Housing Providers must fax or email this completed form and supporting documents to Access to Housing (ATH). ATH will fax or email the assessed form and documents back to the Housing Provider.

SECTION 1 - Current RGI Tenant or Member Information		
First Name:	Last Name:	Phone:
Address:		Current # of bedrooms:
Housing Provider (Landlord):		
SECTION 2 - Applicant Information (filled out by the person moving into the unit)		
First Name:	Middle Name:	
Last Name:	Alternate/Maiden Name:	
What is your status in Canada? (attach proof to the application – e.g. copy of identification) <input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Sponsored Immigrant <input type="checkbox"/> Refugee <input type="checkbox"/> Refugee Claimant <input type="checkbox"/> First Nations <input type="checkbox"/> Other (Please specify: _____)		
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of Birth (MM/DD/YYYY):	
Social Insurance Number:	Marital Status:	
Address: <input type="checkbox"/> Current address <input type="checkbox"/> Mailing Address		Unit #:
City:	Province:	Postal Code:
E-mail:	Home Phone:	
Work Phone:	Cell Phone	
Present Accommodation: <input type="checkbox"/> Own/co-own <input type="checkbox"/> Rent <input type="checkbox"/> Temporary <input type="checkbox"/> Staying with relative or friend <input type="checkbox"/> No permanent address		

What is your relationship to the current tenant(s) or member(s)?

SECTION 3 – Housing History

List previous addresses for the person to be added to the household.

Previous Address	Move in date	Move out date	Name of Landlord	Landlord's Phone #

Have you ever lived in rent-geared-to-income housing anywhere in Ontario? Yes No If 'yes', please fill in the chart below:

Name of person listed on the lease	Address	Name of Housing Provider	Move out date	Arrears Owing (\$)

If you owe money to a Housing Provider, you must attach a current copy of the repayment agreement signed by the Housing Provider. If you have outstanding arrears and no repayment agreement, you may not be able to join the household.

SECTION 4 – DECLARATION AND CONSENT

I understand:

1. The information given on this Application is true, accurate, and complete. If not, my Application may be cancelled and my request to be added to an existing rent-geared-to-income (RGI) household will be denied.
2. All required supporting material or documents needed by the City of Hamilton, its representative(s), Access to Housing or Housing Providers, will be provided.
3. The application must be signed, but where the person required to sign does not have the capacity, it can be signed by an approved person who has power of attorney or legal authority to sign the application on behalf of the individual.

Consent and Authorization

All persons who sign this application consent to the exchange of personal information between the City of Hamilton and any relevant persons, Housing Providers or institutions for the purpose of verifying the information supplied in this application, for determining eligibility for housing assistance.

All persons who sign this application and who receive Ontario Works (OW) or Ontario Disability Support Program (ODSP) assistance or child care subsidy consent to the exchange of personal information between the City of Hamilton and OW, ODSP or child care subsidy offices for the purpose of verifying eligibility and the level of housing benefits or assistance.

Date: _____ Signature of Applicant (person moving in): _____

Signature of current RGI Tenant requesting addition to Household: _____

FOR ATH USE ONLY

Eligibility checked by ATH

Yes No

Date Housing Provider Notified:

Notes:

Staff Initial:

Housing Services Policy		Content Updated: 2018-01-10
Social Housing Administration		Housing Services
Divestment of Residential Property		
Page 1 of 3		Approval: 2018-01-15
<i>Divestment of Residential Property Policy</i>		
POLICY STATEMENT	Under the <i>Housing Services Act 2011</i> , 367/11 s. 32, tenants or co-op members in receipt of rent-gearred-to-income (RGI) assistance cannot own residential property that is suitable for year-round occupancy and continue to be eligible for RGI assistance.	
PURPOSE	To identify legislative requirements when households (applicants or tenants/members) own property or have an interest in a residential property suitable for year-round occupancy impacts eligibility for RGI assistance.	
SCOPE	This policy is applicable to all households who reside with a Housing Provider who must adhere to the <i>Housing Services Act, 2011 (HSA)</i> and Housing Providers who have an Agreement with the City of Hamilton to administer rent supplements subject to the HSA.	
DEFINITIONS		
<i>Divest</i>	In relation to a legal or beneficial interest in a freehold or leasehold estate in property, means to complete the transfer of the interest in the property or to terminate the lease of the property.	
<i>Homeowner</i>	Any member of a household, which is receiving RGI assistance, who has a legal or beneficial interest in a freehold or leasehold estate in residential property located in or outside Ontario that is suitable for year-round occupancy.	
<i>Housing Provider</i>	a Non-Profit or Co-operative organization that provides social housing	
<i>Residential Property</i>	<p>For the purpose of this policy means:</p> <ul style="list-style-type: none"> • A property all of which is used for residential purposes and is suitable for year-round occupancy, or • In the case of a property part of which is used for residential purposes and part of which is used for other purposes, any portion that is used for residential purposes. 	
<i>Service Manager</i>	The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.	



TERMS & CONDITIONS

The Access to Housing (ATH) Application form for social housing asks if the applicant owns any property in Canada or elsewhere.

If the applicant declares they do own property, ATH staff must follow-up with the applicant to have the Declaration of Intent to Sell Property form completed.

The purpose of the Declaration of Intent to Sell Property form is to advise the applicant of their obligation to sell the property within 180 days of starting to receive RGI assistance and for the applicant(s) to agree to divest the property. Upon receipt the completed and signed form, Access to Housing staff will make a notation in the applicant's file to indicate that the applicant(s) has a legal or beneficial interest in residential property (e.g. homeowner).

All households receiving RGI assistance who own residential property suitable for year-round occupancy **must** sell that property within 180 days of being housed in order to continue to qualify to receive RGI assistance.

In order to remain eligible for RGI assistance, the household (tenant(s) or co-op member(s)) that owns such property must sell or transfer it for fair market value:

- within 180 days of moving into an RGI unit
- within 180 days of acquiring the property if the RGI tenant or co-op member acquired the property after moving into an RGI unit.

Applicant with ownership at the Time of Accepting Offer of Housing

When a household accepts a housing offer, the Housing Provider must notify the household in writing regarding the requirement to divest their interest in the property within 180 days of being housed.

Tenant/member Acquires Interest in Property while in Receipt of RGI

If a household receiving RGI acquires an interest in property which is habitable year-round, the household must divest himself or herself of the owned property within 180 days of acquisition.

Extension to divestment of residential property	<p>The Housing Provider may extend the period of time to sell or transfer the property if there are reasonable grounds for doing so. The extension may be given one or more times.</p> <p>Victims of Family Violence If a household receiving RGI declares being a victim of family violence or a safety issue and the interest in the property is jointly owned with the abusing individual, the housing provider may extend the time for the divestment as the housing provider deems appropriate.</p> <p>The RGI household must be notified of the requirement to divest and of any extension.</p>
Proof of Sale or Transfer of Property	<p>The RGI household must provide proof of the sale or transfer of the property (e.g. a copy of the final report of sale issued by the solicitor acting on behalf of the homeowner on the sale transaction).</p>
Refusal to Divest Property	<p>Where a RGI household refuses to sell residential property within the required time and does not qualify for an extension, the household should be given a 90-day Notice that the household ceases to be eligible to continue receiving RGI assistance.</p> <p>All decisions regarding the eligibility of households who do not meet the requirement to divest their interest in the property within 180 days of being housed (without an extension from the Housing Provider) are subject to Review as per the <u>Social Housing Review System Policy</u>.</p>
COMPLIANCE	<p>As outlined in the Terms and Conditions section, this <u>Divestment of Residential Property policy</u> complies with the <i>Housing Services Act, 2011, O.Reg 367/11, s. 32</i>.</p> <p>Access to Housing staff, Housing Providers and City staff in the Rent Supplement Program must follow this policy.</p>
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Acting Director of Housing Services Date: 2018-01-15</p>



Access to Housing

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ACCESS TO HOUSING (ATH) – Divestment of Residential Property

Declaration of Intent to Sell Property Form

All applicants who are on the Access to Housing waiting list and own a property **must** sell the property or transfer the property within 180 days of moving into a rent-geared-to-income (RGI) unit in order to continue to qualify to receive RGI assistance.

To be completed by Applicant(s)	
I/We hereby acknowledge that I/we own or have a financial interest in a residential property suitable for year-round occupancy.	
The address of the property is:	
_____	Street
_____	City
_____	Country
I/We agree to divest my/our interest in the property within 180 days of moving into a rent-geared-to-income unit. I/We understand that failure to do so may result in the loss of my rent subsidy. I/We agree to report the divestment to the Housing Provider in writing with legal documents to verify the sale or transfer of the property. If I/We need longer than 180 days to sell or transfer the property, I/We will ask the Housing Provider for a time-extension.	
Applicant Name (print):	
Applicant Signature:	Date:
Co-Applicant Name (print):	
Co-Applicant Signature:	Date:

Housing Services Policy		Content Updated: 2018-01-09
Social Housing Administration		Housing Services
<i>Housing Provider Training and Board of Director Succession Plans</i>		
Page 1 of 2		Approval: 2018-01-15

Housing Provider Training and Board of Director Succession Plans Policy

POLICY STATEMENT	Under the <i>Housing Services Act 2011</i> , s. 69 (5) and O.Reg 367/11 s.87, a Housing Provider shall prepare and implement training plans for staff, volunteers and members (in the case of Co-operatives) and succession plans for the Board of Directors.
PURPOSE	To ensure Housing Providers are informed of mandatory requirements under the <i>Housing Services Act, 2011</i> and associated regulations related to Housing Provider training and succession plans.
SCOPE	This policy is applicable to Housing Providers who must adhere to the <i>Housing Services Act, 2011 (HSA)</i> .
DEFINITIONS	
<i>Housing Provider Board of Directors</i>	A group of individuals with a legal responsibility for oversight to the management of a Housing Provider – oversight responsibilities and process vary depending on the Board Governance model in use.
<i>Housing Provider</i>	a Non-Profit or Co-operative organization that provides social housing
<i>Service Manager</i>	The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.
TERMS & CONDITIONS	<p>Housing Provider’s must develop a Succession Plan for key staff positions within the organization as well as replacement of board members. Succession plans must be reviewed on a continual basis or when there is a change to key staff position(s) or board members.</p> <p>The City of Hamilton, Housing Services Division requires Housing Provider Boards of Directors to develop the following plans:</p> <p><u>All Housing Providers:</u></p> <ul style="list-style-type: none"> • <u>Training Plan</u> for training staff and volunteers involved in the operation of the housing project(s), <p style="padding-left: 40px;">and;</p>

	<ul style="list-style-type: none"> • <u>Succession Plan</u> for the Board of Directors to: <ul style="list-style-type: none"> ○ Address the replacement of board members and key staff positions; ○ Identify current job descriptions that accurately reflect all the duties and responsibilities of specific staff positions; ○ Identify the skills sets and expertise levels required by Board Members; ○ Identify the effective board membership number. <p><u>For Co-operative Providers only:</u></p> <p>In addition to the plans above, non-profit housing co-operatives are also required to have:</p> <ul style="list-style-type: none"> • A plan for educating the members about the governance of the co-operative. <p>Housing Provider’s must develop a succession Plan for key staff positions within the organization as well as replacement of board members. Succession plans must be reviewed on a continual basis or when there is a change to key staff position(s) or board members.</p> <p>Resources</p> <p>The Ontario Non-Profit Housing Association (ONPHA) has developed materials for board succession planning, including recruitment and governance strategies, to assist Housing Providers which Housing Providers may use to develop their plans.</p> <p>The Co-operative Housing Federation (CHF) has online courses on board basics and other tools which Co-operative Housing Providers may use to develop their plans.</p>
RESPONSIBILITIES and COMPLIANCE	<p>Housing Providers and the respective Board of Directors are responsible to ensure compliance with this policy. Housing Providers are required to forward this Policy to their Board of Directors for information and compliance. Review of this policy must be noted in Board Meetings. A copy of this policy shall be retained with the corporate bylaws and made available for reference and review.</p> <p>During an Operational Review, City of Hamilton - Housing Administration Officers will examine Housing Provider plans and meeting minutes to ensure compliance.</p>
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Acting Director of Housing Services Date: 2018-01-15</p>

Housing Services Division Policy	 Hamilton	Content Updated: 2018-01-12
Social Housing Administration		
Income and Asset Limits		Housing Services
Page 1 of 2		Approval: 2018-03-12
Income and Asset Limits policy		
POLICY STATEMENT	<p>The <i>Housing Services Act, 2011</i> (HSA) requires the City of Hamilton, as Service Manager, to establish and administer policies, local rules and procedures for social housing in Hamilton.</p> <p>Under the HSA, Hamilton may establish a local eligibility rule limiting the amount of income or assets that a household may have and still be eligible for RGI assistance. There is no requirement that these limits be established.</p>	
PURPOSE	To establish the basic eligibility requirements for to be placed on the centralized waiting list for Rent-Geared-to-Income (RGI) and/or continue to receive RGI assistance.	
SCOPE	The Income and Asset Limit policy applies to all households who have applied for or are in receipt of rent-geared-to-income assistance.	
DEFINITIONS Access to Housing (ATH) Household Housing Provider	<p>the point of access for applicants for rent-geared-to-income subsidized housing, and maintains the corresponding waiting lists which is also known as the centralized waiting list</p> <p>an individual who lives alone or two or more individuals who live together</p> <p>a Non-Profit or Co-operative organization that provides social housing; the City of Hamilton, Housing Services Division acts as the housing provider for the Rent Supplement program</p>	
TERMS & CONDITIONS Households on the Access to Housing Wait List Households in receipt of RGI or Rent Supplement	<p>Income and Assets are not part of the eligibility criteria to be on the Access to Housing wait list for social housing.</p> <p>Income and Assets are used to calculate rent based on the formula outlined in the <i>Housing Services Act, 2011</i>.</p> <p>To be eligible to be for RGI assistance a household must meet the <u>Household Income Limits</u> as updated annually by the Province.</p> <p>Depending on the number of bedrooms the household requires, to be eligible to receive RGI assistance the total household income from all sources may not exceed the annual gross income limits as determined by the Province in the HSA (O. Reg. 370/11 - Schedule 1 & 2).</p>	

Housing Services Division Policy	 Hamilton	Content Updated: 2018-01-12
Social Housing Administration		
<i>Income and Asset Limits</i>		Housing Services
Page 2 of 2		Approval: 2018-03-12
RESPONSIBILITIES	Housing Providers are responsible for calculating how much rent a rent-geared-to-income (RGI) household must pay. Housing Services Division staff is responsible for calculating how much rent a Rent Supplement household must pay.	
COMPLIANCE	All RGI and rent supplement applicants, tenants and members are subject to this policy.	
Approval	Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Acting Director – Housing Services Date: 2018-03-12	

Market to RGI – In Situ Policy

POLICY STATEMENT	The City of Hamilton as Service Manager under the <i>Housing Services Act, 2011</i> (HSA) is required to establish and administer policies and procedures for social housing within its applicable service area. The HSA allows Service Managers to create local in-situ rules as long as they are in compliance with the Special Priority rules and are consistent with the Service Manager’s priority ranking rules.
PURPOSE	<p>To identify the requirements for assessing RGI eligibility and assigning RGI assistance for in-situ market rent households who apply for RGI assistance for the unit in which they live.</p> <p>To establish a Market to RGI (In-Situ) policy that is fair and consistent for market households who reside in Social Housing Provider projects.</p>
SCOPE	This policy is applicable to Housing Providers who must adhere to the Housing Services Act, 2011 (HSA).
Access to Housing (ATH)	The point of access for applicants for rent-geared-to-income subsidized housing, and maintains the corresponding waiting lists which is also known as the centralized waiting list.
Housing Provider	A Non-Profit or Co-operative organization that provides social housing.
Market to RGI (In-situ) household	A household housed with a Housing Provider (who must adhere to the HSA) that, at first, pays market rent. The household then becomes a RGI household and stays in same unit by qualifying for RGI assistance.
Occupancy Standards	Local occupancy standards set out the maximum and minimum unit size for which an RGI tenant or co-op member is eligible, as well as some exceptions that may permit a larger unit.
Rent-Geared-to-Income Assistance (RGI)	The reduced rent/housing charge paid by a household residing in a social housing unit based on the household’s gross monthly income.
Special Priority	Refers to status on the centralized waiting list or Housing Provider internal waiting lists which is granted through an approval process by Service Managers to applicants or in-situ tenants who have experienced abuse where the abuser is someone they live with or recently separated from or someone sponsoring the abused individual as an immigrant.

TERMS & CONDITIONS

When households that are paying market rent/housing charge wish to apply for RGI assistance with their **current** Housing Provider, they must meet the following criteria:

Household Requirements

- experienced a change in their financial situation that requires them to pay more than 50% of their gross monthly household income for their market rent
- lived in a unit with their current housing provider for a minimum of 12 months before applying for RGI assistance; meet occupancy standards for their current unit;

Housing Providers, on behalf of households must submit an ATH – Market to RGI form with supporting documents (e.g. identification) to Access to Housing and meet all eligibility requirements to be on the centralized waiting list. Households requesting Market to RGI status must only select buildings with their current Housing Provider.

Households who do not meet all eligibility requirements will not qualify to be placed on the centralize waiting list or receive RGI assistance.

Application Date

Households deemed eligible by ATH and meet the Market to RGI criteria will be placed on the centralized waiting list. The Market to RGI application date will be:

- the original ATH application date – this applies to both tenants and members who moved in with RGI, **or**
- the date the household signed the original lease or occupancy agreement will be used as the Market to RGI application date if the tenant or member was never on the centralized waiting list or if the original ATH application date is unknown.



Housing Provider Requirements

Housing Providers must confirm the household meets the criteria set out in this policy and that the household is eligible for RGI assistance.

If the household is **not eligible**, the Housing Provider must notify the household in writing within seven days and advise the household of their right to request a review of the decision.

If the household **is eligible**, the Housing Provider must complete the Access to Housing (ATH) – Market to RGI form. The form is available from ATH or on the City of Hamilton’s website. The completed form and supporting documents must be submitted to Access to Housing for processing and placement on the centralized waiting list. Housing Providers must keep the original form on the tenant or member’s file.

If the Market Household...	Then, the Housing Provider will...
Meets all eligibility requirements	<ul style="list-style-type: none"> • Have the tenant or member complete the Tenant portion of the <u>Access to Housing (ATH) – Market to RGI form</u> and the Housing Provider completes the Housing Provider portion of the form • Once the <u>Access to Housing (ATH) – Market to RGI form</u> is completed by the tenant and Housing Provider, the Housing Provider will fax the form and supporting documents to ATH • ATH will send a letter to the Housing Provider and the Household to confirm Market to RGI status.
<i>Does not</i> meet all eligibility requirements	<ul style="list-style-type: none"> • Advise the household to apply directly to ATH

Housing Services Division Policy		Content Updated: 2017-12-21
Social Housing Administration		2018-01-15
Market to RGI (In-Situ)		
Page 4 of 6	Hamilton	Approval: 2018-01-15
Offering RGI Assistance to Eligible Households	<p>Once ATH has received and approved the complete Market to RGI form, the household is placed on the centralized waiting list with the original application date or original date of lease or occupancy agreement.</p> <p>Housing Providers must not automatically allocate a subsidy to the household. Housing Providers must follow either option A, B or C when offering RGI to eligible Market to RGI (In-Situ) households:</p> <p><u>Option A: Housing Provider is under RGI target and has no vacant units</u></p> <ol style="list-style-type: none"> 1. Follow all Housing Provider and Household requirements above. 2. Obtain written permission from the Service Manager (City of Hamilton) to switch the unit from Market to RGI. 3. Once the household has been deemed eligible for RGI assistance and Service Manager approval is received, calculate RGI assistance and notify the household of the RGI rent payable effective the first day of the following month. 4. Notify ATH of the household's 'housed' status. <p><u>Option B: Housing Provider is under RGI target and has a vacant unit(s)</u></p> <ol style="list-style-type: none"> 1. Follow all Housing Provider and Household requirements above. 2. Review the ATH wait list for the property and offer the unit in accordance with the Offers and Refusals policy 3. Offer the vacant unit(s) to applicants at the top of the waiting list following the applicable priority rules. 4. If the name at the top of the waiting list is a current tenant/member approved for Market to RGI through this policy, then the offer of RGI assistance may be made to them. 5. Once the household has been deemed eligible for RGI assistance, calculate and notify the household of the RGI rent payable effective the first day of the following month. 6. Notify ATH of the household's 'housed' status. 	



Households Not Eligible under this Policy

Option C: Housing Provider is over RGI target and has **no** vacant units

1. Follow all Housing Provider and Household requirements above.
2. Once the household has been deemed eligible for RGI assistance and Service Manager approval is received, calculate and notify the household of the RGI rent payable effective the first day of the following month.
3. Follow the Offers and Refusals Policy
4. Notify ATH of the household's 'housed' status.

The following households are **not** eligible under this policy:

- Market tenants with private market landlords are not eligible for RGI or Rent Supplement assistance through the Market to RGI policy and processes.
- Households applying for housing with *another social housing provider* must apply through ATH and will receive an application date based on the date the completed application was received.
- Households that have been set at the equivalent to market rent under the 12-month rule and the 12 months has not passed. They are entitled to receive subsidy in accordance with the RGI to Market Rent (12-month rule) Policy.
- Members of a market household who wishes to form a second household:
 - Where one or more members of the market household wishes to split from that household and create a second household, an application for RGI assistance from any member(s) of the household will be considered a new application and they must apply through ATH.

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Social Housing Administration		2018-01-15
Market to RGI (In-Situ)		
Page 6 of 6	Hamilton	Approval: 2018-01-15
Households who wish to apply for RGI with another Housing Provider	<p>Households may maintain a Market to RGI application with their current Housing Provider; however, if they wish to select a unit(s) with another Housing Provider(s), they must submit a new ATH application form with a Building Selection form to ATH.</p> <p>The household will maintain two dates on their ATH application:</p> <ul style="list-style-type: none"> • Market to RGI with their current provider which is the original ATH application date or the date the household signed the original lease or occupancy agreement with their current Housing Provider, and; • Date ATH received and approved the new application form with the date that application form was received to differentiate the regular application from the Market to RGI application. <p>The household will only have one actual ATH application but the building selections will have two different dates – one date for their current provider and one date for selections with other providers.</p>	
RESPONSIBILITIES	<p>Access to Housing (ATH) will assess all Market to RGI applications. ATH will notify the Housing Provider if the household is ineligible or eligible to be placed on the centralized waiting list.</p> <p>Housing Providers are responsible to calculate RGI assistance to ensure the Market to RGI (In-Situ) household is eligible for RGI. Housing Providers must also follow their RGI targeting plan and obtain written Service Manager approval to switch the unit from market to RGI. Further, Housing Providers must report the changes in unit status, market to RGI, on the monthly report to the Service Manager and the Annual Information Return form.</p>	
COMPLIANCE	<p>All Housing Providers, Access to Housing and City of Hamilton staff and all households living with a Housing Provider are subject to this policy and any related policies identified there in (e.g. <u>Occupancy Standards</u> policy). As outlined in the Terms and Conditions and Responsibilities sections, this Market to RGI (In-Situ) policy complies with the <i>Housing Services Act</i>, O. Reg. 367/11 s. 47 and s. 48.</p> <p>The Service Manager, Housing Administration Officers with the City of Hamilton, will monitor compliance with this policy through monthly reports from Housing Providers and through Operational Reviews.</p>	
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Acting Director – Housing Services Date: 2018-01-15</p>	



ACCESS TO HOUSING (ATH) – Market to RGI Form Market Rent Tenant Requesting RGI Assistance Verification Form

A tenant or member who pays market rent/occupancy charge with a non-profit or co-operative housing provider and who wishes to receive rent-geared-to-income assistance with their current Housing Provider must apply through Access to Housing.

Once this form is completed, **Housing Providers**, on behalf of a tenant or member, must return it to ATH with all supporting documents (e.g. identification – see Document Standards policy for acceptable ID).

Housing Provider Information: *to be completed by Housing Provider*

Based on the Market to RGI – In Situ Policy, the tenant(s) or member(s) named on this form originally moved into a market rent unit with:

_____ (name of Housing Provider)

on

_____ (mm)/_____/(dd)_____ (yy)

Housing Provider Contact Name (print):

Housing Provider Signature:

Telephone Number:

Date:

Fax Number:

Email:

Tenant(s) or Member(s) Information: to be completed by Housing Provider

Main Tenant or Member Information

First Name:	Last Name:	
DOB (mm/dd/yyyy):	SIN:	
Address:		Unit #:
City:	Postal Code:	
Phone:	Email (optional):	

Tenant(s) or Member(s) Information: to be completed by Housing Provider

Co-Tenant or Co-Member Information

First Name:	Last Name:	
DOB (mm/dd/yyyy):	SIN:	
Address:		Unit #:
City:	Postal Code:	
Phone:	Email (optional):	

Dependent Information

First Name:	Last Name:	
DOB (mm/dd/yyyy):	Sex:	

Dependent Information

First Name:	Last Name:	
DOB (mm/dd/yyyy):	Sex:	

Dependent Information

First Name:	Last Name:	
DOB (mm/dd/yyyy):	Sex:	

<hr/>		Date:
Main Tenant or Member Signature		
<hr/>		Date:
Co-Tenant or Co-Member Signature		

FOR ATH USE ONLY

Market to RGI status granted: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date Housing Provider Notified:	Date Household Notified:
Staff:	

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Social Housing Administration		Housing Services
Property Management Procurement and Contracts for Housing Providers		RGI Guide
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Property Management Procurement and Contracts for Housing Providers Policy

POLICY STATEMENT	<p>All Housing Providers who must adhere to the <i>Housing Services Act, 2011 (HSA)</i> and/or have an agreement with the City of Hamilton, must follow the property management procurement and contracts standards in this policy.</p> <p>The City of Hamilton as Service Manager under the HSA is required to establish and administer policies and procedures for social housing within its applicable service area. As outlined in O.Reg 361/11, s. 100, the City of Hamilton has local rules related to prescribed matters, including property management which includes procurement of and contracts for property management services.</p>
PURPOSE	To establish property management standards for Housing Providers in Hamilton.
SCOPE	This policy is applicable to Housing Providers who must adhere to the <i>Housing Services Act, 2011 (HSA)</i> and Housing Providers who have an Agreement with the City of Hamilton.
DEFINITIONS	
<i>Housing Provider Board of Directors</i>	a group of individuals with a legal responsibility for oversight to the management of a Housing Provider – oversight responsibilities and process vary depending on the Board Governance model in use.
<i>Housing Project</i>	means all or part of the residential accommodation located in one or more buildings
<i>Housing Provider</i>	a Non-Profit or Co-operative organization that provides social housing
<i>Service Manager</i>	The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.
TERMS & CONDITIONS	
General Standards	<p>Housing Provider housing projects are generally managed in one of three ways:</p> <ul style="list-style-type: none"> • Self-managed with dedicated Housing Provider staff with benefits and rights under the <i>Employment Standards Act, 2000</i>. • Operated by property management companies on behalf of the Housing Provider. • Operated by individuals under contract to manage housing projects.



Each Housing Provider Board of Directors must decide what works best for operating its particular site(s).

Regardless of the property management model used, job descriptions and detailed contracts are critical to ensuring the property is well managed.

Housing Providers must ensure their housing projects are well managed, maintained in a satisfactory state of repair and fit for occupancy.

All staff providing property management services on behalf of a Housing Provider must be knowledgeable about:

- the *Housing Services Act, 2011* and its regulations;
- the transferred housing program under which the housing project operates, and;
- the structure and operation of non-profit housing corporations or non-profit housing co-operatives as it applies to the housing project.

Where the provider hires direct staff they must ensure there are human resources policies in place including but not limited to these policies:

- Hiring
- Discipline
- Termination
- Benefits including sick time and vacation
- Record Keeping
- Regular performance reviews
- Workplace harassment and safety
- Reporting any complaints and/or litigation as well as compliance issues, such as: Human Rights and Ministry of Labour complaints and compliance issues with Public Health, Property Standards, Fire Code, etc.



Procurement Process

Housing Providers must establish and follow transparent and competitive practices in tendering and contracting property management services and/or in hiring its employees, subject to the provisions of any collective bargaining agreement to which the Housing Provider is a party.

Only the City of Hamilton as Service Manager may decide if a Housing Provider may forego the requirement for the competitive process.

Required Contract Provisions

Property management services contracts must be in writing and:

- set out the term of the contract which cannot exceed a term of three years;
- specifically identify the goods and services to be provided by the property management service;
- detail the amount to be paid by the Housing Provider;
- prohibit the property management service from charging additional amounts without re-negotiation of the contract;
- allow the Housing Provider to terminate the contract on 60 days' notice, or on 30 days' notice if termination is for breach of contract, unless the parties to the contract agree to shorter notice periods;
- contain a training plan to ensure property management staff are kept up-to-date with the City of Hamilton local rules, standards and policies and are familiar with existing and new legislative requirements;
- outline the property management firms understanding that all related financial, correspondence and resident affiliated files, produced either in paper or electronic format, remain the sole property of the Housing Provider and are willingly and reasonably returned upon receipt of contract termination and/or completion;
- to mitigate a breach in privacy, an agreement clause outlining the requirement and a confirmation detailing the property management firms method of disposal of electronic records from the property management firms computers when the contract terminates;



- be non-renewable, and;
- be non-assignable.

The property management contract or employment agreement shall require that Board receive a manager's report for every Board meeting that includes information on activities relating to administrative, maintenance, tenant/member relations and finance including a complete set of financial statements containing the following:

- i. a balance sheet with current, past month and past year account information
- ii. an income and expense statement with budget and previous year comparisons
- iii. a capital expense statement, and
- iv. bank reconciliations for all accounts.

During the term of the contract, the property manager and each and every sub-contractor is required to maintain in full force and effect and at its own expense, insurance coverage.

Prior to execution of a property management contract, the property manager shall provide the Housing Provider a certified true copy of the above policies and/or a Certificate of Insurance satisfactory to the Housing Provider.

The property manager or employee must agree to have access to materials and information regarding the Housing Provider's individual tenants/members and shall treat them as confidential information not to be disclosed to third parties or used in any unauthorized way without the prior consent and knowledge of the individual tenants/members.

The property manager or employee must agree to abide by the Conflict of Interest policy as it applies to the property management or employment agreement.

In the event of a triggering event, the City of Hamilton may exercise a remedy under the *Housing Services Act, 2011* which may include, but not limited to, the termination of a property management contract in exercising any of the powers or performing any of the duties of the Housing Provider under the HSA.

Contract Renewals

The Housing Provider may renew a property management contract at the end of its term without recourse to an open and competitive process if it:

- has written approval to renew the contract from City of Hamilton, Housing Services Division as Service Manager specifically the Manager of Social Housing;
- is satisfied with the services provided over the course of the previous contract, and;
- has reviewed the provisions of the contract and made any required changes.

Employment of Housing Provider Board Members

A Housing Provider is prohibited from employing, or from entering into a contract for the services of a member of its Board of Directors.

Despite this prohibition, a Housing Administration Officer and/or the Manager of Social Housing may give approval for a Housing Provider to employ a member of its Board of Directors if all of the following apply:

- the employment is to fill a temporary vacancy and the Housing Provider is actively seeking someone else to perform the role
- the employment is of an on-call or casual nature
- the employment is non-supervisory and non-managerial
- the remuneration is nominal
- the Board Member is employed for no more than 6 months
- the Board Member has resigned from the Board of Directors

COMPLIANCE

Each Housing Provider must develop job descriptions, contracts, policies and procedures which are available for review by the Service Manager at the Operational Review or upon request.

Housing Providers with contracts for property management services with companies, corporations or individuals will ensure contracts are reviewed and approved by the Housing Provider's solicitor and the Service Manager prior to being executed.

Housing Providers shall review this Policy with their Board of Directors. Review of this policy must be noted in Board Meetings. A copy of this

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	<p>policy shall be retained with the corporate bylaws and made available for reference and review.</p> <p>Housing Providers and the respective Board of Directors must ensure compliance with this policy.</p> <p>Housing Administration Officers with the City of Hamilton, Service Manager will review Housing Provider meeting minutes to confirm compliance.</p> <p>As a best practice, Housing Providers are encouraged to annually review the performance of property management and compliance with the property management contract.</p>	
Approval	<p>Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: David Brodati, Acting Director of Housing Services Date: 2017-06-21</p>	

Housing Services Division Policy		Content Updated: 2017-11-27; 2018-02-02
Social Housing Administration		Housing Services
RGI to Market Rent (12-month rule) Policy	Hamilton	
Page 1 of 4		Approval: 2018-03-12
RGI to Market Rent (12-month rule) Policy		
POLICY STATEMENT	<p>All Housing Providers who must adhere to the <i>Housing Services Act, 2011</i> (HSA) and/or have an agreement with the City of Hamilton for rent-geared-to-income (RGI) or rent supplement subsidy must follow this policy.</p> <p>The City of Hamilton as Service Manager under the HSA is required to establish and administer policies and procedures for social housing within its applicable service area. Part of the responsibility is to enforce legislated eligibility requirements for Housing Providers, including the cessation of RGI eligibility.</p>	
PURPOSE	<p>To identify requirements for compliance under O. Reg. 367/11, s. 30 which mandates that a household receiving rent-geared-to-income assistance ceases to be eligible for such assistance if, for a period of 12 consecutive months, the amount of rent paid by the household is the equivalent to the market rent or housing charge for the unit.</p>	
SCOPE	<p>This policy applies to situations in which a household's RGI or Rent Supplement is set at a rate equal to the market rent or housing charge for the unit.</p> <p>Note: this policy is only applicable to household(s) where the rent or housing charge increase is a result of an increase in income. If the household is at market rent or housing charge due to loss of subsidy for other reasons identified in the HSA, they are not entitled to receive RGI assistance under this policy.</p>	
DEFINITIONS <i>Household</i> <i>Housing Provider</i> <i>Market Rent</i> <i>Market Unit</i> <i>Service Manager</i>	<p>an individual who lives alone or two or more individuals who live together</p> <p>a Non-Profit or Co-operative organization that provides social housing; the City of Hamilton, Housing Services Division acts as the Housing Provider for the Rent Supplement program</p> <p>Refers to the amount of rent or housing charge paid by a household that is not receiving RGI assistance.</p> <p>A unit that is in a housing project and that is not a rent-geared-to-income unit</p> <p>The City of Hamilton is a Service Manager designated to administer and fund the social housing program in Hamilton.</p>	

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Social Housing Administration		Housing Services
RGI to Market Rent (12-month rule) Policy		
Page 3 of 4		Approval: 2018-03-12
Decrease in income within 12-month period	Households are entitled to receive RGI or Rent Supplement assistance if their household income decreases within the first 12-months of paying the equivalent to market rent. The effective date of the RGI or Rent Supplement assistance would be the first day of the month following the decrease in income.	
12-months paying Market Rent	<p>If a household pays the equivalent of market rent/housing charge for 12 consecutive months, the Housing Provider must send a <u>Notice of Decision - Loss of Eligibility</u> to the household with an effective date 12 months after the maximum rent took effect. The Notice must include information that the household has a right to request a review of the decision that the household is no longer eligible for RGI or Rent Supplement assistance as per the <u>Social Housing Review System Policy</u>.</p> <p>Housing Providers will not evict tenants or members who are at 12 months of paying market if the project is 100% RGI.</p>	
Exemption	Households who are part of the Ontario Basic Income Pilot (OBI) are exempt from the 12 months at market rent rule. Households participating in the OBI who are paying market rent will continue to be eligible to have their RGI subsidy reinstated even if they are paying market rent longer than 12 months.	
Household no longer considered a RGI household	<p>If after 12 months of paying market rent the household needs RGI or Rent Supplement assistance again, they must re-apply to the centralized wait list at Access to Housing – unless the household is participating in the OBI pilot.</p> <p>Once a household has paid the equivalent to market rent/housing charge for 12-consecutive months, they are no longer considered a RGI household for reporting purposes to the City of Hamilton. This means the Housing Provider’s RGI target count is reduced by one and the next vacancy should be filled in accordance with the Housing Provider’s targeting plan.</p>	
RESPONSIBILITIES	<p>As outlined in the Terms and Conditions section, this policy complies with <i>Housing Services Act, 2011 (HSA) O. Reg. 367/11 s.30</i>.</p> <p>Housing Providers and City staff in the Rent Supplement Program must follow this policy.</p>	

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Social Housing Administration		Housing Services
<i>RGI to Market Rent (12-month rule) Policy</i>		
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COMPLIANCE	Service Manager Housing Administration Officers ensure each Housing Provider is following its targeting plan and this policy.	
Approval	Author Name: Tammy Morasse, Senior Policy Analyst Manager Name: Adam Sweedland, Manager of Social Housing Director Name: Vicki Woodcox, Director – Housing Services Date: 2018-03-12	