

DIRECTIVE

DATE: February 13, 2003

NUMBER: 2003-05

Approved by County Council on: January 28, 2003

The policies, procedures and County requirements in this Directive are to be implemented by housing providers that are funded under the following Programs, which are administered by the County:

Please note if your program is not checked, this Directive is not applicable to your project(s), and is for information purposes only.

✓	Federal/Provincial Non-Profit Housing Program	✓	Rent Supplement - Commercial
✓	Ontario Non-Profit Housing Programs	✓	Rent Supplement-Homelessness Initiative
✓	Federal/Provincial & Ontario Co-operative Housing Programs	✓	Rent Supplement-OCHAP & CSHP
✓	Simcoe County Housing Corporation		

SUBJECT: RENT-GEARED-TO-INCOME ASSISTANCE: LOCAL ELIGIBILITY RULE CONCERNING RE-APPLICATION

DELEGATED AUTHORITY

The County of Simcoe, as service manager, has delegated the determination of initial eligibility for rent-geared-to-income (RGI) assistance, and the reviews of eligibility of applicants, to Simcoe County Housing Corporation (SCHC). Under service agreements, housing providers are responsible for the reviews of eligibility of their tenants.

BACKGROUND

Under the Social Housing Reform Act 2000 (SHRA), a household must meet certain criteria in order to be eligible for RGI assistance. The criteria include that

1. No member of the household has been convicted of an offence under s. 85 of SHRA or a crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance, and if an individual who was, but is no longer, a member of the

household has been convicted of such an offence or crime, the service manager determines that,

- A. No member of the household knew that the individual who was convicted of the offence or crime was committing it, or
 - B. A member of the household knew that the individual who was convicted of the offence or crime was committing it, but the member was not reasonably able to prevent the individual from committing it.
2. A member of the household has been convicted of an offence under s. 85 of the SHRA or a crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance, but the household has previously been determined to be ineligible for RGI assistance because of that conviction, and

one of subclauses i. and ii. is true:

- i. No member of the household has been found by the Ontario Rental Housing Tribunal or a court of law to have misrepresented his or her income or the income of his or her household in relation to the receipt of RGI assistance, and if an individual who was, but is no longer, a member of the household has been found to have made such a misrepresentation, the service manager determines that,
 - A. No member of the household knew that the individual who was found to have made the misrepresentation was making it, or
 - B. A member of the household knew that the individual who was found to have made the misrepresentation was making it, but the member was not reasonably able to prevent the individual from making the misrepresentation, or
- ii. a member of the household has been found by the Ontario Rental Housing Tribunal or a court of law to have misrepresented his or her income or the income of his or her household in relation to the receipt of RGI assistance, but
 - A. The household has previously been determined to be ineligible for RGI assistance because of that finding, or
 - B. The service manager determines that the member who was found to have made the misrepresentation is an abused member of a special priority household who was forced to make the misrepresentation by the abusing individual.

LOCAL ELIGIBILITY RULE

A household that is determined by SCHC/the housing provider to be ineligible for RGI assistance because it fails, **for the first time**, to meet one of the two above mentioned criteria **may not re-apply for RGI assistance for a period of two years**, from,

- a) The first day of the month as of which the provision of RGI assistance in respect of the household ceases, if the household is receiving RGI assistance at the time SCHC/the housing provider determines the household to be ineligible, or
- b) The date SCHC/the housing provider gives the household written notice of the determination of ineligibility, if the household is not yet receiving RGI assistance at the time SCHC/the housing provider determines the household to be ineligible.

A household that reapplies for RGI assistance two years after it has been determined to be ineligible because it failed, for the first time, to meet one of the two above mentioned criteria, **if it is determined to be ineligible for a subsequent failure** to meet such criteria, **may not reapply for RGI assistance for a period of seven years** from the dates described in paragraphs a) and b) above. The seven year prohibition on re-application for RGI assistance will apply to each subsequent failure to meet one of the two above mentioned criteria.

LEGISLATIVE REFERENCES

SHRA, S. 66, Ontario Regulation 298/01, ss. 7(1) (g), 7(1) (h), 16, 17.