

DIRECTIVE

DATE: February 13, 2003

NUMBER: 2003-06

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.

<input checked="" type="checkbox"/>	Federal/Provincial Non-Profit Housing Program	<input checked="" type="checkbox"/>	Rent Supplement - Commercial
<input checked="" type="checkbox"/>	Ontario Non-Profit Housing Programs	<input checked="" type="checkbox"/>	Rent Supplement-Homelessness Initiative
<input checked="" type="checkbox"/>	Federal/Provincial & Ontario Co-operative Housing Programs	<input checked="" type="checkbox"/>	Rent Supplement-OCHAP & CSHP
<input checked="" type="checkbox"/>	Simcoe County Housing Corporation		

SUBJECT: RENT-GEARED-TO-INCOME ASSISTANCE: PURSUIT OF INCOME

DELEGATED AUTHORITY

The County of Simcoe, as service manager, has delegated the determination of initial eligibility for rent-g geared-to-income (RGI) assistance and the management of the centralized waiting list to Simcoe County Housing Corporation (SCHC). Also, the County has entered into agreements with housing providers to calculate and review the amounts of RGI payable by households and to conduct RGI eligibility reviews of their tenants.

APPLICANTS

When a household applies for RGI assistance, SCHC shall inform the household that, if it accepts an offer of accommodation, the housing provider shall require a member of the household to pursue specified types of income, if the housing provider is of the opinion that the member may be eligible to receive such income. Furthermore, SCHC shall

inform the household that failure to pursue the income as requested will result in the household being ineligible for RGI assistance.

WRITTEN NOTICE

If the housing provider forms the opinion, at the point of initial income testing or at any point thereafter, that a member of a household may be eligible to receive income of a specified type and the member is not receiving such income, the housing provider shall give the household a written notice

- a) stating that the member may be eligible to receive income of a type specified in the notice,
- b) requesting the member to apply for that income and to make reasonable efforts to do whatever is required for the purpose of obtaining a decision on the application and receiving that income, and
- c) giving the household a reasonable period of time specified in the notice within which to inform the housing provider of the results of the application.

A sample notice is included in Appendix 1 to this policy document.

SPECIFIED TYPES OF INCOME

The specified types of income which a housing provider may require a household member to pursue are limited to the following:

- a) Basic financial assistance under the Ontario Works Act, 1997.
- b) Support under the Divorce Act (Canada), the Family Law Act or the Reciprocal Enforcement of Support Orders Act.
- c) Benefits under the Employment Insurance Act (Canada)
- d) Any pension or benefit that an individual who is 65 years of age or older is or may be entitled to receive from the Government of Ontario or the Government of Canada, other than a pension or other benefit that is available to an individual before the month in which the individual attains 65 years of age.
- e) Support or maintenance resulting from an undertaking given with respect to the member under the Immigration Act (Canada).

CONSEQUENCES OF FAILURE TO PURSUE INCOME

A household that has been given a written notice, as described above, to pursue income is not eligible for RGI assistance if the housing provider receives no response from the

household within the period of time specified in the notice, or concludes, on the basis of the response received from the household within the period of time specified in the notice, that the member has failed to make reasonable efforts to obtain income of the type specified in the notice.

Therefore, it is important to communicate to the household that failure to pursue income in the manner it has been requested to do so will result in the loss of entitlement to RGI assistance.

CHECKLIST

A housing provider may form the opinion that a household member may be eligible to receive a specified type of income at the time of conducting the initial income testing of the household, or at any point thereafter, such as the annual review of eligibility. The housing provider may make use of the checklist included as Appendix 2 to this policy document as an aid in forming the opinion about whether or not to require pursuit of income.

REASONABLE PERIOD OF TIME

A housing provider must give a household a reasonable period of time, specified in the written notice, within which to inform the housing provider of the results of the application for the specified income. **A housing provider may negotiate this period of time with the household, up to a maximum of sixty days.** As long as the household responds within the specified period of time, and the housing provider is satisfied that the member has made reasonable efforts to obtain income of the type specified in the notice, the household is not ineligible for RGI assistance, even if the member has been denied the income, or has not yet obtained a decision about eligibility for the income. Where reasonable efforts have been made, but more reasonable efforts are required for the purpose of obtaining a decision on the application and receiving the income, the housing provider shall extend the period of time within which the household must inform the housing provider of the results of the application, as long as the household does respond to the original written notice within the period of time originally specified. The household will be required to continue to report to the housing provider on a monthly basis, until a decision on the application for income has been obtained.

REASONABLE EFFORTS

If a housing provider requests a household member to pursue income, the housing provider may give a list of contact names and addresses, such as the list included in Appendix 1 to this policy document, to assist the household member. If the household member requires assistance in order to pursue support payments she/he may be referred to the Community Legal Clinic, the Family Law Information Centre or other agencies. The housing provider shall decide, on the basis of the response received from the household, whether or not the household member has made reasonable efforts to obtain income of the type specified in the notice.

EXEMPTIONS

- 1) A housing provider shall not require a household member to pursue income in situations which may jeopardize the health and safety of the household member, e.g. pursuit of support payments where the household member would be at risk of abuse by the person from whom she/he would be requesting support payments. A self declaration of risk is acceptable.
- 2) A housing provider shall not require a household member to pursue support payments from a person with whom she/he has had no contact for 3 years or more.
- 3) If a household member is in receipt of Ontario Works assistance there is no need for a housing provider to require the household member to pursue support payments, as the Ontario Works department itself requires a person to pursue such payments.
- 4) There may be other special circumstances in which a household will not be required to pursue support.

Exemptions granted under 1) and 2) above shall be reviewed by the housing provider at least annually to see if they remain applicable. An exemption granted under 4) above may need to be reviewed at least annually.

LEGISLATIVE REFERENCE

Ontario Regulation 298/01, subsections 7(3) – 7(5)

APPENDIX 1 TO 'RENT-GEARED-TO-INCOME ASSISTANCE: PURSUIT OF INCOME': SAMPLE NOTICE, AND LIST OF CONTACT NUMBERS

NOTICE TO PURSUE INCOME

Name(s)

Address

Date

In assessing your household income I noticed that _____
may be eligible to receive the following type(s) of income:

(Use separate notices regarding each household member who may be eligible to receive a specified form of income)

Under the Social Housing Reform Act 2000 we must request that _____
applies for the income specified above and makes reasonable efforts to do whatever is required for the purpose of obtaining a decision on the application(s) and receiving the income.

You must inform us of the results of the application(s) by _____

I enclose a list of contact names and numbers which I hope will help in pursuing the income.

IT IS IMPORTANT TO NOTE THAT IF YOU DO NOT INFORM US OF THE RESULTS OF THE APPLICATION(S) BY THE DUE DATE, OR THE SPECIFIED HOUSEHOLD MEMBER DOES NOT MAKE REASONABLE EFFORTS TO OBTAIN INCOME OF THE TYPE(S) SPECIFIED IN THIS NOTICE, THE HOUSEHOLD IS NOT ELIGIBLE FOR RENT-GEARED-TO-INCOME ASSISTANCE.

If you have any questions please feel free to contact me. You may also obtain advice from the community legal clinic at:

Yours truly,

CONTACT NUMBERS FOR INCOME SOURCES

TYPE OF INCOME	CONTACT			
Ontario Works	County-wide # for all local offices is <u>722 3132</u>			
Support under the Divorce Act, Family Law Act, Reciprocal Enforcement of Support Orders Act	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> Legal Aid Ontario <i>150 Dunlop St E</i> <i>Barrie L4M 6H1</i> <u>737 3400,</u> </td> <td style="width: 33%; vertical-align: top;"> Community Legal Clinic (You may call to book appointments) <i>Barrie</i> <u>737 3400,</u> <i>Orillia</i> <u>1 800 461 8953,</u> <i>Midland</i> <u>737 3400,</u> <i>Collingwood</i> <u>445 0641,</u> <i>Alliston</i> <u>435 4900</u> </td> <td style="width: 33%; vertical-align: top;"> Family Law Information Centre (Free legal advice. No appointments. 1st come 1st served.) <i>Barrie Court House, Level 3</i> <u>739 6446,</u> <i>Orillia</i> <u>326 2671,</u> <i>Midland Court House, 605 Yonge St.</i> <u>1st & 3rd Wed. each month</u> </td> </tr> </table>	Legal Aid Ontario <i>150 Dunlop St E</i> <i>Barrie L4M 6H1</i> <u>737 3400,</u>	Community Legal Clinic (You may call to book appointments) <i>Barrie</i> <u>737 3400,</u> <i>Orillia</i> <u>1 800 461 8953,</u> <i>Midland</i> <u>737 3400,</u> <i>Collingwood</i> <u>445 0641,</u> <i>Alliston</i> <u>435 4900</u>	Family Law Information Centre (Free legal advice. No appointments. 1 st come 1 st served.) <i>Barrie Court House, Level 3</i> <u>739 6446,</u> <i>Orillia</i> <u>326 2671,</u> <i>Midland Court House, 605 Yonge St.</i> <u>1st & 3rd Wed. each month</u>
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Benefits under the Employment Insurance Act (Canada)	Human Resources Development Canada <i>Barrie</i> <u>739 5822,</u> <i>Collingwood, Midland, Orillia</i> <u>1 800 206 7218</u>			
Pension or benefit a person 65 or older may receive from the Governments of Ontario or Canada	Canadian Income Security Programs, Canada Pension Plan (Benefits), Old Age Security <u>1 800 277 9914,</u> Ontario Guaranteed Annual Income System (GAINS) <u>1 800 263 7965</u>			
Support or maintenance under the Immigration Act (Canada)	Citizenship & Immigration Canada <i>78 West St S, Orillia</i> <u>1 888 242 2100,</u> Barrie YMCA Immigrant Services <i>80 Bradford St Barrie L4N 6S7</i> <u>726 6421</u>			

Other numbers that may be helpful:

ELECTED POSITION	NAME	AREA	TELEPHONE #
Member of Parliament (Federal)	Aileen Carroll	<i>Barrie, Simcoe, Bradford</i>	726 5959
	Paul Bonwick	<i>Simcoe Grey (Collingwood, Wasaga Beach, Clearview, Part of Springwater, Adjala-Tosorontio, Essa, New Tecumseth)</i>	444 6566
	Paul DeVillers	<i>Simcoe North (Tiny, Part of Springwater, Oro-Medonte, Severn, Orillia, Ramara, Midland, Penetanguishine, Christian Island)</i>	327 0513
Member of Provincial Parliament	Joe Tascona	<i>Barrie, Simcoe, Bradford</i>	737 4242
	Jim Wilson	<i>Simcoe Grey</i>	446 1090
	Garfield Dunlop	<i>Simcoe North</i>	326 3246

Legal Aid Ontario *150 Dunlop St E Barrie L4M 6H1 737 3400*

Community Legal Clinic *Barrie 737 3400, Orillia 1 800 461 8953, Midland 737 3400,
Collingwood 445 0641, Alliston 435 4900*

Ombudsman Ontario *1 800 263 1830*

**APPENDIX 2 TO 'RENT-GEARED-TO-INCOME ASSISTANCE: PURSUIT OF
INCOME': CHECKLIST TO HELP DETERMINE WHETHER OR NOT A
HOUSEHOLD MEMBER MAY BE ELIGIBLE TO RECEIVE SPECIFIED
TYPES OF INCOME**

INTRODUCTION

If the housing provider is of the opinion that a member of the household may be eligible to receive income of a specified type and the member is not receiving such income the housing provider shall request the member to pursue the income. This checklist is designed to help housing providers to determine whether or not to make such a request.

BASIC FINANCIAL ASSISTANCE UNDER THE ONTARIO WORKS ACT

- It is difficult to determine whether a household may qualify for Ontario Works (O.W.) simply by looking at the household income, as there are many variables. In most cases it will be appropriate to require members of a household under the age of 65, who are not dependent children, to pursue Ontario Works. If you are unsure whether or not a household member would be classed as a dependent, you could request the member to apply for O.W., and let the O.W. staff make the decision.

SUPPORT UNDER THE DIVORCE ACT (CANADA), THE FAMILY LAW ACT OR THE RECIPROCAL ENFORCEMENT OF SUPPORT ORDERS ACT

- *Support for an ex-spouse:* Does any household member have an ex-spouse or ex-spouses? If so, is the household member receiving support payments from the ex-spouse (s)?
- *Support for an ex-partner:* Does any household member have an ex-partner or ex-partners? Did the household member and the ex-partner live together for at least three years, or were they in a relationship of some permanence if they are the natural or adoptive parents of a child? Have they been separated for less than two years? Is the household member receiving support payments from the ex-partner(s)?
- *Support for children:* Do any of the children in the household have parents who live elsewhere? If so, are support payments being made for the children by those parents?

BENEFITS UNDER THE EMPLOYMENT INSURANCE ACT

- Has any household member, who is currently unemployed, worked for approximately 15 weeks or more in the past 12 months?

ANY PENSION OR OTHER BENEFIT THAT AN INDIVIDUAL WHO IS 65 YEARS OF AGE OR OLDER IS OR MAY BE ENTITLED TO RECEIVE FROM THE

GOVERNMENTS OF CANADA OR ONTARIO, OTHER THAN A PENSION OR OTHER BENEFIT THAT IS AVAILABLE TO AN INDIVIDUAL BEFORE THE MONTH IN WHICH THE INDIVIDUAL BECOMES 65 YEARS OF AGE

- Is any household member 65 years of age or older, or is any household member soon to become 65 years of age?
- Is the monthly income of a household member who is 65 or older less than the maximum guaranteed monthly income amounts payable as per the Guaranteed Annual Income System (GAINS) for Ontario senior citizens?

SUPPORT OR MAINTENANCE RESULTING FROM AN UNDERTAKING GIVEN WITH RESPECT TO THE MEMBER UNDER THE IMMIGRATION ACT (CANADA)

- Is any household member a refugee or refugee claimant? If so, does he/she have a sponsor for the refugee status?
- Has any household member been granted status as a permanent resident under the Immigration Act? If so, when was this status granted? If it was within the past ten years there should be a sponsorship agreement in place.