



City of Stratford Social Services Department

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Review of Continued RGI Eligibility – Annual Reviews

Directive Number: 2020-01

Date Approved: July 13, 2020

Date Effective: July 1, 2021

Replaces:

2013-01 Cessation of Eligibility Failure to Provide Information

2013-21 Review of Continued Eligibility – Timing of Reviews, Documents

2013-38 Review of Geared-to-Income Rent Payable – Annual Review

Legislative Authority:

Housing Services Act, 2011, S.O. 2011, c. 6, Sched. 1

HSA O. Reg. 367/11 s. 29, s. 29.1, & s. 59

HSA O. Reg. 317/19 s. 3

HSA O. Reg. 316/19 s. 10

This Directive applies to the following community housing programs:

- Public Housing
- Provincial Reformed (Provincial, Federal/Provincial Non-Profit)
- Provincial Reformed (Provincial Co-operative)
- Federal Non-Profit
- Federal (Municipal Non-Profit)
- Rent Supplement

1. Purpose

- To outline the information and documents required to determine whether an RGI household continues to be eligible for RGI assistance.
- To outline the consequences (i.e. cessation of eligibility) to that household for not providing said information or documentation.
- To highlight the instances based on extenuating circumstances in which households may continue to be eligible for RGI assistance despite not providing required information or documentation.

2. Background

Under the *Housing Services Act*, the Service Manager and/or housing providers are required to review, on an annual basis (once every 12 months), households currently receiving RGI assistance to ensure they remain eligible for that assistance. RGI households may become ineligible for assistance if, during this review process, they fail to provide required information and documentation, such as those related to their income, their assets, or their household composition (e.g. how many people are living in a unit).

An amendment to Ontario Regulation 367/11 under the *Housing Services Act* also states that households cease to be eligible for RGI assistance if any member of the household whose income should be included in the calculation of rent has not filed an income tax return under the *Income Tax Act* for the taxation year prior to an annual review to determine continued eligibility. This amendment comes into force on July 1, 2020 and will be implemented in this Service Manager area on July 1, 2021.

As Service Manager, the City of Stratford may set timelines for the provision of requested information and determine the parameters in which extenuating circumstances may allow households to receive RGI assistance without providing requested information and documentation.

3. Directive

3.1. Every twelve (12) months households are required to provide their housing provider with written verification of:

- The income of all members of the household from any source;
- Income tax filings for all members of the household whose income is calculated in determining rent;
- The interest of all members of the household in any asset and the value of that asset; and
- Consent to provide this information by all members of the household 16 years older and above.

3.2. Housing providers are responsible for requesting this information from RGI households and must:

- Provide clear deadlines for the submission of the information (at least 10 business days);
- Outline the consequences of not providing the information (e.g. RGI ineligibility).
- Make reasonable attempts to gather the information in a variety of ways if necessary (e.g. via telephone, email, mail, door-knock, or a combination); and

- Document all attempts to gather the information in the household's file.
- 3.3.** Once obtained, housing providers are responsible for reviewing this information, determining continued eligibility, and notifying households in writing of the outcome of the annual review.
- 3.4. If RGI ineligibility is the result of the household failing to provide information or to file tax returns,** the housing provider may determine that the household remains eligible for RGI assistance based on extenuating circumstances. Extenuating circumstances are unforeseen circumstances which were out of the control of the household, are unlikely to occur again, and resulted in the household not being able to meet a requirement in order to remain eligible for RGI. These may include, but are not limited to:
- Endangerment to households with Special Provincial Priority (SPP) status
 - Medical or health emergencies
 - Family emergencies
- These extenuating circumstances do not, in and of themselves, guarantee that a household will remain eligible for RGI. Any exceptions must be well documented, and available for review by the Service Manager (see 4.5. – 4.7. below).
- 3.5.** Any increases in rent as a result of the annual review process – including those less than \$10.00 – **will** be implemented.

4. Procedures

Procedures for Requesting Notice of Assessment (NOA) and Income Tax Returns

- 4.1.** Housing providers should use the following guideline when requesting and NOA for the purpose of an annual review:
- If the annual review is done **between July 1st and December 31st**, the NOA from the most recent taxation year should be requested.
For example: annual review date of September 3rd, 2020 = request of 2019 tax return.
 - If the annual review is done between **January 1st and June 30th**, and the previous year is not yet completed, the NOA from the preceding year should be requested.
For example: annual review date of March 15th, 2020 = request of 2018 tax return.

Procedures for Notifying Households of Annual Review Outcome

- 4.2.** Housing providers must notify households in writing of the outcome of the annual review within 5 business days of its decision.
- 4.3.** If a household is deemed **eligible for continued RGI assistance**, the notice should include:
- Confirmation that the household continues to be eligible for RGI assistance
 - Notification of any changes (increases or decreases) to the RGI rent payable
 - Date of when the change in assistance will commence
 - Information on the household's right to request a review of the decision should they disagree with the outcome, including the process and timelines for making a request to the housing provider first and then, if applicable, the Service Manager.
- 4.4.** If a household is deemed **ineligible for continued RGI assistance**, the notice should include:
- Reason(s) why the household is no longer eligible for RGI assistance
 - Date of when the eligibility will cease (i.e. 90 days from date of notification)
 - Actions (if any) that the household can take to maintain their RGI eligibility
 - Information on the household's right to request a review of the decision should they disagree with the outcome, including the process and timelines for making a request to the housing provider first and then, if applicable the Service Manager.

Procedures for Determining Continued Eligibility due to Extenuating Circumstances

- 4.5.** Prior to determining whether a household continues to be eligible for RGI assistance despite not providing the required information and documentation, the housing provider should gather the following information from the household:
- The circumstance(s) that prevented the household from providing information and/or filing a tax return;
 - The date when the circumstance(s) became relevant; and
 - All supporting documentation.
- 4.6.** Once determined, the housing provider should notify the household of its decision as per 4.2. – 4.4. of this directive.
- 4.7.** All information related to continued eligibility should be thoroughly documented in the household's file.