



DNSSAB – Housing Services			
Type of Policy:	Local Housing Policy (LHP)	LHP No.	2014-21
Subject:	Local Occupancy Standards		
Issued:	April 8, 2014		
Effective:	January 1, 2014	Replaces:	2013-00
Issued by:	Manager, Housing Services, DNSSAB	Dated:	February 12, 2014
Issued to:	<input type="checkbox"/> Federal Non-Profit Housing Program <input type="checkbox"/> Federal Section 26/27 Housing Program <input type="checkbox"/> Federal Urban Native Non-Profit Housing Program <input checked="" type="checkbox"/> Private Non-Profit Housing Program <input checked="" type="checkbox"/> Municipal Non-Profit Housing Program (Pre-1986) <input checked="" type="checkbox"/> Local Housing Corporation <input checked="" type="checkbox"/> Local Housing Corporation — Rent Supplement Programs <input checked="" type="checkbox"/> Nipissing District Housing Registry		

1 PURPOSE

To inform all housing stakeholders of the local rule, background and compliance standard under the *Housing Services Act, 2011 (HSA)* and associated regulations related to the local occupancy standards.

2 BACKGROUND

The *Housing Services Act, 2011 s. 43* and in particular *Ontario Regulation 367/11, s. 42* gives a service manager the authority to establish local occupancy standards for determining the appropriate size and type of unit for a household.

3 LOCAL RULE

These standards are to be followed as closely as possible. Variations should only be considered on an individual basis and must be fully documented, with supporting documentation in the event that a household requests a review of these standards or when a project undergoes an audit.

The number of bedrooms a household is eligible for is determined by following these standards, followed as closely as possible, when allocating units. Additional bedrooms may be granted **only if the household requests it in writing.**

A. The Largest Unit a Household Can Have is:

1. One bedroom for spouses (including same-sex partners).
2. One bedroom for each additional member of the household except in the following:
 - a) One bedroom will be assigned to two (2) children of the same sex who are no more than five (5) years apart in age;
 - b) One bedroom may be assigned to a parent and child if the parent and child are of the same or of different sex and the child is under the age of five (5), if:
 - i) this is agreed to by the tenant/applicant in writing and,
 - ii) if the housing provider consents.
 - c) Expectant mothers on the RGI waiting list will not be eligible for an additional bedroom until the birth of their child. At birth, if the family qualifies for an additional bedroom, the original date of application will be honored and the household will transition to the appropriate waiting list.
 - d) Expectant mothers already receiving RGI assistance will not be eligible for an additional bedroom until the birth of their child. At birth, if the family qualifies for an additional bedroom, the family cannot apply for a larger unit for twelve (12) months.
3. Additional bedrooms will only be granted if they are requested in writing and if they are needed for:
 - a) When one of the spouses or same-sex partners requires a separate bedroom because of a medically documented disability or medical condition and it significantly effects the health and wellbeing of the partner;
 - b) A member of the household who is disabled or has a medical condition that requires a separate bedroom to store equipment related to their medical condition and the equipment takes up a significant amount of space;
 - c) Fulfilling the requirements of a custody agreement where the child(ren) are not members of the household;
 - d) Children with behavioral or medical condition may have a separate room if recommended by a professionally qualified individual.
4. Children up to the age of twenty-six (26), whose primary residence is in the household that is eligible for RGI assistance and are in full-time attendance in a recognized educational institution out-of-town, are counted as part of the household.

B. The Smallest Unit a Household Can Have is:

If a household chooses to be housed in the smallest unit they can have and as a result places themselves in an underhoused situation, they must remain in that housing unit for a period of no less than twelve months before they can re-apply for an appropriately sized unit.

1. A bachelor unit for one (1) individual or spouses (including same-sex partners);

2. One bedroom for every two household members;
3. For households consisting of odd number of members, one bedroom will be assigned according to the following minimum standards; 3 members = 2 bedrooms; 5 members = 3 bedrooms etc.

If as a result of current family composition, a household qualifies to be placed on more than one unit size waiting list, the household is only entitled to a total of three refusals of offers before they are no longer eligible to remain on the waiting list.

C. Verification Requirements

1. INTENT

The Board requires that all housing providers adhere to the following verification procedures when determining an applicant/tenant's request for additional bedrooms. Additional bedrooms should only be granted to a household when an applicant/tenant requests them in writing.

2. Medical Applicants/Tenants

Where one of the spouses or same-sex partners requires a separate bedroom because of a medically documented disability or medical condition, a Physician's letter outlining the condition and the recommendation for an additional bedroom must be kept in the applicant/tenant's file.

3. Medical Equipment Applicants/Tenants

Housing providers shall exercise discretion when accommodating the needs of members of a household requiring an additional bedroom to store medical equipment. Housing providers will assess these requests on a case-by-case basis and maintain proper records of these arrangements keeping in mind that the medical equipment must take up a significant amount of space.

4. Custody Applicants/Tenants

- a) Where a member of the household has **shared custody** over a child who is not a member of the household and, they are obligated to fulfill the requirements of a shared custody agreement to provide over-night accommodation, a court ordered custody agreement must be kept in the applicant/tenant's file.
- b) Shared custody means the member has primary custody of the child greater than or equal to 48% of the time.
- c) In the absence of a shared custody agreement, a signed and witnessed "Custody Declaration" signed by both parents/guardians should suffice.

5. Visitation Agreements Applicants/Tenants

No extra bedrooms are allocated for visitation rights.

D. Implementation Procedures

1. Requesting Additional Bedrooms

A request may be included in an application for RGI assistance or it may be made after the application is submitted. All requests for additional bedrooms must be submitted in writing. If the request for an additional bedroom(s) is later withdrawn by

the household the housing provider will ensure that this request is submitted to them in writing. When a request for an additional bedroom(s) is made, the housing provider will ensure that standard application procedures are followed.

2. Review of Eligibility

When conducting annual verification reviews of households occupying rent-geared-to-income (RGI) units, the housing provider will include a review of whether the size and type of the unit is within the acceptable occupancy range set out in these occupancy standards.

3. Over-Housed Households

If the review determines that a household occupies a rent-geared-to-income (RGI) unit that is larger than the largest unit in respect of which the household is eligible to receive RGI assistance, please also refer to *Local Housing Policy # 08 - Ceasing to Meet Occupancy Standards* for the steps to be taken.

4. Transfer Waiting Lists Procedures

The following procedures are to be followed when a household that is receiving rent geared-to-income (RGI) assistance becomes over-housed and, must be placed on the Transfer Waiting List:

For the purpose of this policy, the Transfer Waiting Lists include the following waiting lists:

- i. Internal Transfer Waiting List;
- ii. Centralized Waiting List

For the purpose of this policy, the geographic areas of the District of Nipissing are recognized as the following:

- i. North Bay;
- ii. Sturgeon Falls;
- iii. West Nipissing;
- iv. Temagami;
- v. Mattawa.

a) Households placed on the Transfer Waiting Lists are placed according to the date of their over housed notification date.

b) Households will be placed on the Centralized Waiting List as follows:

- i. The tenant has thirty (30) business days to complete an application (Transfer Waiting List) with Nipissing District Housing Registry (NDHR) which is to include their personal choices for housing units.
- ii. If the tenant fails to complete an application within the designated thirty (30) days, NDHR will place the individual on the centralized transfer waiting list for every qualifying project in the area.
- iii. If the household is still on the transfer wait list after one (1) year, NDHR will place the tenant on the centralized transfer wait list for every qualifying project in the area

- c) The over-housed household will be removed from the Transfer Waiting List and cease to qualify for rent-geared-to-income (RGI) assistance in the following instances:
- i. An over-housed household can refuse a maximum of three (3) offers of accommodation during the first twelve (12) month period. After the third offer is refused, the household will be removed from the Transfer wait list and the household will cease to qualify for rent-geared-to-income assistance. A refusal includes both offers made from the selection system for rent-geared-to-income assistance and a housing provider's internal transfer list. All internal refusals must be reported to the NDHR.
 - ii. An over-housed household who receives less than three (3) offers of accommodation within the initial twelve (12) month period will retain their rent-geared-to-income status, however after the initial twelve (12) months; the household will cease to qualify for rent-geared-to-income assistance upon the first (1) refusal of offer of appropriately sized accommodations. All internal refusals must be reported to the NDHR.

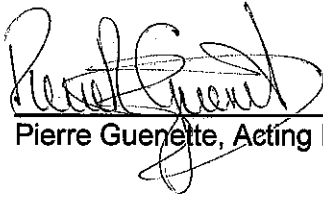
Also see "Local Housing Policy #08 – Ceasing to Meet Occupancy Standards" for more details.

4 ACTION

That Housing Providers implement the new Local Housing Policy – Local Occupancy Standards.

5 AUTHORIZATION

Original signed by:



Pierre Guenette, Acting Director-Housing Services, DNSSAB

April 9/14

Date

6 REVISION CONTROL

DATE	REVISION	EFFECTIVE
November 2012	Policy initially approved.	January 1, 2014