



<b>DNSSAB – Housing Services</b>			
<b>Type of Policy:</b>	<b>Local Housing Policy (LHP)</b>	<b>LHP No.</b>	<b>2014-08</b>
<b>Subject:</b>	<b>Ceasing to Meet Occupancy Standards</b>		
<b>Issued:</b>	<b>April 8, 2014</b>		
<b>Effective:</b>	<b>January 1, 2014</b>	<b>Replaces:</b>	<b>2013-08</b>
<b>Issued by:</b>	<b>Manager, Housing Services, DNSSAB</b>	<b>Dated:</b>	<b>February 12, 2013</b>
<b>Issued to:</b>	<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		

## 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 ceasing to meet local occupancy standards.

## BACKGROUND

The *Housing Services Act, 2011, s.42, under O.Reg 367/11, s.38*, establishes the service manager's authority to make a local eligibility rule providing for a household to cease to be eligible for rent-g geared-to-income assistance if the household occupies a unit that is larger than the largest size permissible under the service manager's occupancy standards. There is no requirement that a local rule be established.

If a local rule is established for the service area, the following provisions must be made:

1. Household occupies a unit that is larger than the largest size permissible under the service manager's occupancy standards.

2. The local eligibility rule must provide that the household does not cease to be eligible if the household is following the process, specified in the rule or by the service manager, to be transferred to a unit that is permissible under the service managers local occupancy standards.

## LOCAL RULE

1. The local occupancy standards set out a range of unit sizes for which rent-geared-to-income households may be eligible. Under these local occupancy standards, the largest unit for which a rent-geared-to-income household is normally eligible has one bedroom for any two members of the household who are spouses or same-sex partners of each other, plus one bedroom for each additional member of the household. The smallest unit for which a rent-geared-to-income household is eligible has one bedroom for every two members of the household, plus an additional bedroom if there are an odd number of members in the household.  
See "*Local Housing Policy #21 – Local Occupancy Standards*" for details.
2. A Provider must confirm that a rent-geared-to-income household is within the allowable range of occupancy standards at the time of offer, as part of the annual review process or if there has been a change in the size or composition of the household.
3. A household is considered over-housed when they have fewer members living in the unit than the number established under the local occupancy standards
4. If the housing provider determines that a household occupies a rent-geared-to-income unit that is larger than the largest unit in respect of which the household is eligible to receive rent-geared-to-income (RGI) assistance, the housing provider shall give the household written notice of that determination including a notice of rent increase effective 12 (twelve) months after the determination date. In addition, the written notice must state the following:
  - 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.
  - iv. The over-housed household will be placed in the selection system for rent-geared-to-income assistance with a transfer status based on the over-housed notification date.
  - v. A household will cease to qualify for rent-geared-to-income (RGI) assistance in the following instances:
    - a. An over-housed household can refuse a maximum of three (3) offers of accommodation during the first twelve (12) months. 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.

- b. 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 "21: Local Housing Policy – Local Occupancy Standards – D Implementation Procedures – 4 Transfer Waiting Lists Procedures" for more details.*

### **ACTION**

Housing providers are to follow this local housing policy for any tenants that become over-housed starting immediately.

### **ATHORIZATION**

***Original signed by:***



Pierre Guenette, Acting Director-Housing Services, DNSSAB

April 9/14

Date

### **REVISION CONTROL**

#### **DATE**

April 2014  
November 2012

#### **REVISION**

Revision  
Policy initially approved.

#### **EFFECTIVE**

January 2014  
January 1, 2014