

DNSSAB Housing Services
Local Housing Policy

LHP - 2020-21

SUBJECT:	Local Occupancy Standards		
DATE of ISSUE TO HOUSING PROVIDER:			
IMPLEMENTATION DATE:	January 1, 2021	APPROVED BY:	DNSSAB Supervisor
REVISION DATE(S):	June 15, 2021	SIGNATURE:	
ASSOCIATED DOCUMENT(S):			
RELATED POLICY(IES):	LHP 2020-04; LHP 2020-08		
ISSUED TO:	<input type="checkbox"/> Federal Section 95 Private 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 type="checkbox"/> Affordable Housing/Investment in Affordable Housing/Social Infrastructure Fund Program <input checked="" type="checkbox"/> DNSSAB Rent Supplement Programs <input checked="" type="checkbox"/> DNSSAB Housing Access		

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.

BACKGROUND

Under *Ontario Regulation 367/11, s. 42* of the Housing Services Act, 2011 s. 43 a Service Manager has the authority to establish local occupancy standards for determining the appropriate size and type of unit for a household **receiving rent-gear-to-income assistance**.

LOCAL RULE

These standards are to be followed as closely as possible. Variations shall 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 **receiving rent-gear-to-income assistance** is eligible for is determined by following these standards, and followed as closely as possible, when allocating units. Additional bedrooms may be granted once the household makes the request in writing through the Housing Access prescribed **“additional bedroom request form”**.

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A. The Largest Unit a Household **Receiving Rent-Geared-to-Income Assistance** Can Have is:

1. One bedroom for spouses (married, common-law, and 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*:
 - a. this is agreed to by the tenant/applicant in writing *and*,
 - b. 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 may be granted only if the household makes the request in writing through the Housing Access prescribed "**additional bedroom request form**" and if an additional bedroom is required based on the parameters listed above:
 - 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 child access agreement where the child(ren) are not members of the household;
 - d) A child(ren) with behavioral or medical condition(s) may have a separate room if recommended/requested by a professionally qualified individual.
4. Children up to the age of twenty-six (26), whose primary residence is in the household that is **receiving rent-geared-to-income assistance** and are in full-time attendance in a recognized educational institution out-of-town, are counted as part of the household.

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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 under-housed 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 (married, common-law, and including same-sex partners);
2. One bedroom for every two household members regardless of age or gender;
3. For households consisting of an 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 would cease to be eligible for rent-geared-to-income assistance if it has refused one (1) offer of a rent-geared-to-income unit (*O. Reg 367/11, s. 32.2 ss. (1)*). See Local Housing Policy – *Refusal of Offers - LHP - 2020-04*.

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 may be granted once the household makes the request in writing through the Housing Access prescribed "**additional bedroom request form**".

2. Medical/Disability Condition 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/requirement 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.



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4. Child Access Applicants/Tenants

- a) Where a member of the household has **shared access** over a child who is not a member of the household and, they are obligated to fulfill the requirements of a shared child access agreement to provide over-night accommodation, a court ordered child access agreement must be kept in the applicant/tenant's file.
- b) Shared access means the member has primary access of the child greater than or equal to 33% of the nights every month or 33% of the nights in a year. The DNSSAB will consider other extra-ordinary access agreements on a case by case basis.
- c) In the absence of a shared child access agreement, a signed and witnessed "Child Access Declaration Form" signed by both parents/guardians will be sufficient.

5. Child Access Agreements Applicants/Tenants

No extra bedrooms shall be allocated for child visitation agreement 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 **receiving rent-geared-to-income assistance**, 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 **receiving rent-geared-to-income assistance** occupies a unit that is larger than the largest unit in respect of which the household is eligible to receive RGI assistance, please see Local Housing Policy – *Ceasing to Meet Occupancy Standards - LHP - 2020-08* for the steps to be taken.

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4. Centralized Transfer Wait 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 Centralized Transfer Wait List:

For the purpose of this policy, the Co-ordinated Access Waiting List include the following waiting lists:

- i. Co-ordinated Access Waiting List (over-housed)

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 Co-ordinated Access Waiting List are placed according to the date of their over housed notification letter.

b) Households will be placed on the Co-ordinated Access Waiting List as follows:

- i. The tenant has thirty (30) business days to complete an application (new housing application) and submit it to DNSSAB Housing Access which is to include their personal preferences for housing projects.
- ii. Upon receipt of the over-housed notification letter, DNSSAB Housing Access will place the individual on the Co-ordinated Access Waiting List for every qualifying project in the area.
 - If the tenant fails to complete an application within the designated thirty (30) days, the preferences remain unchanged.
 - If a completed application has been received from the tenant within the designated thirty (30) days DNSSAB Housing Access will amend/update the file reflecting the applicant's personal preferences for qualifying housing projects in the area.
- iii. If the household is still on the Co-ordinated Access Waiting List after one (1) year, DNSSAB Housing Access will place the tenant on the Co-ordinated Access Waiting List for every qualifying project in the area.

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- c) An over-housed household will retain their rent-geared-to-income status for the initial 12-months after being notified. The over-housed household will be removed from the Co-ordinated Access Waiting List and cease to qualify for rent-geared-to-income (RGI) assistance in the following instance:
- A. After the initial twelve (12) months; the household will cease to be eligible for rent-geared-to-income assistance if:
- the household refuses an offer to transfer to a unit that is permissible under the service manager's occupancy standards; and
 - a service manager may determine that the household remains eligible if the service manager is satisfied that there are extenuating circumstances. (O. Reg. 318/19, s. 4.)

A refusal includes both offers made from the selection system for rent-geared-to-income assistance and/or a Housing Provider's internal transfer list. All internal refusals must be reported to the DNSSAB Housing Access within 48 hours. *Reference LHP - 2020-04*

All housing offer refusals must be reported to the DNSSAB Housing Access within 48 hours. See Local Housing Policy - *Refusal of Offers - LHP - 2020-04*.

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

ACTION

That Housing Providers implement the new Local Housing Policy - *Local Occupancy Standards* - LHP - 2020-21.

AUTHORIZATION

Original signed by:

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6/15/2021

Date:

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Stacey Cyopeck

Director, DNSSAB Housing Programs

Replaced By Policy #

Retirement Date: