

DNSSAB Housing Services
Local Housing Policy

LHP - 2020-08

SUBJECT:	Ceasing to Meet Occupancy Standards		
DATE of ISSUE TO HOUSING PROVIDER:			
IMPLEMENTATION DATE:	January 1, 2021	APPROVED BY:	DNSSAB Supervisor
REVISION DATE(S):	January 1, 2020	SIGNATURE:	<small>DocuSigned by:</small> <i>Dee Johnson</i> <small>09F24F2BF3B442F...</small>
ASSOCIATED DOCUMENT(S):			
RELATED POLICY(IES):	LHP 2002-04; LHP - 2020-21		
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 ceasing to meet local occupancy standards.

BACKGROUND

Under *O. Reg 367/11, s. 38* of the Housing Services Act 2011, Service Managers have the authority to make a local eligibility rule pertaining to a household ceasing to be eligible for rent-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 is 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 number of bedrooms allocated to a household can be referenced in the Local Housing Policy - *Local Occupancy Standards - LHP - 2020-21*.

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2. A Housing Provider must confirm that a rent-geared-to-income household is within the allowable range of occupancy standards at the time of an 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 possible rent increase if the household fails to follow the transfer process. In addition, the written notice must state the following:
 - i. The tenant has thirty (30) business days to complete a *new* housing application with the DNSSAB Housing Access which is to include their preferences for qualifying housing projects.
 - ii. If the tenant *fails to complete* an application within the designated thirty (30) days, DNSSAB Housing Access will place the individual on the Co-ordinated Access Waiting List for **every** qualifying project in the area.
 - i. The “areas” are defined as North Bay, Temagami, Mattawa, and West Nipissing.
 - ii. Households will not be required to apply to housing projects outside of their areas but may choose to do so.
 - iii. If a household chooses to apply outside of their area, they will be required to accept an offer of RGI housing in those projects.
 - iii. If the household has remained on the waitlist for one (1) year, the DNSSAB Housing Access will place the tenant on the Co-ordinated Access Waiting List for **every** qualifying project in the area (as defined above).
 - iv. The over-housed household will be placed in the selection system (Co-ordinated Access Waiting List) for rent-geared-to-income assistance with “over-housed” status based on the over-housed notification date.
 - v. 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:
 - i. the household refuses an offer to transfer to a unit that is permissible under the service manager’s occupancy standards; however
 - ii. 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.)



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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*

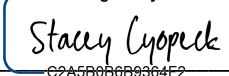
ACTION

That Housing Providers implement the new Local Housing Policy - *Ceasing to Meet Occupancy Standards - LHP- 2020-08*.

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

AUTHORIZATION

Original signed by:

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Stacey Cyopeck
Director, DNSSAB Housing Programs

Date: 6/10/2021

Replaced By Policy #		Retirement Date:	
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