

DNSSAB Housing Services
Local Housing Policy

LHP - 2020-03

SUBJECT:	Ineligible for Certain Convictions		
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>00F24F2BF3B442F...</small>
ASSOCIATED DOCUMENT(S):			
RELATED POLICY(IES):			
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 type="checkbox"/> DNSSAB Rent Supplement Programs <input type="checkbox"/> DNSSAB Housing Access		

PURPOSE

To inform all housing stakeholders with the DNSSAB's local policy (under the authority of the Housing Services Act, 2011), regarding a household's eligibility for rent-geared-to-income (RGI) assistance when a member of the household is convicted of certain offenses/crimes.

BACKGROUND***Social Housing Reform Act, 2000 (SHRA)***

Under the SHRA a household was ineligible for RGI assistance if a member of the household was convicted of:

- An offense under section 85 of the SHRA
- A crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance, *or*
- Found guilty of misrepresentation of income in relation to the receipt of RGI assistance by the Ontario Rental Housing Tribunal or a court of law.

A household could also be determined ineligible if it was a former member of the household that was convicted, but a current member of the household knew the offense was occurring and did nothing to stop it from occurring (if the member was reasonably able to do so).

If a household was found ineligible for RGI due to one of the above reasons the household could not re-apply for RGI assistance for a period of two years.



SUBJECT:	Ineligible for Certain Convictions (continued)
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Housing Services Act, 2011 (HSA)

Under the HSA, the Service Manager has the discretion to implement a local rule that a household is determined ineligible for RGI assistance if a member of the household was convicted of:

- An offense under the HSA, s. 55 (or the SHRA s. 85), *or*
- A crime under the Criminal Code (Canada) relating to the receipt of RGI assistance, *and*
- The conviction occurred no more than 2 years prior to the RGI ineligibility decision.

LOCAL RULE

A household will be determined ineligible for RGI assistance if, within the past two years, a member of the household was convicted of:

- An offense under the HSA, s. 55; or previously under the SHRA, s. 85; which both state:
 - No member of the household should knowingly obtain or receive RGI if they know the household is not eligible for it, and
 - No individual (i.e. not a member of the household) should aid or abet a member of a household with obtaining or receiving RGI if the individual knows the household is not eligible for it, *or*
- A crime under the Criminal Code (Canada) relating to the receipt of RGI assistance.

A household found ineligible under this policy can re-apply for RGI (and be determined eligible if the household meets all other RGI eligibility criteria) 2 years after the household was convicted.

ACTION

That Housing Providers implement the new Local Housing Policy - *Ineligibility for Certain Convictions* - LHP - 2020-03.

When a household is found to be ineligible for RGI assistance under the certain convictions policy the Housing Provider will:

- Use the conviction date as the date the household becomes ineligible for RGI assistance
- Notify the household in writing (letter template attached) of:
 - The "Notice of Decision" letter (including reason)
 - Their right for the household to request a review of the decision, *and*
- Remove the household's RGI subsidy.

District of Nipissing
Social Services
Administration Board



Conseil d'administration
des services sociaux
du district de Nipissing

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SUBJECT:	Ineligible for Certain Convictions (continued)
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Housing Providers are required to:

- Document decisions of ineligibility for RGI that result from the certain convictions policy.
- Report the decision on the household's tenancy record and if the household's conviction was within the last 24 months ensure the information is included in the tenancy reports.

AUTHORIZATION

Original signed by:

DocuSigned by:

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Date: 6/10/2021

Stacey Cyopeck
Director, DNSSAB Housing Programs

Replaced By Policy #		Retirement Date:	
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Template Letter – Notifying Household of Ineligibility for RGI

Notice of Decision Letter – RGI Eligibility

Applicant name
Applicant Address
Applicant Address

(Insert date letter will be issued)

Dear *(Insert name of Tenant/Member)*,

This notice is to advise you of a decision made with regard to:

Your eligibility for RGI assistance

The decision was made on *(Insert date decision was made)*, and was based on the following reason(s):

- There has been an offense under the HSA, s.55 *or* previously under the SHRA, s.85 which states:
- No member of the household should knowingly obtain or receive RGI if they know the household is not eligible for it, *and/or*
 - No individual (i.e. not a member of the household) should aid or abet a member of a household with obtaining or receiving RGI if the individual knows the household is not eligible for it.
- There has been a crime committed under the Criminal Code (Canada) relating to the receipt of RGI assistance for the household.

If you disagree with this decision, you have the right to appeal the decision to the District of Nipissing Social Services Administration Board Service Manager within **30 calendar days** of the date of this notice.

To request a District of Nipissing Social Services Administration Board Service Manager Appeal, your **written** appeal must be received by our office within **30 calendar days** of the date of this notice.

Sincerely,

Your Name

Your Job Title