

MUNICIPALITY OF CHATHAM-KENT
SOCIAL HOUSING POLICIES & PROCEDURES

Subject:	RGI Review of Eligibility – Periodic	POLICY NO.	SH-0209
Scope:	All Housing Providers Chatham-Kent Social Housing (re: CAWL)		
			Legal/Cross Reference: SHRA 66(2), 66(4), 67(2); O. Reg. 298/01, ss. 11(2), s. 11, 12, <52> and 53; Part V Provider Agrmt, ss. 3.02 – 3.07 inclusive; 7.03 to 7.06 inclusive
Issued Date:	April 23, 2003	Approval:	_____
Effective Date:	June 1, 2003		Director, Social Housing
Last Revised:	<May 1, 2008>		

I. PURPOSE:

- A** To clearly establish the policy and procedure for Housing Provider periodic reviews of rent-geared-to-income (RGI) assistance to existing RGI units/households.
- B** To clearly establish the policy and procedure for Chatham-Kent Social Housing periodic reviews of RGI assistance applications for applicants included on the Coordinated Access Waiting List (CAWL).

II. RESPONSIBILITY:

A Service Manager:

1. Pursuant to the Part V Provider Agreement between Chatham-Kent and various housing providers, Chatham-Kent has delegated responsibility for periodic RGI reviews to each housing provider for their respective RGI units/households in receipt of RGI assistance.
2. Chatham-Kent has retained responsibility for initial RGI eligibility assessment and on-going RGI eligibility assessment for all applicants with respect to applicant households added to and maintained on the Coordinated Access Waiting List (CAWL).
3. Pursuant to Ontario Regulation 298/01, as amended, Chatham-Kent prescribes that the local policies related to the initial RGI application process shall also apply to the periodic RGI review process, with necessary modifications. Specifically, the following policies shall apply, with necessary modifications:
 - SH-0201 RGI Application – Required Documentation
 - SH-0202 RGI Application – Income & Asset Verification
 - SH-0204 RGI Application – Pursuit of Other Income

Generally, the modifications will relate to the following:

- i. The need for a Periodic RGI Review of Eligibility for an existing RGI unit/household shall be triggered by the housing provider having received a Notice of Change/s from

the household already in receipt of RGI assistance. (*See SH-0215, RGI Review – Notice of Changes*).

- ii. The need for a Periodic RGI Review of Eligibility for an existing RGI applicant household shall be triggered by Chatham-Kent Social Housing having received a Notice of Change/s from the applicant household while being included upon the Coordinated Access Waiting List (CAWL), managed with the CKCAS.
 - iii. In the case of RGI units/households (versus RGI applicant households), the housing provider is responsible for collecting, receiving and notifying the affected household in place of Chatham-Kent Social Housing.
 - iv. The existing RGI tenant/member household and/or RGI applicant household already on the Coordinated Access Waiting List (CAWL) shall be required to provide copies of information and/or documentation including income and asset verification only as it relates to Notice of Change of Information provided by said household.
4. Pursuant to section 7.05 of the Part V Provider Agreement and more particularly, ss. 53(4)(b) of O. Reg. 298/01, calculated geared-to-income rent payable increases of less than ten dollars (\$10.00) are not to be implemented at the time of a periodic review of RGI eligibility. *Note: this proviso does not apply to Annual RGI Reviews of Eligibility (See: SH-0208, RGI Review of Eligibility – Annual).*

B Housing Provider:

1. Pursuant to sections 3.02 and 3.05 of the Part V Provider Agreement with Chatham-Kent, each housing provider is responsible for periodically reviewing and making a determination respecting the continued eligibility of applicants for RGI assistance.
2. Pursuant to section 3.03 of the Part V Provider Agreement with Chatham-Kent, each housing provider is responsible for determining whether the RGI applicant continues to be eligible for RGI assistance in accordance with any established local eligibility rules, as well as the provincially determined rules of eligibility.
3. Pursuant to section 3.06 of the Part V Provider Agreement with Chatham-Kent, each housing provider is responsible from complying with Sections 11 and 12 of Ontario Regulation 298/01. Also,
 - i. As noted above, Chatham-Kent prescribes that the local policies related to the initial RGI application process shall also apply to the annual RGI review process, with necessary modifications. Specifically, refer to the following policies and apply, with necessary modifications noted above:
 - SH-0201 RGI Application – Required Documentation
 - SH-0202 RGI Application – Income & Asset Verification
 - SH-0204 RGI Application – Pursuit of Other Income
4. Pursuant to section 3.07 of the Part V Provider Agreement with Chatham-Kent, each housing provider is responsible for giving proper notice of terminating RGI assistance where the applicant no longer qualifies for RGI assistance for the occupied unit.

III. PROCEDURE:

A. Service Manager:

1. Chatham-Kent Social Housing (CKSH) will monitor housing provider performance and compliance with local housing policies and procedures, MMAH Guidelines, and the Part V Provider Agreement through the financial review processes and at the time of operational reviews.

2. CKSH will update and maintain the Coordinated Access Waiting List (CAWL) in accordance with the procedures set out in SH-0207, RGI Application – Notice of Change(s).

B. Housing Provider:

1. Pursuant to section 7.05 of the Part V Provider Agreement with Chatham-Kent, each housing provider will conduct periodic reviews—of the RGI assistance being provided to households within the housing provider’s portfolio—upon receipt of notification of a change in income or assets of a household in receipt of RGI assistance, or change in occupancy of the household. (See SH-0215, RGI Review – Notice of Changes re: time periods for reporting changes.)
2.
 - i. Upon receipt of the information and/or documentation required, the housing provider shall review the information and documentation to determine whether the required information and/or documentation are complete.
 - ii. The housing provider may extend the period for households to provide updated information or verification after the expiry of the period for reporting changes. To be assessed on a case-by-case basis. Housing provider to complete “*Determination: Extend period to provide updated information or verification*” (Form # SH-F14) to be filed with Review documentation.
3. Subject to the provisions of policy SH-0215, the housing provider shall issue a Notice of Opportunity to Comment if the change of information notification was provided by someone other than the affected household tenant(s)/member(s).
4. If the housing provider is satisfied the RGI household has submitted all the required information and/or documentation related to the notification of change, the housing provider shall proceed as applicable to:
 - i. Review eligibility for RGI assistance
 - ii. Review type of accommodation household is eligible for; refer to policy SH-0218, Local Occupancy Standards.
 - iii. Review category (if special needs, or supportive housing unit)
 - iv. Determine amount of geared-to-income rent (also, determine whether RGI household qualifies as regular RGI, or high need).
 - v. Determine if household has fluctuating income that may be calculated using social housing policy SH-0210(A) and /or SH-0210(B)
5. After the Opportunity to Comment period has lapsed, or has been waived by the affected household tenant(s)/member(s), or in cases where the Opportunity to Comment is not applicable, the housing provider shall issue a Notice of Decision – RGI Eligibility Review (Form # SH-F11). The Notice of Decision shall also include a Notice of Right to Appeal Decision – RGI Eligibility Review (Form # SH-F12).
6. Where the Decision is to terminate RGI assistance due to the required **notice of change documentation** not being filed, **if it would have resulted in a rent increase or RGI ineligibility for the unit being occupied (O. Reg. 298/01, ss 12 (1)(h))**, or a determination of ineligibility made pursuant to O. Reg. 298/01 s. 12 and/or s. 13, a 90 day notice of termination of RGI assistance is required subject to s. 14(3) and 59 of said Ontario Regulation.
7. Issue a Notice of Decision – RGI Eligibility Review (Form # SH-F11) to the RGI household indicating the results of the review:
 - i. Geared-to-income rent payable reduced, effective the first day of the month following the month in which the written notice is given (ss 53(2) O. Reg. 298/01);
 - ii. Geared-to-income rent unchanged;

- iii. Geared-to-income rent payable increased, effective on the first day of the second month following the month in which the written notice is given (ss 53(3) O. Reg. 298/01). Note, pursuant to ss 53(4)(b), if the increase is less than \$10.00 it is not to be implemented except at the time of the normal annual review.
 - iv. Rent-Geared-To-Income (RGI) Status Terminating/Notice of Increase to Market Rent, upon 90 days Notice (per ss 14(3) and 59, O. Reg. 298/01)
 - v. Include a Notice of Right to Appeal Decision (Form # SH-F12).
8. Implement periodic adjustments (excluding increases below \$10.00) to rent-geared-to-income rent payables and maintain proper records, both financial and statistical data for the purpose of tracking and reporting to both the Board of Directors and the service manager, the Municipality of Chatham-Kent.
 9. Where the result of a periodic RGI review is a determination of an overpayment of RGI assistance having been made, refer to social housing policy SH-0213, RGI Overpayment Collection.
 10. Where the result of a periodic RGI review is a determination of an underpayment of RGI assistance having been made, refer to social housing policy SH-0212, RGI Adjustment for Underpayment.
 11. Where the result of a periodic RGI review is a determination that the occupant/s are over-housed, refer to social housing policy SH-0211, RGI Units – Over-housed.
 12. Local flexibility allows for a determination that a household who would otherwise cease to be eligible for RGI assistance may continue to be eligible if satisfied that extenuating circumstances exist (s. 12, O. Reg. 298/01).

IV. NOTES:

1. SH-0201 RGI Application – Required Documentation
2. SH-0202 RGI Application – Income & Asset Verification
3. SH-0204 RGI Application – Pursuit of Other Income
4. SH-0207 RGI Application – Notice of Change(s)
5. SH-0208 RGI Review of Eligibility – Annual
6. SH-0210(A) RGI Calculation – Fluctuating Income – not seasonal or self-employed
7. SH-0210(B) RGI Calculation – Fluctuating Income – seasonal or self-employed
8. SH-0212 RGI Adjustment for Underpayment
9. SH-0213 RGI Overpayment Collection
10. SH-0215 RGI Review – Notice of Changes
11. SH-0218 Local Occupancy Standards
12. SH-0220 Opportunity to Comment
13. SH-0221 Requests for Internal Reviews (Right to Appeal)

- V. MMAH GUIDE TO RGI ASSISTANCE:** Sections 4.4, 4.6, 4.7, 5 (if related to changed information reported), 8, 9.2, 10 and 11 apply.

NOTE: MMAH Guide refers to an “annual” review as a “periodic” review (S. 9.1 of the Guide), and the reviews required as a result of a notice of change are referred to as “outside of a periodic review.” Chatham-Kent has termed “annual” reviews “annual reviews” and any review more frequent than annual a “periodic review.”