

MUNICIPALITY OF CHATHAM-KENT  
**SOCIAL HOUSING POLICIES & PROCEDURES**

<b>Subject:</b>	<b>RGI Review of Eligibility – Pursuit of Other Income</b>	<b>POLICY NO. SH-0503</b>
<b>Scope:</b>	<b>All Housing Providers</b>	
		<b>Legal/Cross Reference:</b> <b>O.Reg 298/01, ss 12 (1.1), (5), (6) and (7);</b> <b>Part V Provider Agrmt, ss 3.01 – 3.07</b> <b>inclusive and 7.03 – 7.08 inclusive</b>
<b>Issued Date:</b>	<b>April 20, 2005</b>	<b>Approval:</b> _____ <b>Director, Social Housing</b>
<b>Effective Date:</b>	<b>June 1, 2005</b>	
<b>Last Revised:</b>	<b>April 19, 2006</b>	

**I. PURPOSE:**

- Ontario Regulation 220/04, printed in the Ontario Gazette on August 28, 2004, removed the Pursuit of Other Income requirement from the RGI application process and added it to the RGI Eligibility Review process. Particularly, Ontario Regulation 298/01, section 12, Cessation of Eligibility, was expanded with the addition of subsections (5), (6) and (7).
- To establish the notification requirements related to requiring an RGI assistance tenant, or co-operative member to pursue *other types of income*, and the procedural policy in terms of time frames for giving the notice and receiving a response from the tenant, or co-operative member.

**II. RESPONSIBILITY:**

**A Service Manager:**

Pursuant to the Part V Provider Agreement between Chatham-Kent and various housing providers, Chatham-Kent has delegated responsibility for annual and periodic RGI reviews to each housing provider for their respective RGI units/households in receipt of RGI assistance.

**B Housing Provider:**

1. Form an opinion as to whether a member of the RGI assistance applicant household may be eligible to receive an *other type of income*, as defined in O. Reg. 298/01, ss 12(6).
2. Determine to notify the household applicant, in accordance with O. Reg. 298/01, ss 12(5) and subject to, ss 12(7).
3. Provide contact information for pursuit of other income
4. Decide ineligibility for RGI assistance applicant household that either does not respond within the time period allowed, or that fails to show reasonable effort in terms of pursuing the *other type of income*.
5. 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).

### III. PROCEDURE:

#### A Service Manager:

1. The Service Manager will make RGI applicants of the requirement for RGI tenants to pursue other income and will encourage said applicants to commence the pursuit of other incomes prior to being housed. See SH-0204, RGI Application – Pursuit of Other Income. However, please note that failure to pursue other income cannot be used as a reason to deny RGI Eligibility.
2. Chatham-Kent Social Housing 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 process and at the time of operational reviews.

#### B Housing Provider:

1. Based on the information and documentation provided by an RGI tenant at the time of the initial acceptance of the Offer to House, and/or at the time of an Annual or Periodic RGI Eligibility Review, the housing provider shall form an opinion as to whether a member of the RGI household may be eligible to receive an *other type of income*. *Types of other income* are defined in O. Reg. 298/01, ss 12(6) as:
  - i. Ontario Works basic financial assistance;
  - ii. Support payments under the *Divorce Act (Canada)*, *Family Law Act*, or the *Interjurisdictional Support Orders Act*.
  - iii. Employment Insurance (EI) benefits.
  - iv. Any senior pension or other benefit (not including pension or other benefit available to individuals prior to the month date of their 65<sup>th</sup> birthday) from the Government of Ontario or the Government of Canada
  - v. Support or maintenance payments under the *Immigration and Refugee Protection Act (Canada)*
2. If it is believed that the RGI tenant household member may be eligible for one, or more of the *other types of income*, written notification (Form # SH-04) shall be given to the applicant household,
  - i. Stating the *type of other income* that the member may be eligible to receive;
  - ii. Requesting the member to apply for that income and to make reasonable efforts to obtain a decision on the application and receiving that income;
  - iii. Provide contact information relevant to the type of income recommended to be pursued;
  - iv. Advise of documentation required to verify that either application for that income type has been made, or that reasonable efforts to pursue that income have been made;
  - v. Specify the period of time permitted to provide a favourable response to the housing provider
3. If it is believed that the applicant may be eligible for “support payments” and
  - i. the applicant advises that there are no support provisions in place:
    - Refer the applicant to duty counsel. Duty counsel information can be obtained through Legal Aid Ontario, 146 Queen Street, Chatham, phone: 352-1631 or through the Ontario Court of Justice in Chatham at 352-7740.
    - Advise the applicant that s/he may wish to use the Lawyer referral service at 1-416-947-3330, or contact a lawyer recommended by friends or family.

Or,

- ii. the applicant advises that there already are support provisions, i.e., a support agreement or court order in place that is not being honoured by the payor:
  - Refer the applicant to the Family Responsibility Office at 1-800-267-4330;

- Refer the applicant to Duty Counsel (see above contact information)
  - Advise the applicant that s/he may wish use the Lawyer referral service (see above), or contact a lawyer recommended by friends or family.
- iii. Verification of the amount of support being received shall be in accordance with Social Housing Policy SH-0202.
- iv. Verification of the reasonable pursuit of support payments shall include at least one of the following, normally within a maximum of 3 weeks of date of Notice issued pursuant to step no. 2 above:
- Copies of the court documents, showing court dates;
  - Letter from lawyer, or phone call from lawyer confirming efforts being made; or
  - Verification of legal aid appointment; or
  - For Ontario Works financial assistance recipients, confirmation can be provided by the Ontario Works caseworker.
4. If notice has been given pursuant to Step 2 above and either no response has been received in the time specified in the notice, or, if the response received appears to indicate that reasonable efforts have not been made to pursue the type of income specified in the notice, the Housing Provider shall make a determination of ineligibility for rent-geared-to-income assistance. If unclear as to whether efforts are “reasonable”, consult with the Service Manager (contact Director of Social Housing or his/her designate) before making a determination of ineligibility, pursuant to ss 12(7) of Ontario Regulation 298/01.
5. 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).

### **III. NOTES:**

1. SH-0201 RGI Application – Required Documentation
2. SH-0202 RGI Application – Income & Asset Verification
3. SH-0203 RGI Application – Complete/Incomplete Notification, particularly Part IV Notes
4. SH-0204 RGI Application – Pursuit of Other Income

Contact Information related to Other Income Types:

[..\WEB, CURRENT\WIP LINKS\OTHER INCOME CONTACT LIST.PDF](#)

List of Resources related to Support Payments:

[..\Web, Current\WIP Links\Resources Support.pdf](#)

Social Assistance and Pension Rate Table: refer to appropriate quarterly CK Directives

### **IV. MMAH GUIDE TO RGI ASSISTANCE: not yet updated to reflect O. Reg. 220/04 changes**