



## **DIRECTIVE**

- ☐ **Legislation/Regulation**  
☒ **Operational**

**DATE: 2003-03-26**  
**NUMBER: 03 – 09**

The policies and procedures in this Directive are to be implemented by housing providers funded by the Municipality under the following programs:

- |   |  |
|---|--|
| <input type="checkbox"/> Public Housing Program     | <input type="checkbox"/> Aboriginal Program                                      |
| <input type="checkbox"/> Non-Profit Program         | <input type="checkbox"/> Public Housing<br>Rent Supplement Program               |
| <input type="checkbox"/> Co-Op Program              | <input type="checkbox"/> Ontario Community<br>Housing Assistance Program (OCHAP) |
| <input checked="" type="checkbox"/> Federal Program | <input type="checkbox"/> Community Sponsored Housing<br>Program (CSHP)           |
| <input type="checkbox"/> Social Housing Registry    |  |

\* Please note: If your program is not checked, this Directive doesn't apply to your project.

**SUBJECT:** Restrictions from Transfer Orders for Federal Housing Programs  
(Projects formerly administered by the CMHC under Section 26 Limited Dividend or Section 26 Non-Profit program, Section 27 Non-Profit Program, and Section 95 of the National Housing Act).

**BACKGROUND:** Being issued under s. 39 of the Social Housing Act, a Transfer Order No.17-4/2001 2000 states that any right, interest, liabilities and obligations of the Transferor, the Crown, under Section 26 Limited Dividend Programme or Section 26 Non-Profit Programme Agreement, Section 27 Non-Profit Programme and Section 95 of the National Housing Act and Municipal Non-Profit Tri-Partite Agreement have been transferred to the Corporation of the City of Kingston as of October 1, 2001.

The Schedules of the transfer orders impose a number of specific restrictions that require the consent from the Minister of Municipal Affairs and Housing.

### **ACTION TO BE TAKEN:**

A consent from the Ministry and the Service Manager is required if a Housing Provider intends to proceed with the following:

- transfer, lease or dispose or offer, list, advertise or hold out for transfer, lease or disposal of a housing project, or any part of it;
- alter of any condition or state of the property, excluding repairs and maintenance;
- amalgamate any projects, providers or properties;

- amend the existing mortgage terms and conditions;
- obtain new or replace existing mortgage financing.

In the event that the Housing Provider wishes to undertake changes as indicated above with respect to the transferred housing projects, the Housing Provider shall submit a request to the Service Manager for a consent. A separate submission from the Housing Provider is required for each consent requested.

### **Transfer, lease or disposition, and altering the project**

Requests for the written consent of the Service Manager and the Minister under the Transfer Order schedules by Program type shall be submitted to the Service Manager in the format of business case attached to this Directive and approved by a Board.

### **Amalgamations:**

A Council resolution is required. Requests for the written consent of the Service Manager and the Minister under the Transfer Order schedules by Program type shall be submitted to the Service Manager in the format of business case approved by the Board and define the following:

- how controlling interest in the new amalgamated corporation is retained to meet obligations under the Social Housing Reform Act
- include draft by-laws of the amalgamated corporation
- confirmation of mandates and program standards
- tenant communication plan.

### **SOCIAL HOUSING REFORM ACT, 2000 – REFERENCE:**

Amended Schedule A, B, C transfer Orders made under Part IV of the SHRA, 2000  
MMAH, Release 20: Procedures on obtaining Ministerial Consent under the SHRA, 2000

If you have any questions, please contact Mila Kolokolnikova, Supervisor of Program, Policy & Research.

Greg Grange  
Manager, Housing Division

Attachment

c.c. Lance Thurston, Commissioner, Department of Community Services  
Liz Fulton/Marion VanBruinessen, Frontenac Management Board  
Hal Linscott, Legal Division  
Supervisors, Housing Division

**BUSINESS CASE FORMAT**  
**and**  
**SUBMISSION CHECKLIST**

**Housing Provider** \_\_\_\_\_

**Submitted by:** \_\_\_\_\_

**Date of Submission:** \_\_\_\_\_

**Name of housing provider's solicitor, if applicable:** \_\_\_\_\_

*Please check item as completed and attach supporting documentation.*

**1. Objectives**

- anticipated outcomes ..... ☐
- time when objectives will be met ..... ☐

**2. Operational benefits**

- service /performance enhancement ..... ☐
- efficiency of services ..... ☐

**3. Financial Viability**

- financing required (cost estimate,  
current capital reserve balance) ..... ☐
- financial arrangements ..... ☐
- ☐ other financial resources, specify ..... ☐

**4. Legislative Compliance**

- Confirmation that the mandate and program standards will be met ☐
- Confirmation that any alteration comply with corresponding  
occupancy standards ☐
- Confirmation that any alteration that the site comply with municipal  
zoning by-law ☐

**5. Environmental Impact Analysis/Study** (only for refinancing purposes for construction of new extension, alterations)

- ☐ Impact on current tenants (tenant relocation and communication plan) ..... ☐
- Impact on building structure ..... ☐
- Impact on building site ..... ☐
- Impact on neighborhood ..... ☐

**6. Alternative Options**

List of alternatives	Costs	Implementation Time
Option 1 Pros and cons		

**7. Consequences of Non-Approval** \_\_\_\_\_

**8. Board Resolution\*\* :**

**Date:** \_\_\_\_\_

\* Minimum of 2 appraisal reports prepared by accredited appraisers in case of request under s. 95 of the Act.

\*\* Board approval of the business case is required for consent from the Service Manager and the Minister.