



Number: H-17-01

Date: April 5, 2017

Subject: Selection of a Rent-Geared-to-Income Household for a Modified Unit

This Directive is to be implemented by Housing Providers listed under the following programs in Schedule 1 of Ontario Regulation 367/11:

- 1 (a) – Local Housing Corporation
 - 2 (a) and 2 (b) – Rent Supplement Programs
 - 6 (a) – Non-Profit Programs
 - 6 (b) – Non-Profit Co-Op Program
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Directives Archived and Replaced with This Directive:

Directive H-07-05, Coordinated Access to Modified Units

Background:

The Housing Services Act, 2011, section 38 provides the following definitions: Total household income is the total income of each member combined for a 12 month period; and

- “special needs housing” means housing intended for use by a household with one or more members who require accessibility modifications or provincially funded support services in order to live independently in the community;
- “special needs housing administrator” means, in relation to a housing project with special needs housing,
 - The service manager for the service area where the housing project is located, or
 - If the regulations so provide, the housing provider operating the housing project.

As there are no units in this service area, with provincially funded support services, all references to special needs housing shall mean units with accessibility modifications.

Ontario Regulation 367/11, section 17 states

- “For the purposes of clause (b) of the definition of “special needs housing administrator” in section 38 of the Act, a housing provider set out in Schedule 3 is the special needs housing administrator for the housing projects it operates in the service area of the corresponding service manager set out in the Schedule.”

The Housing Providers listed in Schedule 3 of Ontario Regulation 367/11 as Special Needs Administrators for their supportive housing projects are:

- Kingston Home Base Non-Profit Housing Inc.; and
- The Elizabeth Fry Society of Kingston

The Social Housing Registry (the Registry) on behalf of the Service Manager is the Special Needs Housing Administrator for all modified units with the following Housing Providers:

1. Kingston Co-operative Homes Inc.
2. Kingston & Frontenac Housing Corporation
3. Kingston Municipal Non-Profit Housing Corporation
4. Lois Miller Co-operative Homes Inc.
5. Loughborough Housing Corporation
6. North Frontenac Non-Profit Housing Corporation
7. Porto Village Non-Profit Homes Inc.
8. Royal Canadian Legion Villa Kingston
9. St. Andrew-Thomas Senior Citizen Residences Inc.
10. Weller Arms Non-Profit Homes

The Housing Services Act, 2011 sections 59 to 67 set out the legislative requirements of Special Needs Housing and Ontario Regulation 367/11, sections 68 to 83 set out the prescribed rules related to the legislative requirements of Special Needs Housing. Schedule 4 of Ontario Regulation 367/11 prescribes that the City of Kingston must maintain 74 units in its service area.

The Service Manager maintains a Modified Unit Guide noting these legislated targets as well as unit modifications. The Guide is available to households selecting modified units. The Housing Providers are required to maintain their modified units and must update the Service Manager with any changes to their units or if any units are converted.

The Housing Services Act, 2011, requires the Service Manager to maintain the Special Needs waiting list for the 10 Housing Providers listed above. The number of modified units is prescribed under the legislation for each housing provider.

A household must be eligible for rent-geared-to-income assistance before eligibility for a modified unit can be determined. Households are listed on the Centralized Waiting List in accordance with the HSA with special priority households ranking above chronological households. Households will be placed on the wait list, based on the households' modified unit project selections.

Current rent-geared-to-income households occupying a modified unit and that wish to move to another rent-geared-to-income housing and special needs housing and placed on the wait list ranked in accordance with the HSA. Tenants wishing to transfer may be able to provide the tenant file documentation to confirm the requirement for unit modifications as previously confirmed by a medical practitioner.

Action to be Taken:

The Registry Responsibilities:

1. The Registry shall determine initial and ongoing eligibility for special needs housing while households are on the Centralized Waiting List.

2. Housing Registry staff will note the following wait list memos on the special needs wait list:
 - a. In cases when a household has provided documentation to confirm the requirement for a modified unit, the following text will appear on the wait list: *Medical document on file*. In addition under the column on the wait list: "modified unit", "YES" will be indicated.
 - b. If a household doesn't require unit modification but requires a unit which is wheel chair accessible, the following text will appear on the wait list: *No stairs*. In addition under the column on the wait list: "wheelchair accessible" "YES" will be indicated.
 - c. If a household doesn't require unit modifications or wheelchair accessibility but is unable to manage stairs, the following text will appear on the wait list: *No stairs*. Under the columns "Modified Unit" and "Wheelchair Accessible" "NO" will be indicated.
3. If requested by the Housing Provider, the Registry shall send the medical verification to the Housing Provider to provide details on the unit modifications required in the case of a modified unit request.
4. Provide a general special needs wait list to a Housing Provider, upon request.
5. Accept a Refusal by Household submitted by a Housing Provider but not penalize a household for a refusal if the household had not selected that specific housing project.

Housing Providers Responsibilities:

1. If a Housing Provider has reason to believe that a rent-geared-to-income household occupying a modified unit may no longer be eligible for a special needs unit, a review of eligibility for special needs unit shall be conducted.
2. If considered necessary, when making an offer of accommodation the Housing Provider may contact the Registry to obtain details on the required unit modifications for the household on the special needs wait list.
3. When a Housing Provider has a vacant unit with accessibility modifications, the Housing provider shall:
 - a. Offer the vacant unit in accordance with Directive H-15-01 – Selection of a Vacant rent-geared-to-income Unit and Directive H-13-05 – Offers and Refusals of a rent-geared-to-income Unit by Household
 - b. If there is no household on the wait list that requires the accessibility modifications of the unit, the Housing Provider cannot offer the unit to a household that does not require the accessibility modifications.
 - c. If the unit cannot be rented to an applicant on the provider's wait list a general special needs wait list can be provided to the Housing Provider to assist in filling the vacant special needs unit. Offers must be made from the general wait list as described in Directive H-13-05.
 - d. If a household from the general wait list (and not on the provider's wait list) refuses the offer of a vacant unit, the refusal should be submitted to the Registry as per Directive H-16-02; however the household will not be penalized that refusal.
4. In accordance with Directive H-16-03 – Occupancy Standards, there may be additional circumstances where based on the documentation and information provided it is determined that an additional bedroom is necessary. For the purpose of special needs housing, the Housing Provider, in consultation with the Registry may determine that a larger unit may be necessary in order to meet the accessibility needs of the household.
5. Housing Providers shall follow Directive H-16-02 – Housing Provider's Refusal to Offer a rent-geared-to-income Unit, when offering a vacant special needs unit to a household on the wait list.

Reference:

As listed in the seven points below;

- Housing Services Act, 2011, section 38, definitions
- Housing Services Act, 2011, sections 59 – 67, Special Needs Housing
- Ontario Regulation 367/11, section 68 – Special Needs Housing
- Directive H-13-08, Occupancy Standards
- Directive H-16-02, Housing Provider's Refusal to Offer an RGI Unit
- Directive H-13-05, Offers and Refusals of an rent-geared-to-income Unit by Households
- Directive H-15-01 Selection of a Vacant RGI Unit



Sheldon Laidman, MCIP RPP

Director, Housing & Social Services Department

The following list of four individuals have received a copy of this Directive

- Lanie Hurdle, Commissioner, Community Services
- Jannette Amini, County of Frontenac
- Alan McLeod, Senior Legal Counsel, Legal Services & City Solicitor
- Housing Programs Administrators, Housing & Social Services Department

If you have any questions, please contact a Housing Programs Administrator, Housing & Social Services Department.

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