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**Number: H-20-05**

**Date: July 1, 2020**

**Subject: Eligibility Rules for Rent-Geared-To-Income (RGI) Assistance**

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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 Program
- 6 (b) – Non-Profit Co-Op Program
- The Social Housing Registry

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**Directives Archived and Replaced with This Directive**

Directive H-06-02, Eligibility rules for RGI assistance

Directive H-06-05, Eligibility rules for RGI assistance – The Social Housing Registry

Directive H-13-02, Eligibility Rules for Rent-Geared-To-Income (RGI) Assistance

**Background:**

The *Housing Services Act, 2011* (HSA), section 42 states that eligibility for rent-geared-to-income (RGI) assistance shall be determined in accordance with the:

- (1).prescribed provincial eligibility rules set out in O. Reg. 367/11, sections 24 – 32; and
- (2).local eligibility rules made by the Service Manager in compliance with prescribed matters and requirements set out in O. Reg. 367/11, sections 34 – 41.

In consultation with Housing Providers, the Service Manager established the local rules for eligibility for RGI assistance.

**Action to be Taken:**

The Social Housing Registry (Registry) must determine and monitor eligibility for RGI assistance for each household on the Centralized Waiting List (CWL).

Housing Providers must determine and monitor ongoing eligibility for RGI assistance for the households residing in their RGI units as set out in Directive H-20-09, Review of RGI Eligibility by Housing Providers.

Should current RGI household request to add household member(s) to their unit, the Housing Provider in co-operation with the Registry, shall determine if the additional household member(s) are eligible for RGI assistance and if deemed eligible, shall determine if the new combined household would remain eligible for RGI assistance should the new household member(s) join the unit.

Households must meet the following eligibility requirements to receive RGI assistance:

1. At least one member of the household must be 16 years of age or older and able to live independently on his or her own or with the aid of support services that the individual demonstrates will be provided.
2. Each member of the household confirms he or she is a Canadian citizen, or under the *Immigration and Refugee Protection Act* (Canada), has made application for status as a permanent resident or has made a claim for refugee protection and no removal order has become enforceable.
3. No member of the household owes arrears of rent, and /or money owed as the result of reimbursement requested by the Housing Provider because the household received RGI assistance which they were not entitled to receive, and/or damage arrears caused by a current member of the household with respect to a previous tenancy in any housing project under any housing program. An exception can be made, if any member of the household has entered into an agreement with the Housing Provider for the repayment of the arrears or money owed and the Housing Provider is satisfied that the member is making or intends to make all reasonable efforts to repay the arrears or the money. A household remains eligible for RGI assistance if the Service Manager is satisfied that there are extenuating circumstances.
4. Households must notify the Registry or Housing Provider of any change in information and/or documentation previously provided within 30 days of the change. The Registry or Housing Provider may extend the period of time for notifying the Registry or Housing Provider of the change before or after the 30 days has expired. A household remains eligible for RGI assistance if the Registry or Housing Provider is satisfied that there are extenuating circumstances.
5. Households must provide information and documentation as requested by the Registry or Housing Provider for the purpose of determining continued eligibility for RGI assistance and/or rent payable by the household within the timeline specified by the Registry or Housing Provider.
6. RGI households that pay full market rent for a period of 24 consecutive months cease to be eligible for RGI assistance. Households may re-apply for RGI assistance as set out in Directive H-20-10, Market Rent Households Re-applying for RGI Assistance.
7. Households must pursue income for which the Housing Provider deems the household may be eligible to receive as set out in Directive H-13-07, Pursuit of Income.

8. Households must divest interest in any residential property, suitable for year round occupancy, and provide verification of the divestment to the Housing Provider within 180 days of the month the household begins to receive RGI assistance or 180 days after the first day of the month in which the member of the household acquires interest in the property. The Housing Provider may extend the time if satisfied that there are reasonable grounds to do so.
9. Prior to initial occupancy, total household income must be below the income limits as set out in Directive H-20-03, Household Income Limits (HILS).
10. Households are ineligible for RGI assistance, for a maximum of 2 years, if convicted of an offence for knowingly receiving, or assisting another member of the household to receive, RGI assistance for which they are not eligible, or convicted of a crime under the Criminal Code (Canada) in relation to the receipt of RGI assistance. A Landlord and Tenant Board Order of misrepresentation and rulings issued under a judicial review are not grounds for deeming a household ineligible for RGI assistance.
11. All members of the household may be absent from the RGI unit for a maximum of 90 consecutive days except if a member of the household must be absent longer for medical reasons and the other household members must also be absent due to the member's medical reasons. A household that must be absent for more than 90 days for any other reason may remain eligible for RGI assistance if the Housing Provider is satisfied there are extenuating circumstances.
12. Households are only eligible to occupy a unit that is within the occupancy standard range for the size of the household as set out in Directive H-16-03, Occupancy Standards. If an RGI household occupies a larger size unit than is permissible, the household must be required to move to another unit in accordance with Directive H-20-02, Over Housed Households.

**Reference:**

- Housing Services Act, 2011, section 42 – Eligibility Rules
- O. Reg. 367/11, sections 23–41 – Rent Geared-to-income Assistance – Eligibility Rules
- Directive H-20-03, Household Income Limits (HILS)
- Directive H-13-07, Pursuit of Income
- Directive H-16-03, Occupancy Standards
- Directive H-20-02, Over Housed Households
- Directive H-20-09, Review of RGI Eligibility by Housing Providers
- Directive H-20-10, Market Rent Households Re-applying for RGI Assistance

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