

Community Housing Directive

OCC 2020-02 Over-housed Households

Date of Directive:	April 2020
Replaces Directive:	OCC-2018-02 (After July 1, 2020)
Effective Date:	<input checked="" type="checkbox"/> July 1, 2020 <input checked="" type="checkbox"/> Until further notice <input type="checkbox"/> To be updated annually
Legislation:	Housing Services Act, (HSA) 2011
Regulation:	Ontario Regulation 367/11 s.38, 32.2
Applies to:	<input checked="" type="checkbox"/> HSA Providers (including Special Needs Providers) <input type="checkbox"/> Non-HSA Providers <input checked="" type="checkbox"/> HAP and Managers of other Community Housing Wait Lists

Intent

To establish a procedure for transfer of households in receipt of Rent-Geared-to-Income (RGI) assistance who occupy units larger than permitted under local Occupancy Standards.

While the intent is to house people in appropriately sized units, it is acknowledged that changes to household composition may be the result of personal tragedy. In such cases, communication to newly over-housed individuals may be delayed for up to 6 months at the discretion of the Housing Provider. Extensions for this delay may be made by the approval of the Service Manager, based on circumstances.

Policy

A household ceases to be eligible for RGI assistance if the household occupies a unit that is larger than the largest size permissible under the local occupancy standards. (See Community Housing Directive: Occupancy Standards and Special Circumstances.)

A household may no longer be eligible for RGI assistance effective twelve (12) months after the household receives written notification from the Housing Provider that the household occupies a unit that is larger than the permissible size under the local Occupancy Standards.

The written notice to the household will state that after twelve months, eligibility for RGI assistance will cease and rent will increase to market value **unless the household complies with the following transfer process:**

Implementation

1. The Housing Provider will add the household's name to the internal waiting list, **if** they have a unit of appropriate size in their portfolio.
2. The Housing Provider will advise the household that they must add their name to the waiting lists of at least three other Housing Providers on the Centralized Wait List with appropriately-sized units. The Housing Provider will send a copy of this notice to Housing Access Peterborough (HAP).
3. The household will add their name to the Centralized Wait List for at least three appropriate Housing Providers that they prefer. The application date will coincide with

the Housing Provider notification of over-housed status which will be used as their ranking date, using a priority status through HAP.

4. HAP will provide confirmation to the current Housing Provider that the household has added their name to the Centralized Wait List.
5. The household may subsequently change its preferences as long as at least three Housing Providers in addition to their current Provider are selected. The same ranking date will apply.
6. The household will cease to be eligible for RGI assistance if:
 - a. They refuse one offer to house from Housing Providers to which their name has been added to the waiting list, **and**
 - b. 12 months have passed since the notice of over-housing.

NOTE: If an offer to house is not received within 12 months of the notice of over-housing, RGI eligibility will continue until an offer to house is accepted, or an offer to house is refused and a year has passed.

7. If a household has refused one offer to house, the Housing Provider will provide the lawful notice (90 days) to increase their rent to market rent. The rent increase will not take effect until after 12 months from the notice of over-housing.
8. If the applicant moves to a suitable unit within the 90-day period of a notice to increase, their RGI subsidy will continue at the new location and the original notice will become void.
9. The current Housing Provider will notify HAP if the household refuses an offer of internal transfer.
10. HAP will track refusals in accordance with Community Housing Directive: Number of Refusals of Offers, notifying the current Housing Provider if the household refuses an offer to house.

A tenant/member will have the option of appealing decisions to remove subsidy through the Peterborough Review process.

If a tenant/member loses their RGI subsidy as a result of choosing to stay over-housed in a unit, they will be made aware in writing that their RGI subsidy will not be reinstated in their current unit on an In Situ basis since they do not meet Occupancy Standards. As such, their only recourse to reinstate RGI subsidy is to:

- Apply for an In-Situ subsidy if their occupancy status changes
- Remain on an internal transfer list (if applicable) for a unit where they meet occupancy standards
- Remain on the Centralized Wait List for a unit where they meet Occupancy Standards.



**Housing Services
Social Services Division**

For more information please contact:
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Forms and Resources

Appendix A- Process for Over-housed Households

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