

Community Housing Directive

APP 2025-01 Process for Review/Appeal

Date of Directive: Jan 13, 2025

Replaces Directive: REV 2021-01

Effective Date: ☒ Immediate
☒ Until further notice
☐ To be updated annually

Section: Housing Services Act, s. 155, 156, 158, 159

Reference: O. Reg. 367/11 General 138 & 139

Applies to: ☒ HSA Providers (including Special Needs Providers)
☐ Non-HSA Providers
☒ Housing Access Peterborough (HAP) and Managers of other Community Housing Wait Lists

Intent

To provide direction on the process by which a review/appeal is requested and conducted in the City and County of Peterborough for decisions pertaining to Rent-Geared-to-Income (RGI), special needs housing and priority placement on the waiting list.

Legislative Context

The Housing Services Act (under Part X - Reviews of Certain Decisions), requires that a Service Manager (SM) shall have a system for dealing with reviews that are requested by tenants, members and applicants. This system may be shared amongst multiple providers and must include the opportunity to equitably review a legislated list of topics that are subject to review.

The legislation prescribes who is eligible to make decisions under review, the timelines associated with reviews as well as the rules of the system.

Policy

As an initial step, Housing Providers (HP) will use their own internal review process to appeal decisions made where tenants/ members/ applicants have made a request for review.

If a mutually satisfactory resolution has not been reached after an internal review, Housing Providers will use the Peterborough Review Committee for review requests made under the following topics:

- Ineligibility for RGI assistance (applicants or existing tenants/members)
- Ineligibility for a modified or special needs unit
- The amount of rent payable by the household
- The size of the unit for which the household may receive RGI, including any requirement to move to a smaller unit
- Ineligibility for priority status on the Centralized or Internal Transfer Wait Lists

A request for a review should take place within 20 days of the decision unless there are extenuating circumstances.

Process

After receiving the Appeal Form, PRC will assess the submission. A review of the decision and the applicable legislation will take place. If a decision can not be made and a hearing is deemed necessary:

- Appellants will be contacted with the date, time, and location of the hearing.
- It is recommended that the hearing is attended by the appellant and the HP and that all relevant information for consideration is brought forward.

For further information on the review process, Housing Providers will reference instructions and current forms in the Peterborough City and County Community Housing Manual.

Peterborough Review Committee brochures and forms for tenants, members, applicants and Housing Providers are located on the City's website at www.peterborough.ca/reviewcommittee.

Timelines

In cases where a household is not included in the special priority household category, a review must be completed and the decision of the review body made within 10 business days after the request for the review is received.

The notice of the decision and reasons of the PRC must be given within 5 business days after the hearing.

The notice of the decision by the PRC will be forwarded to the decision maker and must not be given to any other member of the household other than the member who requested the review.

Forms and Resources

Peterborough Review Process Flowchart (Appendix A)

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