



# Program Instructions

## This Program Instruction applies to the following:

- ✓ HSA Part VII Housing Providers (Provincial Reform)
- ✓ Former Federal Program Housing Providers (s. 15.1/27, s, 56.1/95)
- ✓ Housing York
  - ✓ Public Housing
  - ✓ HSA Part VII

## In-Situ Priority for Market Rent Households

**NOTE:** This document repeals Program Instructions N° 2006-02

**Effective Date:** May 1, 2015

### Summary

This policy provides priority access to rent subsidy for market rent households living in a social housing community, who experienced an involuntary permanent or long-term loss that significantly reduces their income and as a result they can no longer pay their rent. Households approved for in-situ priority will be eligible to receive a bridging benefit while waiting for permanent rent-geared-to-income (RGI) subsidy.

### Purpose

The purpose of this policy is to reduce economic evictions in social housing while balancing the wait time of households on the chronological waiting list.

### Eligibility Criteria

To be eligible for in-situ priority the household's change in financial situation and reason for the loss must meet **all** of the following eligibility criteria.

- ✓ Household is living in a social housing **market rent** unit
- ✓ The household is eligible for RGI
- ✓ The household has experienced an **involuntary** loss that is expected to be **permanent or long-term** (expected to be over two years)



- ✓ As a result of the loss the household's total **income has significantly decreased\*** (decrease of at least 20% or more)

\* To be eligible the decrease in income can only be due to one of the following circumstance:

Eligible Circumstance	Example
Loss of a family member that was contributing to the household's income	<ul style="list-style-type: none"> <li>▪ Passing away of a family member, or</li> <li>▪ Admission of a family member to a long-term care facility</li> </ul>
Permanent or long-term disability (over 2 years)	Disability or critical illness acquired by a household member or its dependent that restricts a household member from continuing to work

**NOTE:** The Region may consider approving households under extenuating circumstances if the household was referred to in-situ priority through Regional support programs

- ✓ Due to the significant decrease in the household's income, the household **can't pay rent** (over 50% of household's income goes toward paying for rent and utilities)
- ✓ Total household **assets do not exceed \$20,000** (excluding assets listed in section 35 of Ontario Regulation 367/1, *Housing Service Act*, 2011)
- ✓ If household owes rental arrears, a repayment plan is in place
- ✓ The household does not receive Housing Allowance

*Detailed eligibility criteria definitions are provided in Appendix A.*

### **Circumstances NOT eligible for in-situ priority**

If the reason for household's loss is not listed in the table above, the household is most likely not eligible for in-situ priority.

Here are **examples** of not eligible circumstances:

- Loss of employment\*
  - \* *Not including loss of employment due to permanent or long-term disability*
- Marital separation
- Incarceration
- Maternity leave
- Return to school
- Guarantor breakdown\*
  - \* *Guarantor is someone who co-signed a lease/occupancy agreement assuming responsibility over part of the rent*
- Retirement
- Sponsorship breakdown\*
  - \* As per definition under the *Immigration and Refugee Protection Act* (Canada)

## **Bridging Benefit**

An interim bridging benefit will be provided to households approved for in-situ while they wait for RGI. The benefit will begin on the first of the month following the date a **complete** in-situ application was received by the Region. Payments will be made directly to the Housing Provider.

The bridging benefit will NOT be retroactive to the date the household experienced the significant loss of income.

Bridging benefit payment will be based on unit location (south/north), unit size (as per Regional Occupancy Standard - Program Instruction N°2004-04), and CMHC average market rent for the year in which the household was approved for in-situ priority.

***For example:** In 2015, a household in a 1 bedroom unit in the north end of the Region would be eligible for a \$349/month bridging benefit.*

The bridging benefit is calculated once when the applicant is deemed eligible and provided until the household is offered RGI. The benefit will not be adjusted unless there were significant changes to the household's composition and/or income.

A household in receipt of the bridging benefit is required to report to the Region any significant changes to household composition and/or sources of income.

Examples of significant changes that must be reported by the household to the Region, include:

- An individual moving in or moving out of the unit
- Any member of the household receives a new job or new support payments (e.g. Ontario Disability Support Program (ODSP), insurance settlement, etc.)

## **Process**

### ***Housing Provider***

1. Offer the In-Situ Priority Application (a copy is attached) to market rent households who experienced a significant and permanent loss that significantly reduced their income.
2. The household must complete the application in full and provide all required verification documents. The application is not considered to be complete unless all required documentation is attached. (If the household cannot provide a required verification document please consult with your Program Coordinator)
3. Complete the In-Situ Priority Check-List (a copy is attached) and attach the household's lease/occupancy agreement to the complete In-Situ Priority Application. Forward the complete package to your Program Coordinator for review.

## ***The Region***

4. The Program Coordinator assesses the household's eligibility for in-situ priority category.
5. If the application is missing any information or verification documents it will be returned to the household with a letter, copying the Housing Provider, explaining what information is missing.
6. Once a complete application is received, it will be reviewed and the Region will notify the household of its decision with a copy to the Housing Provider.
7. If the household is denied in-situ priority, it may request a review of the decision.
8. If the household is eligible for in-situ priority, it is added to the Housing Provider's subsidiary waiting list. Within the in-situ priority category, the applicants are ranked based on the date a **complete** in-situ application was received by the Region.

## ***Household - offer of an RGI unit***

A household with in-situ priority will be offered RGI for the unit size it is eligible for as per Regional Occupancy Standard - Program Instruction N°2004-04. A household will be required to move to a proper size unit within their housing community at the time of RGI offer if it is deemed overhoused.

A household with in-situ priority will be given only one offer. If a household refuses an RGI offer it will lose the bridging benefit and in-situ priority status. The household will remain on the centralized waiting list with a ranking based on its original application to the centralized waiting list. The refusal will be counted toward the three refusals.

## **RGI Allocation Process for Housing Providers**

When the Housing Provider has an RGI vacancy, the following steps must be taken:

1. Offer the unit to households on the internal transfer list.
2. Offer the unit to a household on the special priority wait list.
3. If the unit is filled with a special priority household, and the provider is still under target, the available RGI subsidies are allocated to the highest ranked household on the in-situ priority waiting list.
4. If the unit is not accepted by any of the special priority household offer RGI assistance to the highest ranked market household on the in-situ priority list. The market household will be required to move to a unit of the size and type it is eligible for. All available RGI subsidies can be allocated to in-situ priority households.
5. After allocating in-situ subsidy, the Housing Provider determines whether the vacant unit is market or RGI. If all subsidies are allocated, the Housing Provider rents the unit at market. If

the Housing Provider is still under target, the unit is offered to the highest ranked applicant on the chronological waiting list.

***Allocating RGI Assistance to In-Situ Priority Applicants Without an RGI Vacancy***

If the Housing Provider has no vacancy but is under target, the provider may allocate an RGI subsidy to the highest ranked market rent household on the chronological subsidiary waiting list.

**Authority**            *Housing Services Act, 2011 – section 42*  
                              *Ontario Regulation 367/11 – section 48*

**If you have any questions please contact your Program Coordinator**

-ORIGINAL SIGNED-

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Attachments:

- Appendix A – Eligibility Criteria Definitions
- In-Situ Priority Application Coversheet
- In-Situ Priority Application
- In-Situ Priority Check-list

## Eligibility Criteria Definitions

Criteria	Definitions	
	Eligible	Ineligible
<b>Household</b>		
Household lives in a market rent unit in Regionally funded social or affordable housing community with rent subsidies	A household living in York Region's social or affordable housing community where subsidy is provided	<ul style="list-style-type: none"> <li>Households living in Federal Co-operatives or AHP projects without a Rent Assistance agreement,</li> <li>Market households living in buildings without rent supplement agreement, or</li> <li>Other private market rent housing</li> </ul>
Household must be eligible for RGI		
<b>Financial Situation</b>		
Household experienced a loss that resulted in a significant reduction in income	<p>The household's income has decreased by at least 20%</p> <p><i>Example: household's total income was \$2,000/month. After the loss it decreased to \$1,500/month = the loss of income is 25%</i></p>	<p>Loss of income less than 20%</p> <p><i>Example: household's total income was \$3,000/month. After the loss it decreased to \$2,500/month = total loss of income is 17%. This household would not qualify for in-situ priority</i></p>
Household does not receive Housing Allowance.		
Household can't pay rent	As a result of the reduction in the household's income it now pays over 50% of its income for	Household experienced a reduction in income of over 20% but pays less than 50% of



Criteria	Definitions	
	Eligible	Ineligible
	<p>rent and utilities</p> <p><i>Example: prior to the loss household's income was \$3,000/month and it paid 40% (\$1,200/month) of total income for rent and utilities. Due to the loss, the household income decreased by 23% to \$2,300/month and it now pays 52% (\$1,200/month) of total household income for rent and utilities</i></p>	<p>household income for rent and utilities.</p> <p><i>Example: prior to the loss household's income was \$4,000/month and it paid 30% (\$1,200/month) of total income for rent and utilities. Due to the loss, the household's income decreased by 25% to \$3,000 and it now pays 40% (\$1,200/month) of total income for rent and utilities</i></p>
Total household assets do not exceed \$20,000	<p>The household does not own assets that exceed a total value of \$20,000</p> <p>Example of assets that are excluded under s. 35 of Ontario Regulation 318/11:</p> <ol style="list-style-type: none"> <li>1. Some personal and business assets (e.g. family vehicle, tools essential for work, business assets value of personal effects and unit's furnishings, etc.)</li> <li>2. Some disability/life insurance plans (e.g. RDSP, value of a prepaid funeral, cash value of life insurance policy, etc.)</li> <li>3. RESP</li> </ol>	<p><i>Example: the household meets all eligibility criteria but has investment accounts valued at \$40,000</i></p>
<b>Circumstances</b>		
The loss was involuntary	<p>Eligible circumstances:</p> <ul style="list-style-type: none"> <li>• Death or admission to a long term care facility of a family member that was contributing to the household income.</li> <li>• Permanent or long-term disability or critical</li> </ul>	<p>Not eligible circumstances:</p> <ul style="list-style-type: none"> <li>• Loss of employment</li> <li>• Marital separation</li> <li>• Incarceration</li> </ul>



Criteria	Definitions	
	Eligible	Ineligible
	illness (over 2 years)	<ul style="list-style-type: none"> <li>• Maternity leave</li> <li>• Return to school</li> <li>• Guarantor breakdown</li> <li>• Retirement</li> <li>• Sponsorship breakdown</li> </ul>
The loss is expected to be permanent or long term	<p>The loss of income is expected to be permanent or long-term (more than two years)</p> <p><i>Example: passing away of a family member that was contributing to the household's income</i></p>	<p>Cases where the loss of income is temporary would not qualify</p> <p><i>Example: maternity leave</i></p>

