

# CITY GUIDELINE

**Number:** 2014-2

**Date Issued:** August 22, 2014

**Effective Date:** immediately

The policies and procedures in this City Guideline are to be implemented under the following programs:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> HSA*, Section 78, Market and RGI** | <input type="checkbox"/> Non-Profit Housing Section 95                    |
| <input checked="" type="checkbox"/> HSA, Section 78, 100% RGI          | <input checked="" type="checkbox"/> Rent Supplement Programs              |
| <input type="checkbox"/> Federal Non-Profit Housing Section 26/27      | <input checked="" type="checkbox"/> Toronto Community Housing Corporation |

**Please note:** If your program is not checked, this City Guideline does not apply to your project.

*\* Housing Services Act \*\*Rent Geared-to-Income*

**Subject:** Re-Issue of Chapter 7 - RGI Administration Manual

## Background:

City Guideline 2014-1 established the online RGI Administration Manual as the authority for RGI administration in the City of Toronto.

[Chapter 7](#) of the RGI Administration Manual has been updated.

The information contained in previously issued City Guidelines about reviewing RGI is included in Chapter 7, so the City Guidelines are no longer needed. The following City Guidelines are revoked:

2008-3	30 Day Rule
2008-5	Rent Reviews for Fixed Income Households
2013-1	System for Dealing with Reviews

Changes from the previous version of Chapter 7 are:

#### Accommodation under the Ontario Human Rights Code

- RGI Administrators must consider their "duty to accommodate" under the [Ontario Human Rights Code](#), s.11 when making decisions about rent geared-to-income eligibility.

#### Reviews for Fixed Income Households

- RGI Administrators may decide to do 24 month reviews instead of annual reviews for fixed income households. Households receiving Ontario Works are no longer eligible for 24 month review.

#### Template Letter – Mandatory Use - Notice of Decision, Loss of Eligibility for RGI Assistance

- Template letters 5, 5A, and 5B in Chapter 10 have been replaced with a new template letter 5 - Notice of Decision, Loss of Eligibility for RGI Assistance. Use of this form is mandatory for all decisions to remove eligibility for RGI assistance.

#### Annual Review Procedures

- RGI Administrators must date stamp annual review documents received and provide a receipt for documents upon request.
- RGI Administrators must not send back incomplete annual review packages. They must specify which documents are missing and request that households provide them.
- Before issuing a Notice of Decision to remove eligibility for RGI assistance, RGI Administrators must try to contact the household in person to see if they can provide the documents. Document all attempts to contact.

#### Reporting Rules for Mid-Year Changes in Income, Assets and Household Composition

- The reporting period for submitting documents and requesting a review of a decision has changed from 20 business days to 30 calendar days.

#### Reporting Rules for Fluctuating Income

- Once a household with fluctuating income has reported 4 times, the household must report annually. The household must provide their Notice of Assessment from the Canada Revenue Agency personal income tax return from the prior year. If the fluctuating income is from self-employment, the household must also provide the Statement of Business and Professional Activities.
- RGI Administrators must inform household members with fluctuating income that they must file income tax returns annually to maintain their eligibility.
- If a household member's income fluctuates in an identical or similar pattern each year, RGI Administrators must calculate their RGI rent using the annual income

of the prior year shown on the Notice of Assessment from Canada Revenue Agency.

- Households may provide new income documents and RGI Administrators must recalculate RGI rent of households with fluctuating income between annual reviews if:
  - based on year-to-date income, there is a significant and ongoing change in the amount or type of fluctuating income received by a household member, and
  - the change in fluctuating income would result in a significant reduction in annual income.
- Households must provide the Notice of Assessment for the year in which the housing provider had recalculated RGI rent. If the actual annual income was higher than the reported income, the housing provider must recover the difference in RGI rent from the household.

#### Overhoused Households Who Have Refused 3 Offers

- After an overhoused household has received a Notice of a Decision that they will be losing their eligibility for RGI assistance because they refused 3 offers, a housing provider must continue to offer suitable units until the effective date of the Notice.
- If the overhoused household accepts an offer before the effective date of the Notice, the housing provider **must** reverse the Notice of Decision once the household has moved to a suitably sized unit.

#### After Issuing a Notice of Decision to Remove Eligibility for RGI Assistance

- RGI Administrators must reverse the decision if the household complies with the original requirements (status in Canada, annual review or mid-year reporting, trying to obtain income) before the effective date.
- Decisions to remove eligibility after paying market rent for 12 months are not eligible for reversal.

#### **Action Required:**

1. RGI Administrators must comply with the RGI Administration Manual when administering the RGI Program.

If you have any questions or concerns, please contact your Social Housing Consultant.

Original signed by

Rob Cressman  
Director, Social Housing